

VICTORIA.



ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

By His Excellency CHARLES JOSEPH LA TROBE, ESQUIRE, *Lieutenant Governor of the Colony of Victoria and its Dependencies, with the advice and consent of the Legislative Council.*

No. XXVI.

An Act for Registering Births, Deaths, and Marriages in the Colony of Victoria.
[Assented to 18th January, 1853.]

BE IT ENACTED, by His Excellency the Lieutenant Governor of the Colony of Victoria, by and with the advice and consent of the Legislative Council thereof, as follows:—

I. The Lieutenant Governor of the said Colony with the advice of the Executive Council thereof, may for the purposes of this Act from time to time appoint, and as occasion may require, remove a Chief Registrar and Deputy Registrar of Births, Deaths, and Marriages, and may by proclamation in the *Government Gazette* divide the said Colony into Districts, and assign the said Colony and Districts to the said Chief Registrar and Deputy Registrars respectively, or to so many of them as he may think fit, and may define the limits of such Districts; and from time to time revoke vary and alter such division, and the limits of such districts, and from time to time appoint an office as a General Registry Office, and so many other fit and proper offices as may be necessary for keeping a register of all Births, Deaths, and Marriages, of the Inhabitants of the said Colony, and may revoke and alter such appointments.

Power for the Lieutenant Governor to appoint Chief and Deputy Registrars and divide the Colony into Districts.

II. The Lieutenant Governor of the said Colony with the advice of the Executive Council thereof, may from time to time frame Rules and Regulations for the management of the Register Offices, for the guidance of the Chief Registrar and Deputy Registrars in the execution of their several duties, and for the more effectually carrying out the provisions of this Act, so that none of such Rules and Regulations be contrary to the provisions hereof: and may with the advice aforesaid from time to time alter, amend, or repeal, such Rules and Regulations and substitute others in their stead.

Lieutenant Governor and Executive Council may frame rules.

III. The Lieutenant Governor of the said Colony with the advice of the Executive Council, may from time to time appoint reasonable fees for performing any duties under this Act; and all such fees shall be accounted for by such Chief Registrar and Deputy Registrars, and shall be paid to Her Majesty Her Heirs and Successors, for the public uses of the said Colony and in support of the Government thereof.

Fees may be appointed to be taken under this Act to be accounted for by Chief Registrar or Deputy Registrar.

IV. In

In the case of illness or unavoidable absence of Chief Registrar or Deputy Registrar, a substitute to be appointed

IV. In the case of illness or unavoidable absence of the Chief Registrar or of any Deputy Registrar, it shall be lawful for the Lieutenant Governor of the said Colony to appoint by writing notified in the *Government Gazette*, a fit person to act in the place and stead of such Chief Registrar or Deputy Registrar; and every such person while so acting shall have all the powers and duties, and be subject to all the provisions and penalties herein declared concerning the Chief Registrar and Deputy Registrar respectively.

Chief Registrar to report to Colonial Secretary annually; Report to be laid before Legislative Council.

V. The Chief Registrar shall send once in every year to the Colonial Secretary, a general abstract of the number of Births, Deaths, and Marriages, registered during the foregoing year, in such form as the said Colonial Secretary shall from time to time require; and every such annual general abstract shall be laid before the Legislative Council within one month after the receipt thereof, or after the next meeting of the Legislative Council.

Register Books and Forms to be provided.

VI. The Chief Registrar shall cause to be furnished at the public expense to every Deputy Registrar, a sufficient number in duplicate of register books and forms for registering as hereinafter provided Births, Deaths, and Marriages, respectively; and to every officiating Minister, Registering Officer of the Society of Friends, and Secretary of a Synagogue, a like sufficient number in duplicate of Marriage register books and forms.

