

BDA Source Description Pages

<https://www.bda-online.org.au>**Permissions for NSW Convicts to Marry 1826-1851**

Convicts in the colony were encouraged to marry, especially after 1810. An ongoing imbalance of the sexes resulted in a shortage of prospective wives. Serving convicts needed to seek official permission to marry a free or convict person and could be refused on grounds of their conduct record or previous marriage to a living spouse. After obtaining initial permission from employers, convicts applied to a minister who forwarded the request to the Governor via the Colonial Secretary, who issued a permission or refusal authorised by the Governor, based on reports on the convict's character and behaviour.

Some of these pre 1826 permissions are included in summary form in the Colonial Secretary's Papers and can be located on BDA within that dataset (few or none survive from prior to 1810). Most pre-1820 marriages were performed by Anglican ministers, with marriages by clergy from Catholic, Methodist, Presbyterian and other denominations becoming increasingly common through the 1820s.

The earliest surviving continuous record of permissions to marry dates from the beginning of Governor Ralph Darling's administration of New South Wales. Known as the 'Register of convicts' applications to marry', it commences in January 1826 and continues in a series of volumes up to 1851.

Applications were sent to the Superintendent of Convicts Office where a check was made on the convicts' record, including marital status noted on arrival in the colony (to prevent bigamous marriages). Convict arrival musters only included marital status from about 1825, meaning some previous marriages prior to the mid-1820s could go undetected.

The original registers are held by New South Wales State Archives, Registers of convicts' applications to marry 20.12.1825 – 26.2.1851 ref: NRS-12212, 4/4508-14, 4/1117.4. These have been digitized online by [ancestry.com.au](https://www.ancestry.com.au)

The registers record names of prospective bride or groom, their age, the date permission granted, ship of arrival, sentence, status (free or convict/bond, sometimes noting whether a ticket of leave was held), place of residence or marriage and name of clergyman. Convicts whose sentence was expired or who held conditional or absolute pardons were not required to seek permission to marry unless their prospective spouse was a serving convict.

Separate registers of refusals of permission to marry were maintained for the period 1826-1850. They followed the same format as permissions with the addition of a field for a summary statement of the reason for refusal (including such reasons as bad character, record of previous marriage to a spouse who may be alive etc). These registers of refusals have not been included in this dataset.

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The BDA permissions to marry dataset contains details of 10,220 prospective applicants (5,110 men and 5,110 women) which along with clergy and other individuals and aliases mentioned comprises a total of 21,354 entries. Many of the permissions have been linked by BDA to a biographical report. Editorial remarks are sometimes included, as are original remarks on the register, usually alias names.

Sixty-two very young prospective brides were aged under 16 (marriage as young as 13 then being legal with the consent of a parent or legal guardian). Ten of these were teenage convicts and the rest were born in the colony or recent free immigrants. The youngest recorded age is that of Mary Callaghan, born in the colony, who was aged 13 when permission was granted for her to marry William Wright, aged 40, at Newcastle in 1834. Nine girls were granted permission to marry at the age of 14 and another 52 were aged 15. By contrast the youngest males in the register are four 17 year old convicts.

It is important to remember that if permission was refused the marriage did not take place and in a few cases couples granted permission may have changed their minds before actually tying the knot. Some individuals made multiple applications to marry the same or different partners. Some applicants were born in the colony and their age can be a useful clue to their origins if their baptism record does not survive.

If an individual cannot be located BDA users should try 'supplementary' or 'main & supplementary' search on the main search page:

www.bda-online.org.au/mybda/search

which will pick up any individual or alias not included in the main index owing to a technical indexing error or for some other reason.

Please advise us of any errors or omissions on this BDA dataset [here](#).

This BDA dataset has been adapted and edited from an electronic transcript originally published in CD format in about 2000 as 'Convicts permissions to marry, 1826 - 1851 indexed by Lesley Uebel': L Uebel, c2000.

The late Ms Uebel's index was done independently of the indexes for this dataset by Ancestry.com.au (New South Wales, Australia, Registers of Convicts' Applications to Marry, 1826-1851), Findmypast.com.au (New South Wales Registers of Convicts' Applications To Marry 1825-1851) and New South Wales State Archives www.records.nsw.gov.au/ (Convicts Applications to Marry 1825-1851).

Information Page written by Michael Flynn 2021.

For of all Convict records included in the BDA see:

<https://www.bda-online.org.au/sources/convict-records/>

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