

Guide to Marriage Records Chester County Archives

On January 12, 1852, the Pennsylvania Legislature enacted its first statewide law requiring the registration of vital records. As stated in the preamble, the law was prompted by a need to document births, deaths and marriages that could not be substantiated for legal cases, whereby "the rights of many have been sacrificed, and great wrongs done" as well as to validate "important truths, deeply affecting the physical welfare of mankind" that could be drawn from the recording of these records. [1] The law, however well intentioned, was short lived. The Registration Act of 1852 was repealed on January 31, 1855 [2], only 3 years after its inception. During those three years, only a few births, deaths and marriages were recorded within the county. This dearth of records may be an indication of a lack of compliance with the law, which may of lead to its eventual repeal.

It was not until June 23, 1885 [3] that another attempt was made to record marriage records. The new law made it illegal for any "minister of the gospel, justice of the peace, or other officers, or persons authorized by law to solemnize marriages" to marry any couple who did not first obtain a marriage license. The law went into effect on October 1, 1885. Since then, marriage licenses have been recorded with the clerk of the Orphans' Court within each county without interruption. The original law set forth how the information was to be recorded, the procedures for obtaining the license, and what information was to be recorded. From 1885 until 1913 the information that was recorded on the marriage license remained virtually unchanged.

The following information may be found on a marriage license that was recorded between October 1, 1885 and July 28, 1913:

- Full name of bride and groom
- Birth date and place of birth
- Occupation
- Current residence
- Previous marriage(s)
- Whether or not parties are related
- Date of license
- Race*

* Before 1909 there was no category for race but it was occasionally indicated on the form. In 1909 [4], an act to amend the marriage law changed the fee requirement and changed some of the wording found on the form. Race was not added in this law. However, a category for color was added to the new Chester County application form during this year.

After the marriage was solemnized the official performing the ceremony was required to send the duplicate marriage certificate to the clerk of the Orphans' Court within 30 days of the ceremony or face a fine of \$50.00.

The following information may be found on the certificate:

- Name of bride and groom
- Date & place of marriage
- Signature of witnesses
- Name of official/minister performing the ceremony

The original law did not specify where the marriage had to be performed. An 1893 [\[5\]](#) act to amend the marriage law specified that the ceremony could be performed in any county within the Commonwealth, however the duplicate certificate must be returned to the county where the license was filed. Another stipulation required one of the applicants to be a resident of the county if the marriage ceremony was not performed within the same county. Therefore it is not unusual to find marriages performed in Philadelphia or Lancaster recorded in Chester County.

Anyone under the age of 21 was considered a minor. To obtain a license when one or both parties were under this age required the consent of a parent or guardian. In this case a separate form was filed which gave permission for the minor to marry.

In 1913 [\[6\]](#), another act to amend the 1885 marriage law was passed and made considerable changes to the application process. Marriage licenses after July 28, 1913 may contain the following information:

- Name of bride and groom
- Birth place
- Age
- Race
- Occupation
- Names and birth places of parents
- Mother's maiden name
- Date of license

The index covers the time period 1885-1930. Information was taken directly from the marriage license applications. At the time that the information was provided to the clerk, only one applicant needed to be present. In some cases a third party could provide the information. There are many instances where the applicant present did not know the exact date of birth of the other applicant. Therefore some of the birth dates provided may be suspect. When only the date of application is provided, the duplicate certificate was either not returned to the clerk of the Orphans' Court or the certificate has been lost in the intervening years.

It was not uncommon for residents of Chester County to be married in neighboring counties or states. If you are unable to locate an individual who resided in Chester County and was married during this time period, we suggest that you contact neighboring counties such as Delaware, Philadelphia, Lancaster or Montgomery. Two places outside of the state that proved to be popular marriage destinations were Elkton, MD and Camden, NJ.

1852-1855 Marriage Records

[Online Index](#)

1885-1930 Marriage Records

[Online Index](#)

1931-Present Marriage Records

For marriage records after 1930, contact: [Chester County Orphans' Court](#)

Alternative Source:

1698-1890 Marriage Contracts, Separations, and Certificates

The following records were recorded by the Recorder of Deeds in Miscellaneous Deed Books, Letter of Attorney Books and Deed Books.

Marriage Contracts – Today these are commonly referred to as prenuptial or premarital agreements. The majority of these records are intended to protect a woman’s right to control her own property that she brings into the marriage. Prior to 1848, a woman did not have the legal right to control her own property if she married.

Separations – Legal separations between a husband and wife. Typically the documents protect a woman’s right to her husband’s estate even though “unhappy circumstances” have led them to live separately.

Marriage Certificates – On November 27, 1700 the Pennsylvania General Assembly passed “An Act For the Preventing of Clandestine Marriages.” In section one, the law required the marriage certificate to “be brought to the register of the county where they are married, and registered in his office.” Very few marriages were recorded under this provision. Systematic recording of marriages did not begin in earnest until 1885.

[Online Index](#)

The Archives has other records that may be used to determine marriage dates. Please ask a reference archivist for assistance.

[1] "An Act To provide for a registration of marriages, births and deaths," *Laws of the General Assembly of the Commonwealth of Pennsylvania*, (1852).

[2] "An Act To repeal the Registration Act," *Laws of the General Assembly of the Commonwealth of Pennsylvania*, (1855).

[3] "An Act Relating to marriage licenses, providing for officers herein indicated to issue licenses for parties to marry," *Laws of the General Assembly of the Commonwealth of Pennsylvania*, (1885).

[4] "An Act to amend the first section of an act entitled “An Act relating to marriage licenses,” *Laws of the General Assembly of the Commonwealth of Pennsylvania*, (1909).

[5] "An Act to Amend an act, entitled “An Act relating to marriage licenses,” *Laws of the General Assembly of the Commonwealth of Pennsylvania*, (1893).

[6] "An Act Regulating the issuance of licenses to marry," *Laws of the General Assembly of the Commonwealth of Pennsylvania*, (1913).