

Getting Started in Scottish Family History Research

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History

Though part of the United Kingdom since 1707, Scotland has had its share of difficulties regarding rebellions, punishment, issues with ruling monarchs, religious persecution, and more.

- 1603 – Scotland and England share same monarch
- 1649-1651 – Scotland supports and then rebels against Cromwell
- 1707 – Formation of the United Kingdom: includes England and Scotland
- 1715 – Rebellion of Jacobites
- 1745 – 2nd major rebellion of Jacobites
- 1750s-1850s – The Clearings

Early Immigration

Scotland's inclusion in the United Kingdom allowed it to establish settlements in the New World. Among the earliest of settlements were many that did not survive:

- Nova Scotia (1629-1632)
 - King James I of England (James VI of Scotland) grants a charter to create the colony of Nova Scotia (New Scotland)
 - Grant given to Sir William Alexander of Menstrie
 - Settlement wiped out in 1632
- East Jersey (1683-1702)
 - Quakers seeking to escape religious persecution
 - Settled in East Jersey (which joined with West Jersey in 1702 to become New Jersey)
- South Carolina (1684-1686)
 - Stuarts Town, part of a 2-county area purchased for Scottish emigrants
 - 1684 saw the arrival of 148 Scots from Gourock
 - They were Covenanter Presbyterians seeking religious freedom
 - Wiped out by Spanish and Indian allies in 1686

- New Caledonia at Darién near Panama (1698)
 - Intended to be a trading colony at Darién
 - 2,500 Scottish settlers set out in 1696
 - Lack of provisions and colonizing experience hurt them
 - Wiped out by 1700 as a result of disease and Spanish attacks
- Darien (New Inverness) Georgia (1736)
 - Founded in 1736 and named for the failed colony in Panama
 - Earliest arrivers came from Inverness and often referred to the town as “New Inverness”
 - Some of the Scottish began to abandon the settlement in 1739 heading for South Carolina
 - Some of these Scots were involved in the American Revolution

Unlike England, the momentum for the Scottish to emigrate to North America was much slower. They had been migrating to European regions since the Middle Ages. They also helped colonize:

- The Hebrides (16th & 17th centuries)
- Orkney (16th & 17th centuries)
- Shetland (16th & 17th centuries)
- Ulster (by 1650)

Voluntary Immigration

Voluntary immigration by the Scots to North America began to pick up in the 1700s. This was mainly due to increased rents among other push factors. Most immigrants from Scotland in the 1700s were indentured servants.

Estimates put the number of emigrants to 25,000 with many of them settling in the 13 American colonies. Some did go to Nova Scotia and Prince Edward Island.

One of the most successful settlements of the Scots was the Cape Fear region in North Carolina. In 1739, the royal governor of North Carolina encouraged Scottish emigration, ultimately providing those who did come with a 10-year tax exemption. Highlanders who arrived in the early 1700s usually had land grants to the Upper Cape Fear region as the Lowlanders had settled in the Lower Cape Fear region. Unlike other colonies, intermarriage between the Highlanders and the Lowlanders was seen in North Carolina.

Tip: Many Scots, especially Highlanders, were Loyalists when it came to the American Revolution.

19th Century

Canada was still more popular than the United States for Scottish emigrants. Between 1820 (the start of U.S. passenger lists) and 1851, the per annum Scottish arrivals seldom reached 1,000 immigrants. Some years saw less than 100. Statistics show that a total of 10,525 Scottish immigrants arrived in the U.S. during those three decades.

The Clearances

The eviction of tenants known as the Clearances affected both the Highlands and the Lowlands. They took place from approximately 1750 to 1860. The landlords cleared the tenants in order to make more money off of the land—often by bringing in sheep, which were more profitable.

