

An Act to provide for the registration of Marriages, Births, and Deaths.

Chap 492

*The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows :*

SECTION 1. That from and after the first day of June next, each register of deeds in the several counties in this state shall be supplied with separate books in which he shall register in the manner hereinafter directed, the marriages which may have been contracted, and the births and deaths which may have occurred within his county.

Register to be supplied with books.

SEC. 2. It shall be the duty of every clergyman, justice of the peace, clerk, and of every other person or society, by or before whom any marriage may hereafter be solemnized or contracted to make at once a record of the same in a book to be kept for the purpose, and within thirty days after such marriage to return the same in the form of a certificate duly signed by the person so certifying, to the register of the county in which such marriage shall have been solemnized or contracted, which said record and certificate shall set forth as far as the same can be ascertained, the full name of the husband, his occupation, and the name of his place of birth and residence, the full name of the wife previous to the said marriage, the names of the parents of said husband, and of the parents of said wife, also the color of the parties, and the time, place where, and ceremony by which such marriage was contracted, and if pronounced by any clergyman or other person as aforesaid, the place of residence of such person.

Clergyman, &c to make record of marriage.

SEC. 3. It shall be the duty of every physician, under whose care a birth shall hereafter take place, to make at once a record of such birth in a book to be kept for the purpose, and to return the same duly signed by him, or in the form of a certificate to the register of deeds of the county in which such birth shall have taken place, in the manner and within the period directed by the second section of this act, which said record and certificate shall set forth as far as the same can be ascertained, the full name of such child, if any name should have been conferred, its sex, color, names of any other child or children living, the full name as well as the occupation of its parents, and for better identification, the full name previously to marriage of the mother of such child, the day, hour, and place in and at which such birth occurred. In case such birth shall have occurred without the superintendence of any person, and should no physician or other person be in attendance upon the parent immediately thereafter, it shall then become the duty of the parent or parents of such child to

Physician to report births.

return the same to the register in the manner, form, and within the period above required.

Physician to re-  
turn certificate  
of death.

SEC. 4. Every physician or surgeon who shall hereafter be in attendance at the period of the death of any individual, dying within the state, shall make at once a record of such death in a book to be kept by him for that purpose, and shall return the same, duly signed, in the form of a certificate to the register of the county in which such individual may have resided at the time of death in the manner and within the period directed in the second section of this act, which record and certificate shall set forth so far as the same can be ascertained, the full name, sex, and color of the person deceased, and his or her age, and also the name of his or her parents, the occupation, place of birth, the period, place, and disease or cause of death, and if within his knowledge, the name of the burial ground in which interred, and if married at the time of death, the name of the husband or wife, as the case may be. All certificates or returns required by this act shall be signed by the parties so certifying.

Prior marriages,  
&c. may be reg-  
istered.

SEC. 5. This act shall not be construed to prevent the registry of any marriage contracted, or birth or death happening previously to its passage, within the limits of this state, nor of the marriage, birth, or death of any person or persons who may have married, been born, or may have died elsewhere, but who were the child or children of citizens of this state, nor of any marriage contracted previously or subsequently to the passage of this act, in any other part of these United States or their territories, or beyond the limits of the same: *Provided*, Either of the parties married were permanently residing in this state at the time, or at some time previously or subsequently to such marriage; such registrations shall be in the form already prescribed, and shall be kept apart from the current registrations, and in separate books, as is already required in the case of other registrations, but shall be embraced in the general index. The proof of every such marriage shall be as follows, to wit: in the case of a marriage, by the person who pronounced it, or if such proof cannot be made, then it shall be made by some one who was present thereat; in the case of a birth, by some one who has actual knowledge of the period at which such person was born, or of his or her parentage; and in the case of a death, by some one who actually saw such person dead, or who has actual knowledge of the fact. Such proof shall be under oath or affirmation, and shall be in its character satisfactory to the register: *Provided fur-*

Proviso.

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Proviso.

*ther*, That should any person feel aggrieved at the decision of the register aforesaid, he or she, as the case may be, the next friend, or the representative of the person on whose behalf such application is made, shall have the right of an appeal to the circuit court of the proper county, in which case the testimony so taken shall be sent up with the appeal to the said court, by the said register, accompanied by a written statement of his reasons for rejecting it as insufficient.

