

# MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1857.

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PART SECOND.

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AUGUSTA:  
STEVENS & BLAINE, PRINTERS TO THE STATE.  
1857.

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# THIRTY-SIXTH LEGISLATURE

HOUSE.]

[No. 44.]

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND FIFTY-SEVEN.

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AN ACT to secure the Uniform Registration of the Births, Marriages, Deaths, and the Causes of Death in the State of Maine.

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*Be it enacted by Senate and House of Representatives in the  
Legislature assembled, as follows :*

SECTION 1. Every birth, marriage, and death which shall  
2 occur within the limits of this State, and the cause of every  
3 death, shall be recorded by the clerk of the city, town, or plan-  
4 tation, in which it shall have occurred, as soon thereafter as he  
5 shall have knowledge of the same ; and the said clerks shall an-  
6 nually, between the tenth and twentieth of January, transmit to  
7 the Secretary of State a certified copy of their records of the  
8 births, marriages, and deaths, which have occurred within their  
9 respective cities, towns, or plantations, during the year next  
10 preceding the first day of said January.

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SECT. 2. The births shall be numbered and recorded in the order in which they are received by the clerk. The record of births shall state, in separate columns, the date of birth, the name of the child, (if it have any,) the sex and color of the child, whether it be dead or alive, and whether it be the first, second, or any other number, by the same parents, the name and nativity of both parents, and the time when the record was made.

SECT. 3. The marriages shall be numbered and recorded in the order in which they are received by the clerk, the record of marriage shall state, in separate columns, the date of the marriage, the place of the marriage, the name, residence, and official station of the person by whom married, the nativity and names of the parties, the residence and age of each, the condition of each, whether widowed or single, the occupation and names of parents, and the time when the record was made.

SECT. 4. The deaths shall be numbered and recorded in the order in which they are received by the clerk. The record of deaths shall state, in separate columns, the date of the death, the name of the deceased, the sex, color, condition, (whether married or single,) age, occupation, place of death, place of birth, disease or causes of death, the duration of the disease, and the names of parents, and the time when the record was made.

SECT. 3. The school agent in each school district in every city, town, or plantation in the State, shall semi-annually, viz.:

3 during the first ten days of July and January of each year, as-  
4 certain by actual inquiry, or otherwise, all the births which  
5 have happened within the limits of his school district during  
6 the six months next preceding the first day of July and Jan-  
7 uary, together with the facts concerning births required by the  
8 second section of this act, and shall make an accurate return  
9 thereof to the clerk of the city, town or plantation, in which  
10 such district is situated, on or before the tenth day of July  
11 and January, and the said agent, or the person authorized by  
12 him, shall be entitled to receive, from the treasury of said city,  
13 town or plantation, eight cents for each and every birth so re-  
14 turned, and in any city, or any school district, when there is no  
15 recognized school agent, the clerk of the city, town, or planta-  
16 tion shall perform the above-named duties; and every school  
17 agent, or such clerk, who shall neglect to perform the duties  
18 prescribed in this section, shall, upon conviction thereof, forfeit  
19 and pay the sum of five dollars.

SECT. 6. Every justice, minister and clerk, or keeper of the  
2 records of the meeting wherein any marriage among the Friends  
3 or Quakers shall be solemnized before him, shall make a record  
4 of each marriage so solemnized before him, together with all the  
5 facts relating to marriages, required by the third section of this  
6 act, and such justice, minister, clerk or keeper, shall, between  
7 the first and tenth days of each month, return a copy of the  
8 record for the month next preceding, to the clerk of the city,

9 town or plantation in which the marriage was solemnized; and  
10 every person as aforesaid who shall neglect to make the returns  
11 required by this section, shall be liable to the penalty provided  
12 in the eighty-seventh chapter, section sixteenth, of the revised  
13 statutes.

SECT. 7. Each sexton, or other person, having the charge of  
2 any public or private burial grounds in this State, shall, on or  
3 before the tenth day of each month, make returns of all facts  
4 required by the fourth section of this act, connected with the  
5 death of any person whose burial he may have superintended,  
6 during the month next preceding, to the clerk of the city, town  
7 or plantation in which such deceased person resided, at the  
8 time of his death; and such sexton, or other person, shall be  
9 entitled to receive from the treasury of the city, town, or plan-  
10 tation, to which the return is made, eight cents for the return of  
11 each death, made agreeable to the provisions of this act. Any  
12 sexton, undertaker, or any other person, who shall bury, or su-  
13 perintend the burial of the body of any deceased person, without  
14 returning a record of the same, according to the requirements  
15 of this section, shall forfeit and pay the sum of twenty dollars  
16 for each and every such burial, to be collected in any court com-  
17 petent to try the same.

SECT. 8. Every physician, or other person, assuming to dis-  
2 charge the duties of such towards the sick, who shall be em-  
3 ployed as such, by or for any person, up to or near, the period

4 of his or her death, shall, upon application therefor, make out,  
5 sign and deliver to the person having charge of the dead body,  
6 or to the clerk of the city, town, or plantation, in which such  
7 death occurred, a certificate stating the name in full, the cause  
8 of death, and the duration of the disease of every such person ;  
9 and in default thereof, shall, upon conviction, forfeit and pay the  
10 sum of five dollars for each and every such default. Every per-  
11 son having the care of any dead body, shall give (upon applica-  
12 tion therefor,) to the sexton, undertaker, or other person offici-  
13 ating as such, all the information necessary to enable him to make  
14 his returns according to the fourth section of this act, and in de-  
15 fault thereof, shall, upon conviction, forfeit and pay the sum of  
16 five dollars.

SECT. 9. The clerk of each city, town or plantation, shall be  
2 entitled to receive from the treasury of such city, town or plan-  
3 tation, five cents for the record of each birth, death and mar-  
4 riage, *provided*, such clerk shall comply with this act, in all  
5 respects ; and it shall be the duty of said clerks to prosecute any  
6 school agent, justice, minister, sexton, or other person who shall  
7 violate the provisions of this act. It shall also be the duty of  
8 the clerks to make such distribution of blank forms of returns as  
9 shall be designated by the secretary of state, and any clerk, who  
10 shall neglect to comply with the requirements of this act, shall  
11 be liable to a penalty of ten dollars.

SECT. 10. The secretary of state shall prepare and furnish to

2 the clerks of the several cities, towns, and plantations, blank  
3 books of suitable quality and size, to be used as books of record,  
4 according to the provisions of this act, and also blank forms of  
5 returns, as herein before specified, and shall accompany the  
6 same, with such instructions and explanations as may be neces-  
7 sary and useful; and he shall receive said returns, and prepare  
8 therefrom such tabular results as will render them of practical  
9 utility, and shall make report thereof annually to the legisla-  
10 ture, and generally do whatever may be required to carry into  
11 effect the provisions of this act.

SECT. 11. It shall be the duty of the solicitor of every city,  
2 and the agent of every town and plantation, to prosecute the  
3 clerks of their respective towns, for all violations of this act,  
4 one-half of the fines thus accruing to be for the benefit of the  
5 city, town or plantation where the clerk resides, and the other  
6 half for the solicitor or agent.

SECT. 12. All acts and parts of acts, inconsistent with this  
2 act, are hereby repealed.





## STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
April 4, 1857. }

*Ordered*, That 350 copies of the foregoing Bill be printed for the use of the  
Legislature.

GEO. W. WILCOX, *Clerk*.