Important dates:

- 1746 – Battle of Culloden
- 1747 – Act of Proscription
- 1792 – Year of the Sheep
- 1807 – The Sutherland Clearances
- 1822 – Collapse of the kelp industry
- 1846 – The potato famine

Having already seen what had happened to Ireland during their famine, it was believed that clearances and emigration were the only solution when the famine hit Scotland. Roughly 11,000 Scots were “relocated” through “assisted passage,” from their landlords during the decade of 1846-1856. Another 5,000 emigrated to Australia with assistance. There are unknown numbers of individuals who either paid for their own emigration or were helped by the Colonial Land and Emigration Commission.

Conclusion

When it comes to researching Scottish ancestors, it is important to first understand the history of Scotland. That history often affected who and where ancestors went when they left Scotland. Additionally, where your ancestors settled could be a clue to their origins, especially in the early years.

There are many published compilations of Scottish immigrants to Canada and the United States. These should always be searched, not only for the names of ancestors but also for where the records used were located. Many repositories both in Scotland and in North America may hold records that have information on your ancestors. Finally, you may ultimately have to go offline and seek manuscripts from repositories, especially in Scotland.

Determine Origins from U.S. and Canada Resources

“From Scotland”

- Family Tradition
- Vital Records
 - Birth record: Recording the place of birth of the parents of the child.
 - Marriage record: Recording the place of birth of one or both spouses, and on occasion their parents place of birth.
 - Death record: Recording the place of death of the deceased, or their parents.
- Obituary or Gravestone
- Passenger Lists
- Naturalization Record

Passenger Lists

- Notice who is immigrating together at the same time from the same village or country.
- Are these same individuals your ancestor knew in Scotland, or later became associates, neighbors, or family members in the United States?

Naturalization Records

- Often birthplace in Scotland, or at least the county in Scotland should be listed.
- Research the naturalization of the witnesses to see if their origin in Scotland is similar
- Were the witnesses "Family, Associates, or Neighbors"

Tip: On occasion the place of residence or birth can simply be listed as United Kingdom of England Ireland and, Scotland

Essential Scottish Resources

Civil and Parish Records

While certain church events can also show up in the parish records—marriage records being the most obvious—these Civil and Parish records are separate, usually housed in different offices, and may contain varying information.

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| <ul style="list-style-type: none">• Civil Records – begin in 1855<ul style="list-style-type: none">○ Births○ Marriages○ Deaths | <ul style="list-style-type: none">• Parish Records may exist into the 17th c.<ul style="list-style-type: none">○ Baptisms○ Marriages○ Burials○ Other Records |
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Civil Records

The statutory recording of births, marriages, and deaths began on 1 January 1855. This was a logical progression given that Scotland was a member of the United Kingdom and England and Wales had begun the civil recording of these records in 1837.

With the new legal directive, Scotland created 1,027 registration districts to handle the documenting of the births, marriages, and deaths of the Scottish people. By 1994 that number of registration districts had been reduced to just 360. Like some of the towns in which they were created, registration districts may straddle county lines. The Local Government (Scotland) Act of 1889 was passed to eliminate these cross-county registration districts by creating all-inclusive county boundary changes in 1892/93. The new counties were called Administrative Counties, while the old versions of the counties were called Historic Counties.

Tip: There are several websites and finding aids to assist family historians in identifying the correct registration district. See below for a list.

Birth Records

The law required that the birth was registered within 21 days of the birth. If not, there was a financial penalty. These records include:

- Name of the child
- Where and when born
- Information on the father and mother:
 - Name and occupation of the father
 - Name, as well as maiden surname, of mother
 - Where and when married
- Informant's signature and qualification for reporting the birth (usually one of the parents)
- Where and when registered

From 1855 to 1918, illegitimate births were identified as such on the actual registers. Such entries may have a notation to the left of the entry that indicates where to find the Register of Corrected entries (which seek to identify the father of the child). As in other countries, the child could become legitimate if the parents married and if they had that right at the time the baby was conceived (e.g., neither couple was already married and thus having an affair). A law in 1919 made it illegal to make a distinction in the registers with the word *illegitimate*.