SEC. 6. The said book or registers, or a certificate duly certified by the register and authenticated by his seal of office, as containing a full copy of the record of any marriage, birth, or death, shall hereafter be admitted in any court of this state as *prima facie* proof of any marriage, birth, or death: *Provided, however*, That should no such registration exist, the proof of any marriage, birth, or death, shall be sufficient, if made in the manner now or hereafter required under the decisions of the supreme court of this state.

Copy of registry  
to be evidence.

Proviso.

SEC. 7. If any register shall not within fourteen days after an application made to him to register any marriage, birth, or death as aforesaid, register in the proper form and book any such marriage, birth, or death as the same shall be certified to him, unless he has sufficient cause, he shall forfeit and pay the sum of ten dollars, to be recovered as debts of the same amount are recoverable by any person who may sue for the same; the person aggrieved shall have the right of appeal; and all certificates of marriages, births, and deaths duly returned, shall be preserved and filed with the register.

Penalty for neglect.

SEC. 8. If any person shall willfully, knowingly, and falsely swear or affirm to, or return any such certificate of such marriage, birth, or death, or if any register shall willfully and knowingly make or cause to be made in the said books, a false entry of such marriage, birth, or death, the said person or register so offending shall be punished by fine or imprisonment, or both, at the discretion of the court having the cognizance of such offences, the fine not to exceed eight hundred dollars, and the imprisonment not to exceed seven years.

Penalty for returning false certificate.

SEC. 9. The register of marriages, births, and deaths shall be kept in separate books. There shall be general indexes to the records of all marriages, births, and deaths, which indexes respectively shall be kept in separate books. Opposite to each name in the said index shall be affixed not only the reference to the record, but the day of the

Separate books.

month and year in which any marriage may have been contracted, or birth or death may have occurred, as the case may be.

Books to contain printed titles.

SEC. 10. In order to secure uniformity, precision, and greater dispatch in the aforesaid registration, the said books shall contain upon each page of the same, and along the margin at the side of the page, printed titles, duly numbered, opposite to which shall be left blanks or spaces in which entries shall be made corresponding to the particular subject of each of the said titles. The said titles in the books for registering marriages, shall be printed and arranged in the following words and order, to wit:

### FOR REGISTERING MARRIAGES.

Blanks for registering marriages

1. Full name of husband.
2. Name of the father of said husband.
3. Name of the mother of said husband.
4. Occupation of said husband.
5. Residence of husband.
6. Birth place of husband.
7. Full name of the wife previously to her marriage.
8. Name of the father of said wife.
9. Name of the mother of said wife.
10. The time when the marriage was contracted.
11. The place, town or township, and county where the marriage was contracted.
12. The color.
13. By what ceremony contracted.
14. Name of person pronouncing marriage.
15. Residence of person last named.
16. Name of person signing the certificate.
17. Date of certificate.
18. Date of registration.

The titles in the books for registering births, in the following words and order, to wit:

For births.

1. Full name of child.
2. Sex.
3. Color.
4. Names of other issue living.
5. Full name of father.
6. Occupation of father.
7. Name of mother previously to marriage.
8. Hour, day of week, of month, and the year of birth.
9. Place, town or township and county in which born.

10. Name of physician or other person signing the certificate, or on whose application registry is made.

11. Residence of such person.

12. Date of certificate.

13. Date of registration.

14. Any additional circumstances.

The titles in the books for registering deaths, in the following words and order, to wit: For deaths.

1. Full name of deceased.
2. Color.
3. Sex.
4. Age.
5. Name of the father of deceased.
6. Name of the mother of deceased.
7. Occupation.
8. Place of birth.
9. Name of wife of deceased.
10. Name of husband of deceased.
11. Date of birth and date of death.
12. Cause of death.
13. Name of the place, town or township and county in which the person died.
14. Name and location of burial ground in which interred.
15. Name of person returning certificate.
16. Residence of such person.
17. Date of certificate.
18. Date of registration.

At the bottom of each page in each of said books, there shall be kept a blank for the registry of any fact, which any act or acts of the legislature hereafter enacted may require, shall be registered, and all interlineations shall at the time, be notified by the register.

