manner as they think sufficient for giving information to all persons interested, together with a notice stating that during one month after the publication of such notice the Committee of Council on Education will receive any objections or suggestions made to them in writing respecting such scheme.

Definitions.

9. In this Act, so far as is consistent with the context, the expressions following have the meanings hereafter assigned to them; that is to say,

The expression "The Endowed Schools Acts" means the Endowed Schools Acts, 1869 and 1873:

The expression "The Endowed Schools Commissioners" means the Commissioners appointed in pursuance of the Endowed Schools Act, 1869:

The expression "The Charity Commissioners" means the Charity Commissioners for England and Wales.

Construction and short title.

10. This Act, so far as consistent with the tenor thereof, shall be construed as one with the Endowed Schools Acts, as amended by this Act; and in the construction of the Endowed Schools Acts the expression "the Commissioners" shall, unless there is something in the context inconsistent therewith, on and after the said thirty-first day of December one thousand eight hundred and seventy-four, mean the Charity Commissioners; and this Act and the other Acts mentioned in this section may be cited together as the Endowed Schools Acts, 1869, 1873, and 1874, and this Act may be cited separately as "The Endowed Schools Act, 1874."

SCHEDULE.

ACTS PARTLY REPEALED on and after the thirty-first day of December one thousand eight hundred and seventy-four.

Session and Chapter.	Abbreviated Title.	Extent of Repeal.
32 & 33 Vict. c. 56. -	The Endowed Schools Act, 1869	The first paragraph of section fifty-two, and the whole of sections thirty-one, forty-eight, and fifty-nine.
36 & 37 Vict. c. 87. -	The Endowed Schools Act, 1873	Section seventeen.

CHAPTER 88.

An Act to amend the Law relating to the Registration of Births and Deaths in England, and to consolidate the Law respecting the Registration of Births and Deaths at Sea. [7th August 1874.]

WHEREAS it is expedient to amend the Acts relating to the registration of births and deaths in England, and to consolidate the law respecting the registration of births and deaths at sea:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Registration of Births.

Information concerning

1. In the case of every child born alive after the commencement of this Act, it shall be the duty of the father and mother of the child, and in default of the father and mother, of

the occupier of the house in which to his knowledge the child is born, and of each person present at the birth, and of the person having charge of the child, to give to the registrar, within forty-two days next after such birth, information of the particulars required to be registered concerning such birth, and in the presence of the registrar to sign the register.

Birth to be given to registrar within forty-two days.

2. Where a birth has, from the default of the parents or other persons required to give information concerning it, not been duly registered, the registrar may, at any time after the end of forty-two days from such birth, by notice in writing, require any of the persons required by this Act to give information concerning such birth to attend personally at the registrar's office, or at any other place appointed by the registrar within his sub-district, within such time (not less than seven days after the receipt of such notice, and not more than three months from the date of the birth) as may be specified in such notice, and to give information, to the best of such person's knowledge and belief, of the particulars required to be registered concerning such birth, and to sign the register in the presence of the registrar; and it shall be the duty of such person, unless the birth is registered before the expiration of the time specified in such requisition, to comply with such requisition.

Requisition by registrar of information concerning birth from qualified informant after forty-two days.

3. In case any living new-born child is found exposed, it shall be the duty of any person finding such child, and of any person in whose charge such child may be placed, to give, to the best of his knowledge and belief, to the registrar, within seven days after the finding of such child, such information of the particulars required to be registered concerning the birth of such child as the informant possesses, and in the presence of the registrar to sign the register.

Information respecting finding new-born child to be given to registrar.

4. It shall be the duty of the registrar to inform himself carefully of every birth which happens within his sub-district, and upon receiving personally from the informant at any time within three months from the date of the birth of any child or the finding of any living new-born child information of the particulars required to be registered concerning the birth of such child, forthwith in the prescribed form and manner to register the birth and the said particulars (if not previously registered), without fee or reward from the informant, except that if, in pursuance of a written requisition, he registers the same at the residence of the person making such requisition or at the house in which the birth took place, he shall, unless the birth took place in a public institution, be entitled to the appointed fee.

Duty of registrar to ascertain and register birth gratis.

5. After the expiration of three months next after the birth of any child, a registrar shall not register such birth, except as in this section provided; that is to say, in case the birth of any child has not been registered in accordance with the Births and Deaths Registration Acts, 1836 to 1874, the registrar may, after three and not later than twelve months next after the birth, by notice in writing, require any of the persons required by this Act to give information concerning the birth to attend personally at the district register office, within such time (not less than seven days after the receipt of the notice, and not more than twelve months after the date of the birth) as may be specified in the notice, and make before the superintendent registrar a solemn declaration, according to the best of the declarant's knowledge and belief, of the particulars required to be registered concerning the birth, and sign the register in the presence of the registrar and superintendent registrar; and upon any of the said persons attending before a registrar and superintendent registrar, whether in pursuance of a requisition or not, and making such a declaration as aforesaid, and giving information concerning the birth, the registrar shall then and there, in the presence of such superintendent registrar, register the birth according to the information of the declarant, and the superintendent registrar before whom the declaration is made shall, as well as the registrar and declarant, sign the entry of the birth.

Registry after expiration of three months from birth.

After the expiration of twelve months next after the birth of any child, that birth shall not be registered except with the written authority of the Registrar General for registering the same, and except in accordance with the prescribed rules, and the fact of such authority having been given shall be entered in the register.

Every person who registers or causes to be registered the birth of any child in contravention of this section shall be liable to a penalty not exceeding ten pounds.

Registry of birth out of the sub-district in case of removal.