Births, Deaths, and Marriages, to be registered according to the forms annexed to this Act

VII. Every Deputy Registrar is hereby authorised and required to inform himself carefully of every Birth, Death, and Marriage, that shall happen within his district, and to learn and register as soon after the event as conveniently can be done, without fee or reward, in duplicate in the said books and forms, to be furnished and kept for the purpose, the particulars required to be registered according to the forms in the Schedules to this Act annexed, marked A, B, and C, touching every such Birth, Death, or Marriage, as the case may be, which shall not have been already registered; every such registry being made in order from the beginning to the end of the book, or numerically in the said forms.

Parents, or occupiers of house in which Births or Deaths happen, to give notice to the deputy Registrar.

VIII. The Father or Mother of any child born, or the occupier of every house or tenement in the said Colony in which any birth or death shall happen, shall, in the case of the birth of a child, within sixty days next after the day of such birth, and in case of a death, within fifteen days, after the day of such death, respectively give notice of such birth or death to the Deputy Registrar of the district, and in case any new born child or any dead body shall be found exposed, the Chief or other constable of the district, in the case of a new born child, and the Coroner or nearest Justice of the Peace, in the case of a dead body, shall forthwith give notice and information thereof and of the place where such child or dead body was found, to the Chief Registrar or to the Deputy Registrar of the District. And every person hereby required, who shall refuse or without reasonable cause neglect to give such notice or information as aforesaid, shall, for every such offence forfeit a sum not exceeding ten pounds.

Penalty.

Parents or occupiers of house, required to give particulars of Birth so far as known

IX. The Father or Mother of every child born in the said Colony, or in case of the death, absence, or inability of the Father or Mother, the occupier of the house or tenement in which such child shall have been born, shall, within sixty days next after the day of every such birth, give information to the Deputy Registrar according to the best of his or her knowledge and belief of the several particulars hereby required to be known and registered touching the birth of such child, and every person hereby required, who shall refuse or without reasonable cause neglect to give such notice as aforesaid, either by himself or a duly authorised agent, shall, for every such offence forfeit a sum not exceeding ten pounds.

Registry of Children born at sea.

X. If any child shall be born at sea on board of a vessel trading to any Port of the said Colony, the Master or Officer in charge of the vessel on board of which the said child shall have been born, shall forthwith

forthwith make a minute of the several particulars required to be inserted in the Register touching the birth of such child so far as the same may be known, and the name of the vessel wherein the birth took place, and shall on the arrival of such vessel in any Port of the said Colony, or by any other sooner opportunity send a certificate of the said minute through the Post Office to the Chief Registrar, who shall file the same, and enter a copy thereof in a book to be kept for that purpose, to be called the "Marine Register Book," and shall keep the said book with the other registers according to the provisions of this Act.

XI. After the expiration of sixty days following the day of the birth of any child, it shall not be lawful for the Chief Registrar or any Deputy Registrar to register such birth save as hereinafter is next mentioned; provided that in case the birth of any child shall not have been registered according to the provisions hereinbefore contained, it shall be lawful for any person present at the birth of such child, or for the father or guardian thereof at any time within six calendar months next after the birth to make a solemn declaration of the particulars required to be known touching the birth of such child, according to the best of his or her knowledge and belief, before the Chief Registrar or any Deputy Registrar, who are hereby authorised to take the same, and it shall thereupon be lawful for the Chief Registrar or any such Deputy Registrar then and there to register the birth of the said child according to the information of the person making the said declaration, and in every such case the Chief Registrar or Deputy Registrar before whom the said declaration is made shall sign the entry of the birth, and every person who shall knowingly register or cause to be registered the birth of any child otherwise than is hereinbefore last mentioned after the expiration of sixty days following the day of the birth of such child shall forfeit and pay for every such offence a sum not exceeding five pounds; provided that nothing herein contained shall be taken to prevent the registration of the birth of any child born at sea or in any of the Australasian Colonies, of parents whose ordinary place of abode is within the said Colony of Victoria, but it shall be lawful for the Chief Registrar or any Deputy Registrar upon a solemn declaration by the parents or guardians of such child, of the several particulars hereinbefore required, then and there to register the birth of the child according to such information.