Marriage Records

There are few surprises in the information found in the civil registration of marriages. They include:

- When, where, and how married
- Name, age, occupation, and marital status of the groom
- Name, age, occupation, and marital status of the bride
- Regular residence of the groom and bride
- Name and occupation of the fathers of the groom and bride
- Name and maiden surname of the mothers of the groom and bride

- Identifies if the parents are deceased
- Whether the marriage was regular or irregular
 - Regular – the reading of the banns occurred and married by a minister
 - Irregular – the declaration of the bride and groom before witnesses
- Date the marriage was recorded and name of the registrar
- Sometimes the register used abbreviations in the right-hand of the record, using a *B* (Burgh – urban) or an *L* (Landward – rural) to indicate where the parties of the marriage resided

Regular marriages mention the proclamation of the banns and the minister; witnesses are noted in a column to the right of the parents.

Tip: Banns are read at the parish for three consecutive Sundays.

Irregular marriages, those in which the couple simply declare themselves in front of two witnesses (no banns), usually include the names of the witnesses to the left of the names of the groom and bride, followed by their addresses. Proof of the marriage was supplied to the sheriff or sheriff substitute of the town, who would then issue a warrant requiring the marriage to be recorded in in the civil marriage register.

While the country would have preferred that everyone's marriage was by banns, they understood that such a requirement might give couples the excuse to simply "not marry."

Death Records

The earliest of the death registers contained:

- When the doctor last saw the deceased alive
- Place of burial
- Name of the undertaker

Later records lack such detail. In 1861 they did, however, reinstate the inclusion of the spouse's name on the record, which had been eliminated in 1856.

Parish Records

Like other countries that are part of the United Kingdom, there is a national religion and a recognized state church. With few exceptions over the years, the Church of Scotland has been Presbyterian in its teachings and beliefs.

Some parish registers are available digitally through ScotlandsPeople: the Church of Scotland and the Roman Catholic Church. There are, however, many nonconformist religions practiced in Scotland:

- Society of Friends (Quakers)
- Methodist
- Episcopal
- United Free Church
- Congregational
- Unitarian
- Free Church

Church of Scotland

With a couple of exceptions in the 1600s when it was Episcopal, the Church of Scotland has been Presbyterian. The Old Parish Registers (OPRs) cover from the early years to 1854, at which time Civil Registration began. There are an estimated 900 parishes across Scotland's 33 counties, though only approximately 3,500 registers survive.

Tip: Recusant refers to any group who did not get married in a church by banns.

Tip: Not all records may be online.

Baptisms

Baptisms generally list only the date the child was baptized, not the birth. Baptisms were generally done weeks or even months after the birth of the child. It is important to remember that the Old Parish Records generally only include those of the Presbyterian faith.

Whether researching in church or civil records, it is important to understand where the parish is and its surrounding towns.

Marriages

Following the proclamation of banns, the wedding would be recorded, sometimes in two parishes (one each for the groom and bride). If you find more than one entry, be sure to investigate both entries, as one may have more information. Some of the ministers took it upon themselves to write down additional information.

Burials

Burial records often contain the least amount of information. If it is recording the death of a child, you may find the age of the child at the time of death. They generally include only the name of the deceased and the date of internment.

Other Records

One of the most useful records in the Church of Scotland are the Kirk Session records. Among these records you may find details about trying to return a communicant to the church. These session records should be consulted for any family that was in the state church.

Roman Catholic

The National Records of Scotland has an impressive collection of Roman Catholic pre-1855 records that were photocopied. These records went to the parish priest, the Diocese, and the Archdiocese. Their pre-1855 records have also been made available on ScotlandsPeople.

Episcopal Church

The Episcopal Church served as the established Church of Scotland between 1603-38 and later in the 1660s. The original records are generally housed with the priest or diocese. A survey of the known Episcopal Churches was conducted and is available on the National Register of Archives for Scotland.