6. Any person required by this Act to give information concerning a birth, who removes before such birth is registered out of the sub-district in which such birth has taken place, may, within three months after such birth, give the information by making and signing in the presence of the registrar of the sub-district in which he resides a declaration in writing of the particulars required to be registered concerning such birth; and such registrar on payment of the appointed fee shall receive and attest the declaration and send the same to the registrar of the sub-district in which the birth took place; and the last-mentioned registrar shall, in the prescribed manner, enter the birth in the register; and the entry so made shall be deemed, for the purposes of the Births and Deaths Registration Acts, 1836 to 1874, to have been signed by the person who signed the declaration.

A person making a declaration in pursuance of this section in the case of any birth shall be deemed to have complied with the provisions of this Act as to giving information concerning that birth, and with any requisition of the registrar made under this Act within the said three months to attend and give information concerning that birth.

Saving for father of illegitimate child.

7. In the case of an illegitimate child no person shall, as father of such child, be required to give information under this Act concerning the birth of such child, and the registrar shall not enter in the register the name of any person as father of such child, unless at the joint request of the mother and of the person acknowledging himself to be the father of such child, and such person shall in such case sign the register, together with the mother.

Registration of name of child or of alteration of name.

8. When the birth of any child has been registered and the name, if any, by which it was registered is altered, or if it was registered without a name, when a name is given to it, the parent or guardian of such child, or other person procuring such name to be altered or given, may, within twelve months next after the registration of the birth, deliver to the registrar or superintendent registrar such certificate as herein-after mentioned, and the registrar or superintendent registrar, upon the receipt of that certificate, and on payment of the appointed fee, shall, without any erasure of the original entry, forthwith enter in the register book the name mentioned in the certificate as having been given to the child, and having stated upon the certificate the fact of such entry having been made, shall forthwith send the certificate to the Registrar General, together with a certified copy of the entry of the birth with the name so added.

The certificate shall be in the form given in the first schedule to this Act, or as near thereto as circumstances admit, and shall be signed by the minister or person who performed the rite of baptism upon which the name was given or altered, or, if the child is not baptized, shall be signed by the father, mother, or guardian of the child, or other person procuring the name of the child to be given or altered.

Every minister or person who performs the rite of baptism shall deliver the certificate required by this section on demand, on payment of a fee not exceeding one shilling.

The provisions of this section shall apply with the prescribed modifications in the case of births at sea, of which a return is sent to the Registrar General of Births and Deaths in England.

Registration of Deaths.

Registry of death and cause of death.

9. The death of every person dying in England after the commencement of this Act, and the cause of such death, shall be registered by the registrar in the manner directed by the Births and Deaths Registration Acts, 1836 to 1874.

Information concerning death where deceased dies in a house.

10. When a person dies in a house after the commencement of this Act, it shall be the duty of the nearest relatives of the deceased present at the death, or in attendance during the last illness of the deceased, and in default of such relatives, of every other relative of the deceased dwelling or being in the same sub-district as the deceased, and in default of such relatives, of each person present at the death, and of the occupier of the house in which, to his knowledge, the death took place, and in default of the persons herein-before in this section mentioned, of each inmate of such house, and of the person causing the body of the deceased person to be buried, to give, to the best of his knowledge and belief,

to the registrar, within the five days next following the day of such death, information of the particulars required to be registered concerning such death, and in the presence of the registrar to sign the register.

Information concerning death where deceased dies not in a house.

11. Where a person dies in a place which is not a house, or a dead body is found elsewhere than in a house, it shall be the duty of every relative of such deceased person having knowledge of any of the particulars required to be registered concerning the death, and in default of such relative, of every person present at the death, and of any person finding, and of any person taking charge of the body, and of the person causing the body to be buried, to give to the registrar, within the five days next after the death or the finding, such information of the particulars required to be registered concerning the death as the informant possesses, and in the presence of the registrar to sign the register.

Notice preliminary to information.

12. If a person required to give information concerning any death sends to the registrar a written notice of the occurrence of the death, accompanied by such medical certificate of the cause of the death as is required by this Act to be delivered to a registrar, the information of the particulars required by the Births and Deaths Registration Acts, 1836 to 1874, to be registered concerning the death need not be given within the said five days, but shall, notwithstanding such notice, be given within fourteen days next after the day of the death by the person giving such notice, or some other person required by this Act to give the information.

Requisition by registrar of information concerning death from qualified informant.

13. Where any death has from the default of the persons required to give information concerning it not been registered, the registrar may, at any time after the expiration of fourteen days and within twelve months from the day of such death or from the finding of the dead body elsewhere than in a house, by notice in writing, require any person required by this Act to give information concerning such death to attend personally at the registrar's office, or at any other place appointed by the registrar within his sub-district, within such time (not less than seven days after the receipt of the notice, nor more than twelve months after the death or finding of the dead body) as may be specified in the notice, and to give the said information to the best of the informant's knowledge and belief, and to sign the register in the presence of the registrar; and it shall be the duty of such person, unless the death is registered before the expiration of the time specified in the requisition, to comply with the requisition.

Duty of registrar to register death gratis.

14. It shall be the duty of the registrar to inform himself carefully of every death which happens within his sub-district, and upon receiving personally from the informant at any time within twelve months after the date of any death, or of the finding of any dead body, information of the particulars required to be registered concerning the death from any person required by this Act to give the same, forthwith in the prescribed form and manner to register the death and the said particulars, (if not previously registered,) without fee or reward from the informant, except that if, in pursuance of a written requisition, he registers the same at the residence of the person making such requisition, or at the house where the deceased died, he shall, unless the death took place in a public institution, be entitled to the appointed fee.

Death not to be registered after twelve months.

15. After the expiration of twelve months next after any death, or after the finding of any dead body elsewhere than in a house, that death shall not be registered, except with the written authority of the Registrar General for registering the same, and except in accordance with the prescribed rules, and the fact of such authority having been given shall be entered in the register.