As to registry after the expiration of sixty days from the birth of the child.

XII. After the expiration of twelve calendar months following the birth of any child, unless such child shall have been born at sea, it shall not be lawful for the Chief Registrar or any Deputy Registrar to register the birth of such child, and no register or certified copy of a register of births shall be given in evidence to prove the birth of any child except as aforesaid, wherein it shall appear that twelve calendar months have intervened between the day of the birth and the day of the registration of the birth of such child, and every person who shall knowingly register or cause to be registered the birth of any child except as hereinbefore provided for, after the expiration of twelve calendar months following the day of the birth of such child, shall forfeit and pay for every such offence a sum not exceeding five pounds.

Births not to be registered after twelve months, unless the child has been born at sea.

XIII. If any child born in the said Colony, whose birth shall have been registered as aforesaid, shall within twelve calendar months next after it shall have been so registered have any name given to it in baptism, or in the presence of any Deputy Registrar, the parent or guardian of such child, or other person procuring such name to be given, shall, within thirty days next after such baptism or the giving of such name, procure and deliver to the Deputy Registrar in whose custody the register of the birth of the child may then happen to be, a certificate according to the form in the schedule to this Act annexed, marked D, signed by the Minister who shall have performed the rite of baptism, or by the Deputy Registrar who shall have been present when the name was given, which certificate such Minister or Deputy Registrar, as the case may be, is hereby required

Name given in Baptism, may be registered within twelve months of registration of birth.

required to deliver immediately after the baptism or immediately after the name has been given; and the Deputy Registrar, upon receipt of such certificate, shall, without any erasure of the original entry, forthwith register therein, that the child was baptised by such name or had such name given to it in his presence, and the Deputy Registrar shall thereupon certify upon the said certificate the original entry so made; provided that nothing in the preceding sections, relative to the registration of births contained, shall be taken to extend to any child born within the said Colony, or any of the Australasian Colonies, or at sea, at any time within the space of twelve months previous to the commencement of this Act, but it shall be lawful for the parent or guardian of any such child to cause his birth to be registered within twelve months after the commencement of this Act, under the same provisions as are hereby attached to the registration of the birth of children born within the said Colony of Victoria subsequently to the commencement of this Act,

Persons present at death, or occupier, or inmate of house required to give particulars of death so far as known. Deputy Registrar to make entry of the finding of Juries on Coroners inquest.

XIV. Every person present at the death, or in attendance during the last illness, of any person dying in the said Colony after the commencement of this Act, or in case of the death, illness, inability, or default of all such persons, the occupier of the house or tenement in which any death shall have happened shall, within sixty days next after the day of such death give information to the Deputy Registrar according to the best of their knowledge and belief of the several particulars hereby required to be known and registered touching the death of such person; provided always, that in any case in which an Inquest or Magisterial Enquiry shall be held on any dead body, the Jury or Magistrate shall enquire of the particulars hereby required to be registered concerning the death, and the Coroner or Magistrate shall inform the Chief Registrar or the Deputy Registrar of the finding of the Jury or the opinion of the Magistrate, and the Chief Registrar or Deputy Registrar shall make the entry accordingly, and every person hereby required, who shall refuse or without reasonable cause neglect to give such notice as aforesaid, either by himself or duly authorized agent, shall for every such offence forfeit a sum not exceeding ten pounds.

Register of persons dying at sea.

XV. If any of Her Majesty's Subjects shall die at sea on board of any British or Colonial vessel trading regularly to any Port in the said Colony, the Master or Officer in command of the vessel on board of which such death shall have happened, shall forthwith make a minute of the several particulars hereby required to be inserted in the register, touching such death so far as the same may be known, and the name of the vessel wherein the death took place; and shall on the arrival of such vessel in any Port of the said Colony, or by any other sooner opportunity, send a certificate of the said minute through the Post Office to the Chief Registrar, who shall file the same, and enter a copy thereof under his hand in the Marine Register Book, and keep the same with the other Registers according to the provisions of this Act.

