

**Joseph Godfrey Holdsworth, Registrar, Wellington**

Archives NZ Reference BDM 1/24 1881/713

Inwards correspondence of the Registrar General

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Memorandum to the Registrar General 16 Nov 1881

It having come to my knowledge that Edward Daniell, labourer of Elizabeth Street has failed to register the birth of his child, as far back as March last. I beg to report the same. The six months having elapsed since the birth, the notice required under section 17 has not been sent.

Response from Registrar General 17 Nov 1881

Authority to prosecute herewith. Mr Holdsworth should obtain necessary evidence – in future similar cases the date of birth and sex of child should be notified to me.

Further comment by Holdsworth 29 Nov 1881

There was a misconception of the circumstance in this case. Edward Daniell it appears is living with another woman, and his wife and her sister, who is deaf, to enquire if Edward Daniell had registered the birth of his child in March last. Search being made no child of that name could be found; and until the wife came and explained, it appeared as if Edward Daniell had neglected to register the child. Though he had registered the child of Mrs McKenzie, the woman he is living with at that time. See file Mrs B.W.B. 29 Nov 1881

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**Registration of Births and Deaths Act 1875**

[http://www.nzlii.org/nz/legis/hist\\_act/robada187539v1875n23440/](http://www.nzlii.org/nz/legis/hist_act/robada187539v1875n23440/)

**Section 17:** After the said period of sixty-two days following the day of the birth of any child born in the colony it shall not be lawful for any Registrar to register such birth unless the parent, or some person who was present at such birth, shall make a solemn declaration, according to the best of his knowledge and belief, of the particulars required to be registered.

It shall be lawful for the Registrar, at any time after sixty-two days and not later than six months next after the birth, by notice in writing, to require the parent or some person present at the birth to attend personally at his office within such time (not less than seven days after the receipt of the notice and not more than six months after the birth) as may be specified in the notice, and make before the Registrar a solemn declaration as aforesaid.

Upon such declaration being made, and a fee of five shillings paid to the Registrar, it shall be lawful for the Registrar before whom such declaration is made to register the birth according to the information of the person making the same; or if any person summoned to appear before such Registrar shall refuse or neglect to appear, or having appeared shall refuse to make such declaration, or refuse or neglect to pay the fee above mentioned so as to enable the child to be registered, he shall be liable in any of such cases to the penalty provided by section sixteen for neglecting or refusing to register the birth

Provided always that if such Registrar shall be satisfied that at the time of the birth of such child, or at any time thereafter, and before the expiration of sixty-two days from such birth, there was not any Registrar or Deputy Registrar qualified to register the birth of such child and acting for the district where such birth ought to have been registered, and that such parent or other person is then applying to register the birth within a period which (excluding the period after such birth during which there has been no Registrar or Deputy Registrar qualified and acting as aforesaid) is not more than sixty-two days from such birth, the Registrar shall register the birth without any fee

Provided further that no penalty shall be imposed under section sixteen if the birth be registered as provided by this section, and within the limit of time imposed by section nineteen.

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