Every person who registers or causes to be registered any death in contravention of this section shall be liable to a penalty not exceeding ten pounds.

Furnishing of information by coroner.

16. Where an inquest is held on any dead body the jury shall inquire of the particulars required to be registered concerning the death, and the coroner shall send to the registrar, within five days after the finding of the jury is given, a certificate under his hand, giving information concerning the death and specifying the finding of the jury with respect to the said particulars, and to the cause of death, and specifying the time and place at which

the inquest was held, and the registrar shall in the prescribed form and manner enter the death and particulars. If the death has been previously registered the said particulars shall be entered in the prescribed manner without any alteration of the original entry.

Where an inquest is held on any dead body no person shall, with respect to such dead body or death, be liable to attend upon a requisition of a registrar, or be subject to any penalty for failing to give information in pursuance of any other provision of this Act.

Burials.

Coroner's order and registrar's certificate for burial.

17. A coroner, upon holding an inquest upon any body, may, if he thinks fit, by order under his hand authorise the body to be buried before registry of the death, and shall give such order to the relative of the deceased or other person who causes the body to be buried, or to the undertaker or other person having charge of the funeral; and, except upon holding an inquest, no order, warrant, or other document for the burial of any body shall be given by the coroner.

The registrar, upon registering any death or upon receiving a written requisition to attend at a house to register a death, or upon receiving such written notice of the occurrence of a death, accompanied by a medical certificate as is before provided by this Act, shall forthwith, or as soon after as he is required, give, without fee or reward, either to the person giving information concerning the death or sending the requisition or notice, or to the undertaker or other person having charge of the funeral of the deceased, a certificate under his hand that he has registered or received notice of the death, as the case may be.

Every such order of the coroner and certificate of the registrar shall be delivered to the person who buries or performs any funeral or religious service for the burial of the body of the deceased; and any person to whom such order or certificate was given by the coroner or registrar who fails so to deliver or cause to be delivered the same shall be liable to a penalty not exceeding forty shillings.

The person who buries or performs any funeral or religious service for the burial of any dead body, as to which no order or certificate under this section is delivered to him, shall, within seven days after the burial, give notice thereof in writing to the registrar, and if he fail so to do shall be liable to a penalty not exceeding ten pounds.

Burial of deceased children as still-born.

18. A person shall not wilfully bury or procure to be buried the body of any deceased child as if it were still-born.

A person who has control over or ordinarily buries bodies in any burial ground shall not permit to be buried in such burial ground the body of any deceased child as if it were still-born, and shall not permit to be buried or bury in such burial ground any still-born child before there is delivered to him either,—

(*a.*) A written certificate that such child was not born alive, signed by a registered medical practitioner who was in attendance at the birth or has examined the body of such child; or

(*b.*) A declaration signed by some person who would, if the child had been born alive, have been required by this Act to give information concerning the birth, to the effect that no registered medical practitioner was present at the birth, or that his certificate cannot be obtained, and that the child was not born alive; or

(*c.*) If there has been an inquest, an order of the coroner.

Any person who acts in contravention of this section shall be liable to a penalty not exceeding ten pounds.

Notice where coffin contains more than one body.

19. Where there is in the coffin in which any deceased person is brought for burial the body of any other deceased person, or the body of any still-born child, the undertaker or other person who has charge of the funeral shall deliver to the person who buries or performs any funeral or religious service for the burial of such body or bodies notice in writing signed by such undertaker or other person, and stating to the best of his knowledge and belief with respect to each such body the following particulars:

(*a.*) If the body is the body of a deceased person, the name, sex, and place of abode of the said deceased person;

(*b.*) If the body has been found exposed, and the name and place of abode are unknown, the fact of the body having been so found and of the said particulars being unknown; and

(*c.*) If the body is that of a deceased child without a name, or a still-born child, the name and place of abode of the father, or, if it is illegitimate, of the mother of such child.

Every person who fails to comply with this section shall be liable to a penalty not exceeding ten pounds.

Certificates of Cause of Death.

Regulations as to certificates of cause of death.

20. With respect to certificates of the cause of death, the following provisions shall have effect:

(1.) The Registrar General shall from time to time furnish to every registrar printed forms of certificates of cause of death by registered medical practitioners, and every registrar shall furnish such forms gratis to any registered medical practitioner residing or practising in such registrar's sub-district:

(2.) In case of the death of any person who has been attended during his last illness by a registered medical practitioner, that practitioner shall sign and give to some person required by this Act to give information concerning the death a certificate stating to the best of his knowledge and belief the cause of death, and such person shall, upon giving information concerning the death, or giving notice of the death, deliver that certificate to the registrar, and the cause of death as stated in that certificate shall be entered in the register, together with the name of the certifying medical practitioner:

(3.) Where an inquest is held on the body of any deceased person a medical certificate of the cause of death need not be given to the registrar, but the certificate of the finding of the jury furnished by the coroner shall be sufficient.

If any person to whom a medical certificate is given by a registered medical practitioner in pursuance of this section fails to deliver that certificate to the registrar, he shall be liable to a penalty not exceeding forty shillings.

Superintendent Registrars and Registrars.

Alteration of registrars districts.

21. The Registrar General, with the sanction of the Local Government Board, may from time to time, if it seem to them fit, alter the districts of registrars by the alteration of the boundaries of districts, by the formation of new districts, or by the union of districts, and may take or cause to be taken all measures which seem to them to be necessary for carrying such alteration into effect, and such alteration shall be made and measures taken accordingly.

Where any superintendent registrar or registrar is deprived of his office or part of his emolument by such alteration, formation, or union, or by the operation of any Act now in force, compensation may be awarded to him by the like authorities and in the like manner as compensation may be awarded under the Acts relating to the relief of the poor to any officer of a union who is deprived of his office by reason of a union being dissolved or altered, and the persons by whom and funds from which such compensation is to be paid shall be determined in like manner.