Deputy Registrar to give certificate of registry of death to undertaker. Coroner may order body to be buried and give certificate. No dead body to be buried without certificate of registry, or of inquest. Penalty, Ten pounds.

XVI. Every Deputy Registrar immediately upon registering any death, or as soon thereafter as he shall be required so to do, shall without fee or reward, deliver to the undertaker or other person having charge of the funeral, a certificate under his hand according to the form in the schedule to this Act annexed marked E, that such death has been duly registered; and if any dead body shall be buried, for which no certificate shall have been so delivered, the person who shall bury or in any other way dispose of the body, shall forthwith give notice to the Chief Registrar or to the Deputy Registrar: Provided that the Coroner or Magistrate upon holding any inquest or inquiry, may order the body to be buried if he shall think fit, before registry of the death, and shall in such case give a certificate of his order in writing, according to the form in the schedule to this Act annexed marked F, to such undertaker or other person having charge of the funeral, which shall be delivered as aforesaid; and every person who shall bury or otherwise dispose of any dead body, for which no certificate shall have been duly made

made and delivered as aforesaid, either by the Deputy Registrar, or Coroner, or Magistrate, and who shall not within one month give notice thereof to the Chief or Deputy Registrar, shall for every such offence forfeit and pay any sum not exceeding twenty pounds.

XVII. Every Undertaker or other person who shall bury or otherwise dispose of any dead body, shall forthwith cause to be transmitted to the Chief Registrar or the Deputy Registrar of the District where such Burial shall be held, a certificate thereof in the form or to the effect set forth in the Schedule hereto annexed marked G, countersigned by the Minister officiating at such Burial, or by two respectable witnesses being householders, and every such Burial shall be registered with the registry of the death of such person, and every Undertaker or other person who shall have buried or otherwise disposed of any dead body, and shall omit to cause such certificate to be transmitted as aforesaid, shall for every such offence, forfeit any sum not exceeding five pounds.

Undertaker, &c. to forward certificate of Burial.

XVIII. Every person by whom the information contained in any register of births or deaths under this Act shall have been given, shall within thirty days after the time such information is hereby required to be given, sign or attest his name, description and place of abode, in the register, and no register or certificate of register of births or deaths according to this Act shall be given in evidence, which shall not be signed or attested by some person professing to be the informant to the Chief or Deputy Registrar.

Registry to be signed by the informant.

XIX. Every Deputy Registrar, or other person who shall have the keeping of any register books of births, deaths, or marriages, shall, at all reasonable times, allow searches to be made of any register book in his keeping, and shall give a copy certified under his hand of any entry or entries in the same, on payment of the fees to be appointed as aforesaid.

Searches may be made and certificates given by the persons keeping the registers.

XX. Every officiating Minister, and every Deputy Registrar, immediately after a marriage solemnized by him, or which may have taken place in his presence, and every Registering Officer of the Society of Friends, as soon as conveniently may be, after the solemnization of any marriage between two members of the said Society in the district for which he is registering Officer, and every Secretary of a Synagogue immediately after every marriage solemnized between any two persons professing the Jewish religion, of whom the Husband shall belong to the Synagogue, whereof he is Secretary, shall register or cause to be registered in duplicate in two of the said Marriage Register Books or Forms, the several particulars relating to that Marriage, according to the form of the said Schedule hereto annexed marked C: and every such Registering Officer or Secretary, whether he shall or shall not be present at such marriage shall satisfy himself that the proceedings in relation thereto, have been conformable to the usages of the said Society or of the persons professing the Jewish religion, as the case may be, and every such entry as hereinbefore is mentioned, whether made by such Officiating Minister, Deputy Registrar, or by such Registering Officer or Secretary respectively as aforesaid shall be signed by the Officiating Minister, Deputy Registrar, or by the said Registering Officer of the Society of Friends, or Secretary of a Synagogue, as the case may be, and by the parties married, and by two witnesses and shall be made in order from the beginning to the end of each book, and the number of the place of entry in each duplicate Marriage Register Book or Form shall be the same.

