

MAINE STATE LEGISLATURE

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Sixty-Fifth Legislature.

HOUSE.

No. 8.

STATE OF MAINE.

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

An Act to provide for the Registration of Vital Statistics.

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

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

I. The record of a birth shall state its date and place
11 of occurrence, full Christian and surname (if named),
12 color and sex of child, whether living or still-born, and

13 the full Christian and surnames, color, occupation, resi-
14 dence and birthplace of parents.

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

III. The record of a death shall state its date, the full
24 Christian and surname of the deceased, the sex, color,
25 condition (whether single or married), age, occupation,
26 place of birth, place of death, the full Christian and sur-
27 names and birthplaces of parents, and the disease or cause
28 of death.

SECT. 2. The attending physician, accoucheur, midwife,
2 or other person in charge, who shall attend, assist or advise
3 at the birth of any child, living or still-born, within the
4 limits of any town or city in this State, shall report to the
5 clerk of such town, within six days thereafter, all the facts
6 regarding such birth, as is required in section one of this
7 act.

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

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

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

SECT. 6. Parents shall give notice to the clerk of their city or town of the births or deaths of their children; every householder shall give notice of every birth and death happening in his house; the eldest person next of kin shall give such notice of the death of his kindred; the keeper of a workhouse, house of correction, prison, hospital, almshouse, or other institution, and the master or other commanding officer of a ship, shall give like notice of every birth or death happening among the persons under his charge.

SECT. 7. No interment or disinterment of the dead body
2 of any human being, or disposition thereof in any tomb,
3 vault, or cemetery, shall be made without a permit as
4 aforesaid, nor otherwise than in accordance with such
5 permit. No undertaker or other person shall assist in,
6 assent to, or allow any such interment or disinterment to
7 be made, until such permit has been given as aforesaid ;
8 and it shall be the duty of every undertaker or other per-
9 son having charge of any burial place as aforesaid, who
10 shall receive such permit, to preserve and return the same
11 to the clerk of the town within six days after the day of
12 burial.

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

SECT. 9. Town clerks and sub-registrars may issue
2 burial permits to persons in contiguous towns when by so
3 doing it would be more convenient for those seek-
4 ing a permit, but in all cases the permit shall be made
5 returnable to the town clerk of the town in which the
6 death occurred.

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

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

SECT. 12. The clerks of courts for the several counties
2 shall, annually, during the month of February, make
3 returns to the registrar of vital statistics in relation to
4 libels for divorce in their respective counties for the
5 calendar year next preceding. Such returns shall specify
6 the following details: The number of libels pending at
7 the beginning of the year; the number of libels filed
8 within the year; the number of divorces granted; the
9 number of divorces refused; the number of libels con-
10 tested; the number of libels uncontested; the alleged
11 cause for divorce in each case; the sex of the libelant;
12 the length of the time the parties had been married; and
13 the names of the parties including the maiden name and

14 any other former name of female, if any, when ascer-
15 tainable.

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

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

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

SECT. 16. If any person shall wilfully neglect or refuse
2 to perform any duty imposed upon him by the provisions
3 of this act, he shall be fined not more than one hundred
4 dollars for each offence, for the use of the town in which
5 the offence occurred, and it shall be the duty of the State
6 registrar to enforce this section as far as comes within his

7 power, and when the State registrar knows, or has good
8 reason to believe, that any penalty or forfeiture under
9 this act has been incurred, he shall, at his discretion,
10 forthwith give notice thereof, in writing, to the county
11 attorney of the county in which said penalty or forfeiture
12 has occurred, which notice shall state as near as may be, the
13 time of such neglect, the name of the person or persons
14 incurring the penalty or forfeiture, and such other facts
15 relating to the default of duty as said State registrar may
16 have been able to learn, and upon receipt of such notice
17 the county attorney shall prosecute the defaulting person
18 or persons.

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

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

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
January 21, 1891. }

Reported from Committee on Judiciary by Mr. HERRICK of Bethel,
and ordered printed, pending re-committal.

W. S. COTTON, *Clerk.*