SEC. 11. The said register, with the exceptions hereinafter named, shall receive, provided he comply with the provisions of this act, for registering any marriage, birth, or death, the sum of ten cents, which shall be paid to him on his demand, by the treasurer of the proper county, except for registering any marriage contracted or birth or death happening previously to the year one thousand eight hundred and fifty-two in which case he shall receive twenty-five cents, to be paid by the party; for examining every witness in which the testimony is reduced to writing and at length, twenty-five cents; for sending up the re-

Fees for registration.

cord on an appeal, fifty cents; for granting a certified copy of the full record of any marriage, birth, or death, fifty cents, which shall also be paid to him by the party. He shall make no charges for administering an oath or affirmation, nor demand a fee from any person so registering. All emoluments arising from the registration, except the amount paid by the several counties to the registers, which shall exceed the sum of one hundred dollars in any one year, shall be paid into the state treasury. In order the more effectually to guard against injury from the loss by fire or otherwise of the records of any county, and for other purposes, it shall be the duty of each register (under penalty of twenty dollars for every neglect, recoverable as aforesaid,) in each of the counties, semi-annually, between the fifteenth and twentieth days of January and July in each year, to transmit a copy of the record of marriages, births, and deaths, before specified, with a copy of the index, fully certified by him to the secretary of state, who shall file the same in his office, and annually transmit to the legislature an abstract of the number of marriages, births, and deaths, which have occurred in each county in the state during each year next preceding the first day of January, and for which purpose the said secretary shall furnish, at the cost of the state, each of the said registers with proper blanks, prepared in the form required by the thirteenth section of this act; and shall also furnish to each of said registers, at the cost of the state, the blank books and indexes required by the first or any other section of this act; and shall also, at the same time, transmit a printed copy of this act, which shall be bound with said blank books, and such instructions on the subject of the law as he may see fit to prepare, and generally, to do whatever may be required to carry into effect the provisions of this act.

Clergymen, &c.  
give notice of  
residence.

SEC. 12. Every clergyman, justice of the peace, physician, or any other person whose duty it is to make any return under this act, shall, on or before the first day of October next, return his name and residence to the register of the county in which he may reside, who shall record said return in a book to be kept for the purpose, to be provided at the expense of the county, and such person shall notify the register of his removal to any other place in or out of the said county within thirty days after such removal, except where he may cease to act in a professional or official capacity.

SEC. 13. The register of deeds is hereby authorized to administer oaths according to the requirements of this act.

SEC. 14. All acts or parts of acts inconsistent herewith or supplied as aforesaid, are hereby repealed.

J. McM. SIAFTER.

*Speaker of the Assembly.*

E. B. DEAN, JR.,

*President pro tem. of the Senate.*

Approved, April 19, 1852.

LÉONARD J. FARWELL.

[*Published, May 26, 1852.*]

An Act to provide for the re-appraisal of the University Lands.

Chap 493

*The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows:*

SECTION 1. There shall be appointed by the governor, Commissioners to be appointed. as soon as practicable after the passage of this act, one person as commissioner for the re-appraisal of university lands.

SEC. 2. Such appraiser shall be required to make oath or affirmation to be administered by some competent officer to discharge faithfully and impartially the duties devolving upon him under the provisions of this act. Oath of office.

SEC. 3. The secretary of state shall furnish for the use of such appraiser plats and description of the university sections, with their subdivisions, and valuation of the same under the former appraisal. To furnish plats

SEC. 4. It shall be the duty of the appraisers aforesaid to make full examination of all the sections and parts of sections of university lands remaining unsold at the date of his appointment, to appraise the same at a fair valuation, which appraisal shall not be less than three dollars per acre, and to make full and complete returns of said appraisal to the secretary of state on or before the first day of July, 1852. Appraisers to examine lands.

SEC. 5. The appraiser aforesaid shall be allowed for his service at the rate of two dollars per day for each day of actual service; his accounts to be verified by affidavit, audited by the secretary of the state and paid out of the treasury, and upon sale of any tract of University land, the expenses of the appraisal of such tract shall be collected of the purchasers and paid into the treasury. Compensation.

SEC. 6. From and after the first day of July aforesaid the value as fixed by appraisal under the provisions of this act shall be taken and deemed to be the minimum price of each section and part of section of University land remaining unsold, and the same shall be open to private entry and sale at said price, under the same terms and Minimum price