Marriage registers to be kept in duplicate

XXI. One copy of every such Marriage Register Book or Form filled up, shall be delivered to the Chief Registrar, in the months of January, April, July, and October, and the other copy of every such Register Book or Form of Marriages in the case of Marriages among the people called Quakers, and among persons professing the Jewish Religion respectively, shall remain under the care of the said people or persons respectively, to be kept with their other Registers and Records, and shall for the purposes

Duplicate of Registers of Marriages to be sent to Chief Registrar.

of

of this Act, be still deemed to be in the keeping of such Registering Officer or Secretary for the time being, respectively, and in all other cases shall be kept by the officiating Minister or Deputy Registrar, by or in whose presence the Marriage shall be solemnized.

Deputy Registrar to send certified copies of Registers, to Chief Registrar's office.

XXII. Every Deputy Registrar shall four times in each year, on such days as shall be therefor named by the Chief Registrar, send to the Chief Registrar, one of the copies of the Registers of Births, Deaths, and Marriages, which he shall have so received during the three Calendar months next preceeding such Quarterly days of transmission respectively; and if it shall appear, by the interruption of the regular progression of numbers or otherwise, that the copy of any part of the Book or of any Form has not been duly delivered to him, he shall procure as far as possible, consistently with the provisions of this Act that the same may be remedied and supplied. And the said copies so sent to the General Registry Office shall be thereafter kept in the said Office, in such order and manner as the Chief Registrar shall think fit, so that the same may be most readily seen and examined.

Indexes to be made and persons allowed to search them.

XXIII. Every Deputy Registrar shall cause indexes of the Register Books in his office to be made and kept with the other Records of his office, and every person shall be entitled, at all reasonable hours to search the said indexes, and to have a certified copy of any entry or entries in the said Register Books, under the hand of the Deputy Registrar, on payment of the fees to be appointed as hereinbefore mentioned.

Indexes to be kept in General Register Office, searches allowed and certified copies given.

XXIV. The Chief Registrar shall cause indexes of all the registers of the Deputy Registrar's and all other registers received by him to be made and kept in the General Registry Office, and every person shall be entitled, on payment of the fees to be appointed as hereinbefore mentioned, to search the said indexes between the hours of ten in the morning and four in the afternoon of every day except Sunday, Christmas Day, Good Friday, the Anniversary of the Foundation of the Colony, and the Queen's Birth Day, and to have a certified copy of any entry of the said certified copies of the registers.

Certified copies of entry *prima facie* evidence of fact of Birth, Death, or Marriage.

XXV. Certified copies of registers or of entries of registers made or given in the said offices, purporting to be signed by the proper officer, shall be received as *prima facie* evidence in any Court of Justice within the said Colony of the fact of the Birth, Death, or Marriage, to which the same relate: Provided that no entry of the register of any death shall be received as evidence of the fact of such death unless there shall also be an entry of the register of the burial.

Officiating Minister may ask persons the particulars required.

XXVI. It shall be lawful for every officiating Minister, and for every Registering Officer of the Society of Friends and every Secretary of a Synagogue as aforesaid to ask of any person married or about to be married the several particulars hereby required to be registered touching any such marriage and for every Chief or Deputy Registrar to ask of any person seeking to register any birth death or marriage any of the particulars hereby required to be known and registered.

Penalty for giving false information.

XXVII. Every person who shall wilfully make or cause to be made for the purpose of being inserted in any register of births deaths or marriages any false statement touching any of the particulars hereby required to be known and registered shall on conviction thereof be subject to the same pains and penalties as if he were guilty of perjury.

Penalty for not duly registering Births, Deaths and Marriages, and for losing and injuring registers.