Other Nonconformist Religions

Records of non-conformist religions including Baptist, Congregational, Methodist, Quaker, and Unitarian can be found at the National Record of Scotland. They also exist in archives in the areas where the individual church existed. They tend to have restrictions as to who can access them and do require a signed form from a researcher.

ScotlandsPeople

The advent of online ScotlandsPeople, funded and maintained by the government, has made many valuable records available. ScotlandsPeople contains the digital image of important Scottish records from:

- National Record of Scotland
- Lyon Court
- Scottish Catholic Archives

They maintain a research center in Edinburgh at which you can view records, including many contemporary records of birth, marriage, and death. These cannot be downloaded, but it does allow you to read and gather the information from these more recent records.

ScotlandsPeople is also a website: <https://www.scotlandspeople.gov.uk/> which offers access to many of these records online. Simply create an account and purchase some credits to view:

- Old Parish Registers (1553-1855)
- Civil (Statutory) Registers
 - Births, Deaths, Marriages (1855-current)
 - Divorces (1984-current)
 - Register of Corrections (1855-current)
 - Civil Partnerships (2005-current)
 - Dissolutions of Civil Partnerships (2007-current)
- Registers of births, deaths, marriages outside Scotland (years vary)
- Roman Catholic records (1703-20th century)

Reminder: Legal restrictions are in place to protect the living, meaning you can only view births more than 100 years old, marriages more than 75 years old, and deaths more than 50 years old.

Scottish Census 1841-1921

Taken every ten years since 1801 except in 1941. All the censuses from 1841 to 1921 are available for public use. Recently the 1921 Scotland Census was released released on ScotlandsPeople.co.uk

Ancestry.com has transcribed copies of the 1841-1901 Scotland Census (no images) online:

<https://www.Ancestry.com/search/collections/catalog/?title=scotland%20census>

1841 Scotland Census – Census day: June 6, 1841 – The population was 2,620,184

- FamilySearch: <https://www.familysearch.org/search/catalog/442707?availability=Family%20History%20Library>
- FindMyPast: <https://search.findmypast.co.uk/search-world-records/1841-england-wales-and-scotland-census>

1851 Scotland Census – Census day: March 30, 1851 - The population was 2,888,742

- FamilySearch: <https://familysearch.org/search/collection/2028673>
- FindMyPast: <https://search.findmypast.com/search-world-records/1851-england-wales-and-scotland-census>

1861 Scotland Census – Census day: April 7, 1861 – The population was 3,062,294

- FamilySearch: <https://www.familysearch.org/search/catalog/160553?availability=Family%20History%20Library>
- FindMyPast: <https://search.findmypast.com/search-world-records/1861-england-wales-and-scotland-census>

1871 Scotland Census – Census day: April 2, 1871 – the population was 3,360,018

- FamilySearch: <https://www.familysearch.org/search/catalog/162199?availability=Family%20History%20Library>
- FindMyPast: <https://search.findmypast.com/search-world-records/1871-england-wales-and-scotland-census>

1881 Scotland Census – Census day: April 3, 1881 – the population was 3,735,573

- FamilySearch: <https://www.familysearch.org/search/catalog/114528?availability=Family%20History%20Library>
- FindMyPast: <https://search.findmypast.com/search-world-records/1881-england-wales-and-scotland-census>

1891 Scotland Census – Census day: April 5, 1891 – the population was 4,033,103

- FamilySearch: <https://www.familysearch.org/search/catalog/164002?availability=Family%20History%20Library>
- FindMyPast: <https://search.findmypast.com/search-world-records/1891-england-wales-and-scotland-census>

1901 Scotland Census – Census day: March 31, 1901 – the population was 4,472,103

- FindMyPast: <https://search.findmypast.com/search-world-records/1901-england-wales-and-scotland-census>

1911 Scotland Census – Census day: April 2, 1911 – the population was 4,760,904

- ScotlandsPeople.co.uk - searchable with images (purchase credit vouchers)

1921 Scotland Census – Census day: June 19, 1921 – the population was 4,882,497

- ScotlandsPeople.co.uk - searchable with images (purchase credit vouchers)

Wills & Testaments

Wills and testaments are similar to what we refer to as probate records in the United States, however, due to the laws of inheritance in Scotland they are not as useful as their American counterparts. They often do not list names of relatives and up until 1868 the testator could only include what is known as moveable property (i.e., things that can be picked up and moved).