Every change in the district of a registrar shall be published by advertisement or otherwise as the Local Government Board direct as being in their opinion best calculated for giving information to all persons in the district.

Every district of a registrar, whether formed before or after the commencement of this Act, shall be termed a sub-district.

Extension of 7 Will. 4. & 1 Vict. c. 22. ss. 10 and 11, to all unions.

22. Sections ten and eleven of "The Births and Deaths Registration Act, 1837," which relate to uniting any two or more unions, parishes, or places, or any two or more superintendent registrars districts into one superintendent registrar's district, and to dividing a union, parish, or place, or a superintendent registrar's district into two or more superintendent registrars districts, shall apply to a union with guardians acting under a Local

Act, and to a temporary superintendent registrar's district in like manner as it applies to a union with guardians acting under "The Poor Law Amendment Act, 1834," and to a superintendent registrar's district which is not temporary.

Prosecution by superintendent registrar.

23. It shall be lawful for any superintendent registrar, subject to the prescribed rules, to prosecute any person guilty of any offence under the Births and Deaths Registration Acts, 1836 to 1874, committed within the district of such superintendent registrar; and the costs incurred by the superintendent registrar in such prosecution, which are not otherwise by law provided for, shall be defrayed out of moneys to be provided by Parliament.

Appointment of deputy by superintendent registrar and registrar.

24. Every superintendent registrar shall from time to time, by writing under his hand, appoint, with the approval of the Registrar General, a fit person to act as his deputy in case of his illness or unavoidable absence, or in any prescribed case; and every such deputy while so acting shall have all the powers and fulfil all the duties and be subject to all the obligations by the Births and Deaths Registration Acts, 1836 to 1874, or any of them, given to or imposed on the superintendent registrar whose deputy he is.

Such deputy shall hold his office during the pleasure of the superintendent registrar by whom he is appointed, but shall be removable from his office by the Registrar General.

Every superintendent registrar shall be civilly responsible for the acts or omissions of his deputy.

The provisions of this section shall apply to registrars in like manner as if it were enacted with the word registrar substituted for superintendent registrar.

Interim registrars.

25. If any superintendent registrar dies, resigns, or otherwise ceases to hold his office, his deputy shall be interim superintendent registrar.

Every interim superintendent registrar shall act as superintendent registrar and have all the powers and perform all the duties and be subject to all the obligations of a superintendent registrar until another is duly appointed.

The provisions of this section shall apply to a registrar in like manner as if it were enacted with the substitution of the word registrar for superintendent registrar.

If a registrar for any sub-district dies, resigns, or otherwise ceases to hold his office, and there is no interim registrar, then the superintendent registrar shall, when so required by the Registrar General, appoint an interim registrar for such sub-district.

Residence, office, and station of registrar and deputy registrar in sub-district.

26. Every registrar and deputy registrar shall either dwell in or have a known office within the sub-district of which he is registrar or deputy registrar.

Every registrar shall, if so directed by the Registrar General, appoint within or contiguous to his sub-district a station or stations as may be directed by the Registrar General. Every such station shall, for the purposes of the provisions of this Act with respect to the attendance of persons and registration of births and deaths at the office of the registrar, be deemed to be his office.

Every registrar and deputy registrar shall attend at his dwelling-house or office and at each such station, on the days and at the hours approved by the Registrar General, for the purpose of registering births and deaths.

Every registrar shall cause to be placed in some conspicuous place on or near the outer door of the dwelling-house or office which he has within his sub-district his name, with the addition of registrar for the sub-district for which he is registrar, and the hours of his attendance as approved by the Registrar General; and a list of such registrars in any union, with their residences, shall be kept at the workhouse of such union, and at each police station within such union.

Fees of superintendent registrars and registrars.

27. Every superintendent registrar and registrar respectively shall be entitled to the fees specified in the second schedule to this Act, and every such fee shall be paid to him by the persons and on the occasions pointed out in such schedule, and may be recovered as a debt due to him, and subject to the prescribed rules he may refuse to comply with any application voluntarily made to him until the fee is paid.

Returns of registrars to

28. Every registrar, when and as required by a sanitary authority, as defined by the Public Health Act, 1872, shall transmit by post or otherwise a return, certified under the

hand of such registrar to be a true return, of such of the particulars registered by him concerning any death as may be specified in the requisition of the sanitary authority. sanitary authorities.

The sanitary authority may supply a form of the prescribed character, for the purpose of the return, and in that case the return shall be made in the form so supplied.

The registrar making such return shall be entitled to a fee of twopence, and to a further fee of twopence for every death entered in such return, which fee shall be paid by the anthority requiring the return.

29. Where the age of any child is required to be ascertained or proved for any purpose connected with the elementary education or employment in labour of such child, any school board or any managers appointed by a school board, or any persons managing a public elementary school, or any of Her Majesty's inspectors of schools, may issue a written requisition in the prescribed form, and stating the prescribed particulars as to the child. Certificates of birth for purposes of school boards and of public elementary schools.

The person to whom such requisition is given shall, on delivery thereof and payment of a fee of one shilling, be entitled to obtain a certified copy under the hand of the registrar or superintendent registrar of the entry in the register of the birth of the child named in the requisition.

30. A registrar shall, upon demand made at the time of registering any birth by the person giving the information concerning the birth, and upon payment of a fee not exceeding threepence, give to such person a certificate under his hand, in the prescribed form, of having registered that birth. Certificate of birth having been registered.

31. The payment to the registrar under section twenty-nine of the principal Act of two shillings and sixpence for each of the first twenty entries of births and deaths in every year which he has registered shall be paid to him for each of the first twenty entries of births and deaths in each quarterly account made out and verified in manner directed by that Act. Remuneration of registrars.