XXVIII. Every officiating Minister Registering Officer of the Society of Friends, and Secretary of a Synagogue who shall refuse or without reasonable cause omit to register any marriage solemnized by him or in his presence and every Deputy Registrar who shall refuse or without reasonable cause omit to register any birth death or marriage of which he shall have had due notice as aforesaid or any marriage solemnized in his presence and every person having the custody of any Register Book or form or certified copy thereof or of any part thereof who shall carelessly lose

or

or injure the same or allow the same to be injured whilst in his keeping or shall not duly forward a copy thereof as herein before required shall for every such offence forfeit and pay a sum not exceeding twenty pounds provided that no officiating Minister Officer or Secretary as aforesaid shall be required to register or forward or deliver the register of any marriage solemnised by or in the presence of any Chief or Deputy Registrar of Marriages duly appointed under any Act of Council now or hereafter to be passed.

XXIX. Every person who shall wilfully destroy or injure or cause to be destroyed or injured any such Register Books or any part or certified copy of any part thereof or shall falsely make a counterfeit or cause to be falsely made or counterfeited any part of any such Register Book or certified copy thereof or shall wilfully insert or cause to be inserted in any Register Book or certified copy thereof any false entry of any birth death or marriage or shall wilfully give any false certificate or shall certify any writing to be a copy or extract of any Register Book knowing the same register to be false in any part thereof or shall forge or counterfeit the seal of the Register Office or of any Deputy Registrar shall be guilty of felony and on conviction shall be liable to imprisonment for any term not exceeding two years or to fine and imprisonment at the discretion of the Court.

Penalty for destroying or falsifying Register Books.

XXX. No person charged with the duty of registering any birth or death or of registering any marriage who shall discover any error to have been committed in the form or substance of any such entry shall be therefore liable to any of the penalties aforesaid if within six months next after the discovery of any such error in the presence of the parents of the child whose birth may have been so registered or of the parties married or of the inmate of the house or tenement where the death registered may have occurred or in case of the death or absence of the respective parties aforesaid then in the presence of the Deputy Registrar or of two credible witnesses who shall respectively attest the same he shall correct the erroneous entry according to the truth of the case by entry in the margin without any alteration of the original entry and shall sign the marginal entry and add there unto the day of the month and year when such correction shall be made provided also that in the case of a marriage register he shall make the like marginal entry attested in like manner in the Register Form or Book and in every case shall make the like alteration in the certified copy of the Register Form or Book to be made by him as aforesaid or in case such certified copy shall have been already made provided he shall make and deliver in like manner a separate certified copy of the original erroneous entry and of the marginal correction therein made.

Accidental errors may be corrected.

XXXI. The Chief Registrar and every Deputy Registrar may receive by the General Post Office from places in the said Colony all letters and packets relating exclusively to the execution of this Act free from the duty of postage provided that such letters and packets shall be in covers open at the sides and be directed to the Chief Registrar or Deputy Registrar of Births Deaths and Marriages and if any person shall send or cause to be sent under any such cover any letter paper or writing or any enclosure other than shall relate exclusively to the execution of this Act every person so offending shall forfeit and pay a sum not exceeding ten pounds and be dismissed from his office.

Correspondence of Registrar relating to this Act, to be free of Postage.

XXXII. All fines and forfeitures by this Act imposed unless otherwise directed shall be recovered before any two Justices of the Peace for the said Colony or the said city or place where the offences shall have happened upon the information or complaint of any person and if on the conviction of the offender either on his or her confession or by the oath of one or more credible witness or witnesses (which oath such Justices are hereby empowered to administer) such fines or forfeitures with the costs of the conviction shall not be forthwith paid the same shall be levied by distress and the sale of the goods and chattels of the offender by warrant under the hand and seal of such Justices and for want of distress such

Recovery of Penalties

Justices

Justices may commit every such offender to the common Gaol or House of Correction for the said Colony or the said City or place where the offender shall be committed for any term not exceeding three calendar months unless such fine and forfeiture and all reasonable charges attending the recovery thereof shall be sooner paid and no distress made by virtue of this Act shall be deemed unlawful nor shall the party making the same be deemed a trespasser on account of any defect or want of form in the summons conviction or warrant of distress or on account of any irregularity which shall be afterwards committed by the party distraining but the person or persons aggrieved by such irregularity shall recover full satisfaction for the special damages sustained in an action on the case.