The laws of inheritance control much of who and how individuals receive their inheritance. The law of primogeniture (the eldest son inherits) was in effect from 1868 to 1964. If there was no son, then the eldest daughter could inherit. This eldest child inherited the *heritable moveable property* (land, buildings, any other immoveable property). All the other children received an equal share of the moveable estate (money, animals, jewelry, tools, furniture, and so forth).

The moveable property is often referred to in the testament as “*goods, gear, sums of money and debts.*”

There is a maximum of three parts into which the moveable property can be divided:

1. *Jus relicte* – the one-third that goes to the widow
2. *Legitim* – the one third that goes to the *bairns* (the children) to split equally, with the exception of the eldest
3. *Deids* – the part of the moveable property that the deceased can stipulate how it is to be disposed

Obviously, a lack of a widow or children can alter how the moveable property is distributed, but if there is a widow and children, those two-thirds are automatically confirmed and the only part that the executors must handle is usually that which is written in the *deids*. If there are no widow or children, then the deceased brothers and sisters are considered the nearest next of kin for distribution.

Land Records

Land records are often more helpful than testaments in that they often list people by name and may include how a person has come to have the right to sell the land. Up until 2004, Scotland had a feudal system, in which the land was in theory owned by the Crown. Ownership was passed to immediate vassals. In the early years, the land was granted as payment for military duty. Eventually payment of *tiends* (also known as tithes) of produce or money replaced the military service.

With the feudal system, the heirs did not automatically inherit the land. When it comes to land, there are some important terms to understand:

- *Heritable immoveable property*: the land under the ownership of a vassal
- *Retours of services of heirs*: the return of the jury who determines the rightful heir, which then goes to the Royal Chancery
- *Clare Constat*: means “clearly shows” and was a system used by subject superiors to their own vassals to inherit

The Retours of Services to Heirs are found in the records of Chancery at the National Records of Scotland centre. The abridgements and index created by Thomas Thomson in 1811 and 1813 are usually sufficient to understand the retour, though for the retours up to 1699, the abridgements include the reference to the volume and page of the original retours.

- *A.E. (antique extentis)*: Old Extent (worth), used in showing the change in the Scottish pound
- *N.E. (novellus extentis)*: New Extent (worth), used in showing the change in the Scottish pound
- *Merk*: a value of money; 1 merk = $\frac{2}{3}$ Pound Scots

Sasine registers are another valuable resource when tracing land. The register takes its name from *sasine* which means to *seize*, as landholders were seized of the land (physically holding the land). Before 1617, the sasines were handled by notaries. After 1617 came the creation of the Register of Sasines. These records include changes in ownership as well as details about secured debt up until 1981.

Before 1781 the sasine registers are incomplete and some counties have missing volumes. After 1781, indexes are good and there are also printed abridgements by county. They are usually recorded within a few days of being drawn up, except for a sole heir who is already residing on the premises. In such a case, the heir only needs to register the sasine if his possession of the property was questioned or if he was going to sell the property. In selling, he would have to prove he had the right to sell the said property.

ScottishIndexes.com has an index to the Particular Register of Sasines for the counties of Roxburgh, Selkirk, and Peebles for 1780 searchable on their site. There are microfilmed records that have been

digitized through FamilySearch.org (available via Family History Centers or through FamilySearch auxiliary libraries) that can assist you for other locations and years. In addition to the minute book, which has the “highlights” from the sasine record, you may also find the original sasine registers available on FamilySearch.org as well (with the same viewing limitations).

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