

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Fifth Legislature.

HOUSE.

No. 272.

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 clergymen, and others authorized to marry,
4 to sextons, to physicians, town clerks, clerks of the society
5 of Friends, and to clerks of courts, a copy of this act, and
6 suitable 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 other
28 cause of death, so far as known.

SECT. 2. The attending physician, accoucheur, midwife,
2 or other person in charge, who shall attend at the birth of
3 any child, living or still-born, within the limits of any town
4 or city in this State, shall report to the clerk of such town
5 or city within six days thereafter, all the facts regarding
6 such birth, as required in section one of this 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 each 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 undertaker, town clerk, or other person superintending the burial of said deceased person, shall obtain from the physician attending at such bringing forth or last sickness, 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 having duly signed the same, to forward it to the clerk of the town or city and obtain a permit for 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. Said certificate and permit shall not be required before burial in cases where it is impracticable to obtain the same within a reasonable time after death, but in all such cases, said certificate shall be obtained as soon as practicable after death.

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

5 kin shall give such notice of the death of his kindred ;
6 the keeper of a workhouse, house of correction, prison,
7 hospital, almshouse, or other institution, and the master
8 or other commanding officer of a ship, shall give like
9 notice of every birth or death happening among the per-
10 sons under his charge.

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

SECT. 8. The town or city clerk shall appoint two suit-
2 able and proper persons, in each town or city, as sub-
3 registrars, who shall be authorized to issue burial permits
4 based upon a death certificate, as hereinbefore provided,
5 in the same manner as is required of the town or city
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 suit the convenience of the inhabitants of

13 the town, and such appointment shall be in writing and
14 recorded in the office of the town or city clerk.

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 seeking a per-
4 mit, but in all cases the permit shall be made returnable to
5 the town clerk of the town in which the 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 such children.

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, all to be made upon
11 blanks to be prepared and furnished by the state registrar.

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 relating 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 divorces granted;
7 and the names of the parties including the maiden name

8 and any other former name of female, if any, when ascer-
9 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,
13 the time of such neglect, the name of the person or per-
14 sons incurring the penalty or forfeiture, and such other
15 facts relating to the default of duty as said state registrar
16 may have been able to learn, and upon receipt of such
17 notice the county attorney shall prosecute the defaulting
18 person or persons.

SECT. 17. The clerk of each city or town shall be paid
2 by such city or town for receiving, recording and returning
3 the facts required to be recorded by this act, the sum of
4 fifteen 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, 1892, and all acts and
3 parts of acts inconsistent with this act are hereby repealed.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 17, 1891. }

Reported by Mr. PAYSON of Portland, from Committee on Judiciary
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*