Appeal.

XXXIII. In all cases where the sum adjudged to be paid on any such summary conviction shall exceed ten pounds any person convicted may appeal to the nearest Court of General Sessions which shall be holden for the said Colony or the City or district wherein the cause of complaint shall have arisen provided that such person shall enter into a recognizance with two sufficient sureties before a Justice of the Peace in double the amount of the penalty or fine conditioned personally to appear at the said General Sessions and to try such appeal and to abide the judgment of the Court thereupon and to pay such costs as shall be by the Court awarded.

No certiorari.

XXXIV. No such conviction or adjudication made on appeal therefrom shall be quashed for want of form or be removed by *certiorari* or otherwise into any of Her Majesty's Superior Courts of Record and no warrant of commitment shall be held void by reason of any defect therein provided it be therein alleged that the party has been convicted and there be a valid conviction to sustain the same.

Right to fees for Baptisms, Marriages, or Burials, not affected

XXXV. Nothing herein contained shall affect the right of any officiating Minister to receive the fees now usually paid for the performance or registration of any Baptism Burial or Marriage.

Appropriation of fees and penalties.

XXXVI. All fees fines and penalties under this Act shall be applied to such public charitable uses as the Lieutenant Governor shall direct.

How building to be registered as a place of public worship.

XXXVII. The Minister officiating in, or the proprietor or trustee of any building used as a place of public worship, may apply to the Deputy Registrar of the district, in order that such building may be registered as such place of public worship; and every such applicant shall deliver a certificate signed in duplicate by forty Householders at the least, that such building has been used by them during six months as their usual place of public worship, and that they are desirous that such place should be registered as aforesaid: each of which certificates shall be countersigned by the Minister officiating, proprietor or trustee, by whom the same shall be delivered; and the Deputy Registrar shall send both certificates to the Chief Registrar, who shall register such building accordingly in a book to be kept for that purpose; and shall forthwith give notice of the registry thereof by publication in the *Government Gazette*, and also by advertisement in some public newspaper, published in or near to the district in which such building is situated.

Registry may be cancelled, if place of worship not used.

XXXVIII. If it shall be made to appear to the satisfaction of the Chief Registrar, that any such registered building is no longer used as a place of public worship, the Chief Registrar shall cause the registry thereof to be cancelled, and notice of such cancellation to be published in the *Government Gazette*.

Interpretation Clause.

XXXIX. In the interpretation of this Act the term "occupier of any house or tenement" shall be taken to comprehend and mean the Owner Lessee or other person in the occupation of any building the Gaoler Master or Superintendent of every Gaol Prison House of Correction Hospital Lunatic Asylum or public or charitable institution and the term "Officiating Minister" shall be taken to mean any Minister of Religion authorized according to the forms and usages of any Church

Church Religious Society or Denomination to officiate and officiating in any Building registered as a place of public worship as aforesaid and belonging to such Church Society or Denomination or who being authorized according to the forms and usages of any Church Religious Society or Denomination to officiate as aforesaid shall be in charge of a Congregation of such Church Society or Denomination and the term "Registering Officer of the Society of Friends" shall mean the person for the time being duly authorised by the proper authority of the Society of Friends commonly called Quakers to be a Registering Officer in the said Colony of the said Society and the term "Secretary of a Synagogue" shall mean the person duly authorized by the proper authority of persons professing the Jewish religion to be the Secretary of a Synagogue in the said Colony of persons professing the Jewish religion.

