

# MAINE STATE LEGISLATURE

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# Sixty-Fourth Legislature.

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HOUSE.

No. 27.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
EIGHTY-NINE.

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AN ACT to provide for the Registration of Vital  
Statistics.

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

SECTION 1. The Secretary of the State Board of  
2 Health shall be the registrar of vital statistics for  
3 the State, and shall furnish to sextons, to clergy-  
4 men, and others authorized to marry, to physicians,  
5 town clerks, clerks of the society of Friends, and  
6 to clerks of courts, a copy of this act, and suitable  
7 blanks for recording births, marriages, deaths, and  
8 divorces, so printed, with appropriate headings, as  
9 readily to show the following facts and such others

10 as may be deemed necessary to secure an accurate  
11 registration:

I. The record of a birth shall state its date and  
13 place of occurrence, full Christian and surname (if  
14 named), color and sex of child, whether living or  
15 still-born, and the full Christian and surnames,  
16 color, occupation, residence and birthplace of  
17 parents.

II. The record of a marriage shall state its date  
19 and place of occurrence, the name, residence, and  
20 official character of the person by whom solemnized,  
21 the full Christian and surnames of the parties, the  
22 age, color, occupation, and residence of each, the  
23 condition (whether single or widowed), whether  
24 first, second, or other marriage; and the full Chris-  
25 tian and surnames, residence, color, occupation and  
26 birthplace of their parents.

III. The record of a death shall state its date, the  
28 full Christian and surname of the deceased, the  
29 sex, color, condition (whether single or married),  
30 age, occupation, place of birth, place of death, the  
31 full Christian and surnames and birthplaces of  
32 parents, and the disease or cause of death.

SECT. 2. The attending physician, accoucheur,  
2 midwife, or other person in charge, who shall attend,  
3 assist or advise at the birth of any child, living or

4 still-born, within the limits of any town or city in  
5 this State, shall report to the clerk of such town,  
6 within six days thereafter, all the facts regarding  
7 such birth, as is required in section one of this act.

SECT. 3. Every person authorized to unite per-  
2 sons in marriage shall make a record of every  
3 marriage solemnized before him, in conformity with  
4 the requisitions prescribed for blank records of  
5 marriages in section one of this act, and shall  
6 within six days thereafter deliver or forward to the  
7 clerk of the town in which the marriage intention  
8 was recorded a copy of such record of marriage.

SECT. 4. Whenever any person shall die, or any  
2 still-born child shall be brought forth in this State,  
3 the physician attending at such bringing forth, or  
4 last sickness, shall fill out and deliver to the under-  
5 taker, town clerk, or other person superintending  
6 the burial of said deceased person, a certificate,  
7 duly signed, setting forth, as far as may be, the  
8 facts required in the record of a death, according  
9 to section one of this act; and it shall be the duty  
10 of the undertaker, or other person having charge  
11 of the burial of said deceased person, to add to  
12 said certificate the date and place of the proposed  
13 burial; and in case of any contagious or infectious

14 disease, said certificate shall be made and forwarded  
15 immediately.

SECT. 5. In the case of any deceased person not  
2 having had the attendance of a physician in his or  
3 her last sickness the town clerk may issue and sign  
4 the certificate of death, upon presentation of such  
5 facts as may be obtained of relatives, persons in  
6 attendance upon said deceased person during said  
7 last sickness or present at the time of death, and  
8 the permit for burial shall be issued upon such  
9 information.

SECT. 6. Parents shall give notice to the clerk of  
2 their city or town of the births or deaths of their  
3 children; every householder shall give notice of  
4 every birth and death happening in his house; the  
5 eldest person next of kin shall give such notice of  
6 the death of his kindred; the keeper of a work-  
7 house, house of correction, prison, hospital, alms-  
8 house, or other institution, and the master or other  
9 commanding officer of a ship, shall give like notice  
10 of every birth or death happening among the per-  
11 sons under his charge.

SECT. 7. No interment or disinterment of the  
2 dead body of any human being, or disposition  
3 thereof in any tomb, vault, or cemetery, shall be  
4 made without a permit as aforesaid, nor otherwise

5 than in accordance with such permit. No under-  
6 taker or other person shall assist in, assent to, or  
7 allow any such interment or disinterment to be  
8 made, until such permit has been given as afore-  
9 said, and it shall be the duty of every undertaker  
10 or other person having charge of any burial place  
11 as aforesaid, who shall receive such permit, to pre-  
12 serve and return the same to the clerk of the town  
13 within six days after the day of burial.

SECT. 8. The town clerk may appoint suitable  
2 and proper persons, not exceeding two in number  
3 in any town, as sub-registrars, who shall be author-  
4 ized to issue burial permits based upon a death  
5 certificate, as hereinbefore provided, in the same  
6 manner as is required of the town clerk; and the said  
7 record of death upon which the permit is issued  
8 shall be forwarded to the town clerk within six days  
9 after receiving the same, and all permits by whom-  
10 soever issued shall be returned to the town clerk  
11 as required by section seven of this act. The  
12 appointment of sub-registrars shall be made with  
13 reference to locality, so as to best convenience the  
14 inhabitants of the town.