32. The Registrar General shall supply to every superintendent registrar suitable forms wherein to make indexes of the register books in his office, and such superintendent registrar shall cause such indexes to be made and to be kept with the other records of his office. Supply of forms and making of indexes.

All such indexes, whether made before or after the commencement of this Act, shall be kept by the superintendent registrar with the records of his office, and shall be delivered with the same to his successor in office, as directed by the principal Act.

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 superintendent registrar on payment in each case of the appointed fee.

33. The guardians of any union acting under a Local Act shall be subject to the same obligation of providing and upholding register offices as guardians of a union acting under the Poor Law Amendment Act, 1834, are subject to under section nine of the principal Act. Providing of register offices and fireproof repositories. 4 & 5 W. 4. c. 76.

Every register office of a district formed before or after the commencement of this Act shall be provided by the guardians, at the expense of their common fund, with a suitable fireproof repository or iron boxes for the safe custody of the registers, made according to the plan and placed in the office approved by the Registrar General.

Until a register office, as approved by the Registrar General, is provided by the guardians in any superintendent registrar's district, the superintendent registrar shall appropriate some fit room, to be approved by the Registrar General, as a temporary register office. Such guardians shall pay a reasonable rent for the said room out of their common fund to the superintendent registrar.

34. Where any union, parish, or place is united to any other union, parish, or place under section ten of the Births and Deaths Registration Act, 1837, as amended by this Act, the guardians acting for each union, parish, or place so united as aforesaid shall contribute to the expense of providing and upholding a register office in proportion to the population of each such union, parish, or place, as ascertained by the last published census for the time being. Each of united unions to contribute to expense of registration office.

Penalty for omission to register or loss of registers.

35. Every registrar who refuses or without reasonable cause omits to register any birth or death or particulars concerning which information has been tendered to him by an informant, and which he ought to register, and every person having the custody of any register book of births and deaths who carelessly loses or injures or allows the injury of the same, shall be liable to a penalty not exceeding fifty pounds.

Correction of Errors.

Correction of errors in registers.

36. With regard to the correction of errors in registers of birth and deaths, it shall be enacted as follows:

(1.) No alteration in any such register shall be made except as authorised by this Act:

(2.) Any clerical error which may from time to time be discovered in any such register may be corrected by any person authorised in that behalf by the Registrar General, subject to the prescribed rules:

(3.) An error of fact or substance in any such register may be corrected by entry in the margin (without any alteration of the original entry) by the officer having the custody of the register, upon payment of the appointed fee and upon production to him by the person requiring such error to be corrected of a statutory declaration setting forth the nature of the error and the true facts of the case, and made by two persons required by this Act to give information concerning the birth or death with reference to which the error has been made, or in default of such persons then by two credible persons having knowledge of the truth of the case:

(4.) Where an error of fact or substance (other than an error relating to the cause of death) occurs in the information given by a coroner's certificate concerning a dead body upon which he has held an inquest, the coroner, if satisfied by evidence on oath or statutory declaration that such error exists, may certify under his hand to the officer having the custody of the register in which such information is entered the nature of the error and the true facts of the case as ascertained by him on such evidence, and the error may thereupon be corrected by such officer in the register by entering in the margin (without any alteration of the original entry) the facts as so certified by the coroner.

Registration of Births and Deaths at Sea.

Registration of births and deaths at sea.

37. The provisions of this Act, save as is herein expressly provided, shall not apply to the registration of births and deaths on board a vessel at sea, with respect to which the following provisions shall have effect:

(1.) The captain or master of or other person having the command or charge of a British ship shall, as soon as may be after the occurrence of the birth of a child or the death of a person on board such ship, record in his log book or otherwise the fact of such birth or death, and the particulars required by the fourth schedule to this Act to be registered concerning such birth or death, or such of them as may be known to him, and shall, (unless the ship is one of Her Majesty's ships,) upon the arrival of such ship at any port of the United Kingdom, or at such other time or place as the Board of Trade may from time to time with respect to any ship or class of ships direct, deliver, or send, in such form and manner as the Board of Trade may from time to time direct, a return of the facts so recorded to the Registrar General of Shipping and Seamen.

(2.) Where a ship which is not a British ship carries passengers to or from any port of the United Kingdom as the port of destination or the port of departure of such ship, the provisions of this section shall apply to the captain or master of or other person having the command or charge of such ship, in like manner as if it were a British ship.

(3.) Where the said return is directed by the Board of Trade (whether the ship is British or foreign) to be delivered upon the arrival of the ship, or the discharge

of the crew, or otherwise, at any port or place out of the United Kingdom, the Board of Trade may, if they think fit, direct that the return instead of being delivered to the Registrar General of Shipping and Seamen shall be delivered, and the same shall accordingly be delivered, if such port or place is within Her Majesty's dominions, to the shipping master or collector of customs at such port or place, and if it is a foreign port or place, to the principal British consular officer at the said foreign port or place, and such shipping master, collector, or officer shall send the same, as soon as may be, by post or otherwise, to the Registrar General of Shipping and Seamen.

(4.) Where it appears from any such return that the father of any child so born, or if the child is a bastard the mother of such child, was a Scotch or Irish subject of Her Majesty, or that any person whose death is mentioned in such return was a Scotch or Irish subject of Her Majesty, the Registrar General of Shipping and Seamen shall from time to time send a certified copy of so much of the return as relates to such birth or death to the Registrar General of Births and Deaths in Scotland or Ireland, as the case may require.

(5.) The Registrar General of Shipping and Seamen shall from time to time send to the Registrar General of Births and Deaths in England a certified copy of every other such return, or of that part of every such return which is not so sent to the Registrar General of Births and Deaths in Scotland or Ireland.