XL. This Act shall commence and take effect from and after the thirty-first day of March in the year of our Lord one thousand eight hundred and fifty-three.

Commencement
Act. of

SCHEDULE A.

Births in the District of

1852

No.	When and where Born.	Name if any.	Sex.	Name and Surname of the Father.	Name and Maiden Surname of the Mother.	Rank or profession of Father.	Signature, Description, and Residence of Informant.	When registered.	Signature of Deputy Registrar.	Name if added after Registration of Birth.
1	Seventeenth June, 1852. 23, Collins-street East, Melbourne.	James	Boy	Edward Jones	Rebecca Jones, formerly Thompson	Grocer	Edward Jones, Father, 23, Collins-street East, Melbourne	Eighteenth June, 1852.	John Smith, Deputy Registrar.	

SCHEDULE B.

Deaths in the District of

1852

No.	When and where died.	Name and Surname.	Sex.	Age.	Rank or profession.	Cause of Death.	Name and Surname of Father and Mother if known.	Signature, Description, and Residence of Informant.	When registered.	Signature of Deputy Registrar.	If Burial Registered	
											When and where buried.	Name and Religion of Minister or names of Witnesses of Burial.
5	Twenty-third September, 1852, 64, Swanston-street, Melbourne	Thomas Brown	Male	Forty years	Carpenter			Jane Brown, Widow, 64, Swanston-street, Melbourne	Twenty-fifth September, 1852	John Smith, Deputy Registrar.		

SCHEDULE C.

1852. Marriages solemnized in the District of

No.	When and where Married.	Name and Surname of Parties.	Condition of parties.	Rank or Profession.	Residence at time of Marriage.	Fathers' Name and Surname.	Rank or Profession of Father.
5	Second February, 1852, St. James' Church, Melbourne.	John Green Mary Dunn	Bachelor Spinster	Carpenter	Collins-street, Melbourne Bourke-street, Melbourne	William Green Edward Dunn,	Carpenter. Grocer.

FORM OF DECLARATION.

I, John Green, (or We as the case may be,) do hereby declare that I am (or we are) a Member (or Members) of,
(insert Church, Religious Society, or Denomination, as the case may be.)

Married in the _____ by [or before] me,
A. B. Officiating Minister,
or C. D. Deputy Registrar.

This Marriage was solemnized between us. { John Green, Mary Dunn, Melbourne. } in the presence of us { E. F. G. H. }

SCHEDULE D.

SCHEDULE D.

I (A. B.) Minister of _____ or Deputy Registrar of
do hereby certify that I have this day baptised by the
name of Thomas (*or that the name of Thomas hath this day been given to*) a male child
produced to me by Edward Jones as the son of Edward Jones and Rebecca Jones, and
declared by the said Edward Jones to have been born at _____ on the
day of _____ 185
Witness my hand this _____ day of _____ 185
A. B. Minister,
or,
C. D. Deputy Registrar.

SCHEDULE E.

I (A. B.) Deputy Registrar of Births and Deaths in the District of _____
do hereby certify that the death of "*Robert Taylor*"
was duly registered by me, on the _____ day of _____ 185
Witness my hand this _____ day of _____ 185
(Signed) A. B.
Deputy Registrar.

SCHEDULE F.

I (A. B.) Coroner for the district of (*or Justice of the Peace of*) do hereby order
the burial of the body now shewn to the Inquest Jury (*or to me*) as the body of
Thomas Jones.
Witness my hand this _____ day of _____ 185
A. B. Coroner,
or,
J. (*as the case may be.*)

SCHEDULE G.

I (A. B.) of _____ Undertaker, do hereby
certify that the body of "*Robert Taylor*" was on the _____
day of _____ 185, duly buried at _____
in my presence.
Witness our hands this _____ day of _____ 185
A. B. Undertaker.
G. H. Minister.
or,
C. D. Householder.
E. F. Householder.