SECT. 9. Town clerks and sub-registrars may  
2 issue burial permits to persons in contiguous  
3 towns, when by so doing it would be more con-

4 venient for those seeking a permit, but in all cases  
5 the permit shall be made returnable to the town  
6 clerk of the town in which the death occurred.

SECT. 10. The assessors shall, when taking the  
2 annual inventory, collect and return to the town  
3 clerk, before the first day of June, the births which  
4 have occurred within their respective jurisdictions,  
5 during the year ending December 31st next pre-  
6 ceding, together with the names of the children,  
7 and such other facts as may be required by the  
8 registrar of vital statistics.

SECT. 11. The clerk of every town shall keep a  
2 chronological record of all births, marriages, and  
3 deaths reported to him, and shall annually, in the  
4 month of June, transmit a copy of the record of  
5 all births, marriages, and deaths occurring during  
6 the year ending December 31st next preceding  
7 such said report, to the State registrar, together  
8 with the names, residences, and official stations of  
9 all such persons as have neglected to make re-  
10 turns to him in relation to the subject matters of  
11 such records, which the law required them to  
make.

SECT. 12. The clerks of courts for the several  
2 counties shall annually, during the month of

3 February, make returns to the registrar of vital  
4 statistics in relation to libels for divorce in their  
5 respective counties for the calender year next pre-  
6 ceding. Such returns shall specify the following  
7 details: The number of libels pending at the  
8 beginning of the year; the number of libels filed  
9 within the year; the number of divorces granted;  
10 the number of divorces refused; the number of  
11 libels contested; the number of libels uncontested;  
12 the alleged cause for divorce in each case; the sex  
13 of the libellant; the length of time the parties had  
14 been married, and the names of the parties, in-  
15 cluding the maiden name and any other former  
16 name of female, if any, when ascertainable.

SECT. 13. The State registrar shall cause the  
2 returns made to him in pursuance of the preceding  
3 sections 11 and 12 to be arranged, alphabetical  
4 indexes of all the names contained therein to be  
5 made, and the whole bound in convenient volumes,  
6 and carefully preserved in his office. He shall an-  
7 nually make and publish a general abstract and  
8 report of the returns of the preceding year in such  
9 a form as will render them of practical utility, not  
10 more than one thousand five hundred copies of  
11 which shall be printed and bound in cloth, one  
12 copy of which shall be forwarded to every town,



13 one copy to each senator and representative; one  
14 copy to each State and territory in the Union, and  
15 the remainder to such departments, libraries, and  
16 persons as the State registrar shall direct.

SECT. 14. The sum of one thousand dollars per  
2 annum, or as much thereof as may be necessary, is  
3 hereby appropriated for printing and binding the  
4 circulars and blanks, for postage, and to defray the  
5 expenses of clerical work in carrying out the pro-  
6 visions of this act.

SECT. 15. The town-clerk's record of any birth,  
2 marriage, or death, or a duly certified copy thereof  
3 shall be *prima facie* evidence of such birth, mar-  
4 riage, or death, in any judicial proceeding.

SECT. 16. If any person shall wilfully neglect or  
2 refuse to perform any duty imposed upon him by  
3 the provisions of this act, he shall be fined not  
4 more than one hundred dollars for each offence,  
5 for the use of the town in which the offence  
6 occurred, and it shall be the duty of the State  
7 registrar to enforce this section as far as comes  
8 within his power; and when the State registrar  
9 knows, or has good reason to believe, that any  
10 penalty or forfeiture under this act has been in-  
11 curred, he shall, at his discretion, forthwith give  
12 notice thereof, in writing, to the county attorney

13 of the county in which said penalty or forfeiture  
14 has occurred, which notice shall state, as near as  
15 may be, the time of such neglect, the name of the  
16 person or persons incurring the penalty or for-  
17 feiture, and such other facts relating to the default  
18 of duty, as said State registrar may have been able  
19 to learn, and upon receipt of such notice the  
20 county attorney shall prosecute the defaulting per-  
21 son or persons.

SECT. 17. For each birth or death duly reported  
2 to the town clerk, physicians shall receive twenty-  
3 five cents from the town in which the birth or death  
4 has occurred; and the clerk of each city and town  
5 shall be paid by such city or town for receiving,  
6 recording, and returning the facts required to be  
7 recorded by this act, the sum of fifteen cents for  
8 each birth, marriage and death.

SECT. 18. This act shall take effect and be in  
2 force on and after the first day of January, 1890;  
3 and all acts and parts of acts inconsistent with this  
4 act are hereby repealed.



**STATE OF MAINE.**

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**HOUSE OF REPRESENTATIVES, }  
January 23, 1889.**

**Tabled, pending reference, and ordered printed on motion of Mr.  
HOVEY of Pittsfield.**

**NICHOLAS FESSENDEN, Clerk.**