(6.) A captain of or other person having charge of one of Her Majesty's ships shall, upon the arrival of any such ship in any port of the United Kingdom, or at such other time as the Commissioners of the Admiralty may from time to time direct, deliver or send, in such manner and form as the said Commissioners may from time to time direct, a return of the facts recorded in pursuance of this section to that Registrar General of Births and Deaths to whom a copy of such return would, if the ship were a merchant ship, be sent under the provisions of this section by the Registrar General of Shipping and Seamen.

(7.) Every Registrar General of Births and Deaths to whom a copy of any return or a return is sent in pursuance of this section shall cause the same to be filed and preserved in or copied in a book to be kept by him for the purpose, and to be called a marine register book, and such book shall be deemed to be a certified copy of a register book within the meaning of the Acts relating to the registration of births and deaths in England, Scotland, and Ireland respectively.

(8.) Every captain or master of or other person having charge of a ship who fails to comply with this section shall be liable to a penalty not exceeding five pounds for each offence; and such penalty may be recovered in the same courts and places and in the like manner, and when recovered shall be applied in like manner, as a penalty under the Merchant Shipping Act, 1854.

(9.) This section shall extend to all places and persons within British jurisdiction.

(10.) Terms in this section shall have the same meaning as in the Merchant Shipping Act, 1854.

Miscellaneous.

Register when not evidence.

38. An entry or certified copy of an entry of a birth or death in a register under the Births and Deaths Registration Acts, 1836 to 1874, or in a certified copy of such a register, shall not be evidence of such birth or death, unless such entry either purports to be signed by some person professing to be the informant and to be such a person as is required by law at the date of such entry to give to the registrar information concerning such birth or death, or purports to be made upon a certificate from a coroner, or in pursuance of the provisions of this Act with respect to the registration of births and deaths at sea.

When more than three months have intervened between the day of the birth and the day of the registration of the birth of any child, the entry or certified copy of the entry made after the commencement of this Act of the birth of such child in a register under the Births and Deaths Registration Acts, 1836 to 1874, or in a certified copy of such a register, shall not be evidence of such birth unless such entry purports,

(*a.*) if it appear that not more than twelve months have so intervened, to be signed by the superintendent registrar as well as by the registrar; or,

(*b.*) if more than twelve months have so intervened, to have been made with the authority of the Registrar General, and in accordance with the prescribed rules.

Where more than twelve months have intervened between the day of a death or the finding of a dead body and the day of the registration of the death or the finding of such body, the entry or certified copy of the entry made after the commencement of this Act of the death in a register under the Births and Deaths Registration Acts, 1836 to 1874, or in a certified copy of such register, shall not be evidence of such death, unless such entry purports to have been made with the authority of the Registrar General, and in accordance with the prescribed rules.

Penalty for not giving information, complying with requisition, &c.

39. Every person required by the Births and Deaths Registration Acts, 1836 to 1874, to give information concerning any birth or death, or any living new-born child, or any dead body, who wilfully refuses to answer any question put to him by the registrar relating to the particulars required to be registered concerning such birth or death, or fails to comply with any requisition of the registrar made in pursuance of those Acts, and every person who refuses or fails without reasonable excuse to give or send any certificate in accordance with the provisions of the said Acts, shall be liable to a penalty not exceeding forty shillings for each offence; and the parent of any child who fails to give information concerning the birth of such child, as required by the said Acts, shall be liable to a like penalty; and a person required by the said Acts to give information concerning a death in the first instance, and not merely in default of some other person, shall, if such information as is required by the said Acts is not duly given, be liable to the same penalty.

Penalty for false statements, &c.

40. Any person who commits any of the following offences; that is to say,

(1.) Wilfully makes any false answer to any question put to him by a registrar relating to the particulars required to be registered concerning any birth or death, or wilfully gives to a registrar any false information concerning any birth or death, or the cause of any death; or,

(2.) Wilfully makes any false certificate or declaration under or for the purposes of this Act, or forges or falsifies any such certificate or declaration, or any order under this Act, or, knowing any such certificate, declaration, or order to be false or forged, uses the same as true, or gives or sends the same as true to any person; or,

(3.) Wilfully makes, gives, or uses any false statement or representation as to a child born alive having been still-born, or as to the body of a deceased person or a still-born child in any coffin, or falsely pretends that any child born alive was still-born; or

(4.) Makes any false statement with intent to have the same entered in any register of births or deaths;

shall for each offence be liable on summary conviction to a penalty not exceeding ten pounds, and on conviction on indictment to fine or to imprisonment with or without hard labour for a term not exceeding two years, or to penal servitude for a term not exceeding seven years.

Sending certificates, &c. by post.

41. All notices, informations, declarations, certificates, requisitions, returns, and other documents required or authorised by this Act to be delivered, sent, or given to the Registrar General, a superintendent registrar or a registrar, or by a registrar to a person who is required to give information concerning any birth or death, or who gives notice of any death, may be sent by post in a prepaid letter, and the date at which they would be delivered to the person to whom they are sent in the ordinary course of post shall be deemed to be the date at which they are received; and in proving such sending, it shall be sufficient to prove that the letter was prepaid, properly addressed, and put into the post.

Explanation of 6 & 7 W. 4. c. 86. ss. 36, 37.

42. In the principal Act and this Act,—

The term "general search" shall mean a search during any number of successive hours not exceeding six, without stating the object of the search; and

The term "particular search" shall mean a search over any period not exceeding five years for any given entry.

Use of forms.

43. The forms in the first schedule to this Act, or forms as nearly resembling the same as circumstances admit, shall be used in all cases in which they are applicable, and when so used shall be valid in law.

Power of Local Government Board and Registrar General to alter forms in schedules under 6 & 7 W. 4. c. 86., and make regulations.

44. It shall be lawful for the Local Government Board or the Registrar General, with the consent of the Local Government Board, by order to alter from time to time all or any of the forms contained in the schedules to the principal Act and this Act, or in any order under this section, in such manner as may appear to them best for carrying into effect the Births and Deaths Registration Acts, 1836 to 1874, or to prescribe new forms for that purpose, and from time to time to make regulations for prescribing any matters authorised by this Act to be prescribed, and to revoke and alter such regulations.

Any order made in pursuance of this section shall be published in the London Gazette, and shall be laid before both Houses of Parliament, if Parliament is sitting, within fourteen days after the issue of the same, or if Parliament is not then setting, within fourteen days after the commencement of the then next session.

Every form when altered in pursuance of this section shall have the same effect as if it had been contained in a schedule to the principal Act or this Act, as the case may be, and every regulation made in pursuance of this section shall, while in force, have the same effect as if it were enacted in this Act.

Recovery of penalties.

45. All fines and forfeitures imposed by the principal Act and all penalties imposed by this Act may, unless otherwise directed, be recovered on summary conviction before two justices in manner directed by the Summary Jurisdiction Acts, and when so recovered shall be paid into the receipt of Her Majesty's Exchequer in such manner as the Treasury may from time to time direct, and be carried to the Consolidated Fund.

Where the court of summary jurisdiction before whom a person is charged summarily with an offence under this Act, which is also punishable on indictment, think that proceedings ought to be taken against such person by indictment, they may adjourn the case to enable such proceedings to be taken.

Time for prosecution of offence.

46. A prosecution on indictment for an offence under this Act shall be commenced within three years after the commission of such offence.

Particulars required to be registered concerning birth or death.

47. The particulars required to be registered concerning a birth or death shall be the particulars specified in the forms in Schedules A. and B. respectively to the principal Act, as amended by the Births and Deaths Registration Act, 1837, and by this Act, or as altered in pursuance of this Act.

Interpretation.

48. In this Act, if not inconsistent with the context,—

The term "public institution" means a prison, lock-up, workhouse, lunatic asylum, hospital, and any prescribed public or charitable institution:

The term "house" includes a public institution as above defined:

The term "occupier" includes the governor, keeper, master, matron, superintendent, or other chief resident officer of every public institution, and where a house is let in separate apartments or lodgings includes any person residing in such house who is the person under whom such lodgings or separate apartments are immediately held, or his agent:

The term "relative" includes a relative by marriage:

The term "prescribed" means prescribed by regulations made from time to time in pursuance of section five of the principal Act or of this Act:

The term "appointed fee" means the fee specified in the second schedule to this Act:

The term "guardians" includes any body of persons performing the functions of guardians within the meaning of the Acts relating to the relief of the poor:

The term "union" means any union or incorporation of parishes under any general or local Act, and includes any single parish having guardians under any such Act:

The term "common fund" means, in the case of a single parish, the fund out of which the expenses of the guardians of such parish are paid:

The term "Summary Jurisdiction Acts" means the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties of justices of the peace out of "sessions within England and Wales with respect to summary convictions and "orders," and any Acts amending the same:

The term "court of summary jurisdiction" means any justice or justices of the peace, metropolitan police magistrate, stipendiary or other magistrate, or officer, by whatever name called, to whom jurisdiction is given by the Summary Jurisdiction Acts, or any Acts therein referred to.

Definition of registrar and superintendent registrar.

49. Where reference is made in this Act to a registrar or superintendent registrar in connexion with any birth or death or other event, or any register, such reference shall (unless the contrary be expressed) be deemed to be made to the registrar who is the registrar for the sub-district in which such birth or death or other event took place, or who keeps the register in which the birth or death or other event is or is required to be registered, or who keeps the register referred to, and to the superintendent registrar who superintends such registrar as aforesaid.

Commencement.

50. This Act shall not come into operation until the first day of January one thousand eight hundred and seventy-five, which day is referred to in this Act as the commencement of this Act.

Extent of Act.

51. This Act, save as is herein otherwise expressly provided, shall extend only to England and Wales.

Construction of Act with 6 & 7 W. 4. c. 86. and 7 W. 4. & 1 Vict. c. 22., and 21 & 22 Vict. c. 25., and short title.

52. This Act shall, so far as is consistent with the tenor thereof, be construed as one with so much as is unrepealed of the Acts mentioned in the third schedule to this Act, and the first of those Acts is in this Act referred to as the principal Act, and each of those Acts may be cited as the Births and Deaths Registration Act of the year in which it was passed, and those Acts, together with this Act, may be cited as the Births and Deaths Registration Acts, 1836 to 1874.

Short title.

53. This Act may be cited as the "Births and Deaths Registration Act, 1874."

Repeal.

Repeal of Acts in schedule.

54. The Acts specified in the fifth schedule to this Act are hereby repealed, from and after the commencement of this Act, to the extent specified in the third column of that schedule.

Provided that this repeal shall not affect—

(*a.*) Anything duly done or suffered under any enactment hereby repealed, or the proof of any past act or thing;

(*b.*) Any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment hereby repealed; or,

(*c.*) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed; or,

(*d.*) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid; and any such investigation, legal proceeding, and remedy may be carried on as if this Act had not passed.

SCHEDULES.

FIRST SCHEDULE.

FORMS.

FORM CERTIFYING NAME GIVEN IN BAPTISM.

I of in the county of do hereby certify, that on the 18 I baptized by the name of a male child produced to me by as the of , and declared by the said to have been born at in the county of on the 18 . Witness my hand, this 18 .

[*Signed by officiating minister.*]

FORM CERTIFYING NAME GIVEN *NOT* IN BAPTISM.

I do hereby certify that the male child born on the , at in the county of , to and his wife, and registered in the sub-district of on the 18 . has (without being baptized) received the name of . Witness my hand, this 18 .

} of

SECOND SCHEDULE.

Fees to Registrars and Superintendent Registrars.

For registering a birth or death when required to do so at residence of person signing requisition, or at house where child born or person died (not being a public institution), to registrar one shilling, to be paid by the informant.

Upon the registration of a birth when the child is more than three months old, if it is not more than twelve months old, to superintendent registrar two shillings and sixpence, and to the registrar (unless the delay is occasioned by his failure to issue a requisition, or otherwise by his default) two shillings and sixpence, and if it is more than twelve months old, and is registered with the authority of the Registrar General, to superintendent registrar five shillings, and to registrar (unless the delay is occasioned by his failure to issue a requisition or otherwise by his default) five shillings, to be paid by the informant or declarant.

Upon the registration of a death with the authority of the Registrar General after the expiration of twelve months, to the superintendent registrar five shillings, and to the registrar (unless the delay is occasioned by his failure to issue a requisition or otherwise by his default) five shillings, to be paid by the informant or declarant.

For taking, attesting, and transmitting a declaration made by an informant respecting a birth in another sub-district, to the registrar attesting the declaration two shillings, to be paid by the informant.

For entering the baptismal or other name of child upon certificate produced after registry of birth, to superintendent registrar or registrar one shilling, to be paid by the person procuring the name to be entered.

Correction of error of fact in register, to superintendent registrar or registrar two shillings and sixpence, to be paid by the person requiring the error to be corrected.

For every search, to the superintendent registrar, to be paid by the applicant for the search, if it is a general search, five shillings, if it is a particular search, one shilling.

For a certified copy of any entry given by the superintendent registrar, two shillings and sixpence to the superintendent registrar, to be paid by the applicant.

THIRD SCHEDULE.

Births and Deaths Registration Acts.

Session and Chapter.	Title.
6 & 7 Will. 4. c. 86. -	An Act for registering births, deaths, and marriages in England.
7 Will. 4. & 1 Vict. c. 22.	An Act to explain and amend the Acts passed in the last session of Parliament for marriage, and for registering births, deaths, and marriages in England.
21 & 22 Vict. c. 25. -	An Act to amend the Act concerning non-parochial registers, and the Acts for marriages, and for registering births, deaths, and marriages in England, and concerning vaccination.

FOURTH SCHEDULE.

Particulars to be registered by Captain of a Ship concerning a Birth at Sea.

Date of birth.
Name (if any) and sex of the child.
Name and surname, and rank, profession, or occupation of the father.
Name and surname, and maiden surname of mother.
Nationality and last place of abode of the father and mother.

Particulars to be registered by Captain of a Ship concerning a Death at Sea.

Date of death.
Name and surname.
Sex.
Age.
Rank, profession, or occupation.
Nationality and last place of abode.
Cause of death.

FIFTH SCHEDULE.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Portions of Acts which have already been specifically repealed are in some instances included in the repeal in this schedule, in order to preclude henceforth the necessity of looking back to previous Acts.

Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
6 & 7 Will. 4. c. 86. -	An Act for registering births, deaths, and marriages in England.	Sections one, four, twelve, and sixteen, section eighteen from "as herein-after "provided at a reasonable price" to the end of the section, sections nineteen to twenty-eight, section thirty-six, section thirty-nine from "according to the pro- "visions of" to the end of the section, so much of sections forty-one, forty-two, and forty-four as relates to registrars or registers of births and deaths, sections forty-five and fifty, and schedules (E.), (F.), and (G.)

Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
7 Will. 4 & 1 Vict. c. 22.	An Act to explain and amend two Acts passed in the last session of Parliament, for marriages, and for registering births, deaths, and marriages in England.	Sections two, four, six, thirteen, sixteen, twenty-one, twenty-five, and thirty-one.
17 & 18 Vict. c. 80. -	An Act to provide for the better registration of births, deaths, and marriages in Scotland.	Sections thirty and forty-three.
17 & 18 Vict. c. 104. -	The Merchant Shipping Act, 1854 -	Sections two hundred and seventy-three and two hundred and eighty-two, so far as they relate to the entry of any birth or death.
18 & 19 Vict. c. 119. -	Passengers Act, 1855 - - -	Section sixteen from "and the said master "shall note in writing" down to "An "Act for registering births, deaths, and "marriages in England," and section one hundred from "such emigration or "customs officer" to the end of the section.
21 & 22 Vict. c. 25. -	An Act to amend the Act concerning non-parochial registers, and the Acts for marriages, and for registering births, deaths, and marriages in England, and concerning vaccination.	The whole Act, except sections one to four.
26 & 27 Vict. c. 11. -	An Act for the registration of births and deaths in Ireland.	Sections thirty-nine and forty.

CHAPTER 89.

An Act to amend and extend the Sanitary Laws. [7th August 1874.]

WHEREAS it is expedient that the Sanitary Acts should be explained and amended, and that sundry other provisions should be made to extend the same:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Explanation and Amendment of Public Health Act, 1872.

1. It is hereby declared that the rural sanitary authority is the same body as the board of guardians of the union or parish for or within which such authority acts, and that all statutes, orders, and legal provisions applicable to a board of guardians apply to them when acting as such rural sanitary authority, except so far as any provision of the Public Health Act, 1872 (herein termed the principal Act), relating to the acting or voting of a guardian or otherwise, may be to the contrary.

Rural sanitary authority and board of guardians declared to be the same authority.

2. Where any sanitary authority shall be acting in the execution of the said Act, their proceedings, from the time when they have so acted or shall hereafter so act, shall be deemed, if otherwise not invalid, to be legal, notwithstanding that a first meeting was not held by them in accordance with section six of the said Act; and their first meeting after

Where first meeting not held in accordance with 35 & 36 Vict. c. 79. s. 6.