

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

NEW DRAFT

EIGHTY-SECOND LEGISLATURE

S. P. No. 591

S. D. No. 267

In Senate, March 27, 1925.

Reported by Mr. Barwise from Committee on Library and
laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-FIVE

AN ACT to Provide for the Completion of the Vital Records
of the State.

Be it enacted by the People of the State of Maine, as follows:

Section 1. The commissioner of health, shall as soon as
2 practicable after the passage of this act, ascertain from
3 what cities, towns and plantations and for what years com-
4 plete returns of births, marriages and deaths have not been
5 made to the state or are not to be found among the records
6 in his custody and shall convey this information to the
7 clerks of such cities, towns and plantations, together with
8 suitable blanks upon which to make returns.

Sect. 2. The clerk of each and every such city, town and

2 plantation shall, under the direction of the commissioner of
3 health, transcribe in full upon such blanks all records of
4 births, marriages and deaths in the possession of the city,
5 town or plantation and of the churches situated in the city,
6 town or plantation, not already returned, and shall trans-
7 mit the same, properly certified, to the commissioner of
8 health within such reasonable time as he may prescribe.
9 For such services said clerk shall receive from the city,
10 town or plantation five cents for each record so transcribed,
11 certified and transmitted.

Sect. 3. If the death records of any city, town or plan-
2 tation prior to 1892 are incomplete, the commissioner of
3 health shall notify the mayor, selectmen or other executive
4 officer or officers of the city, town or plantation to that
5 effect, and such executive officer or officers shall, within
6 such reasonable time as may be prescribed by the said com-
7 missioner of health, cause to be copied at the expense of
8 the city, town or plantation, under the direction of said
9 commissioner of health, the inscriptions on all gravestones
10 in the city, town or plantation erected to the memory of
11 any person who died prior to 1892, so far as the same re-
12 lates to the name of the deceased, date of death, age or
13 date of birth, if given, and the name of the cemetery, and
14 shall cause such records to be recorded in the books or
15 archives of the city, town or plantation.

The commissioner of health shall furnish the clerk of each
2 and every such city, town and plantation with suitable blank

3 forms for the return of said records, and such clerk shall,
4 under the direction of said commissioner of health, tran-
5 scribe said records in full upon said blanks and shall trans-
6 mit the same, properly certified, to said commissioner of
7 health, within such reasonable time as he may prescribe,
8 and for such services said clerk shall receive from the city,
9 town or plantation, five cents for each record so transcribed,
10 certified and transmitted.

Sect. 4. In case the proper officials of any city, town or
2 plantation shall fail to obtain and record, file or return
3 such records, as provided in this act, in accordance with the
4 direction of the commissioner of health, or if any records
5 of a city, town or plantation shall remain incomplete after
6 notice and demand upon the proper officials as herein pro-
7 vided, or shall in the opinion of said commissioner, when
8 returned, be inaccurate or otherwise unsatisfactory, then
9 the commissioner of health may proceed to procure such
10 records in such manner as he may in his discretion see fit,
11 and the expense thereof shall be paid by the respective cities,
12 towns and plantations so failing to make satisfactory re-
13 turns, as aforesaid, upon presentation of proper accounts.

Sect. 5. Each of the records returned in accordance with
2 this act and each of the vital records now on file in the
3 state department of health shall be transcribed upon a sep-
4 arate card, and such cards shall be alphabetically arranged
5 and so filed as to be readily available for reference.

Sect. 6. The commissioner of health may, upon request,

2 supply to any applicant a certified copy of the record of
3 any birth, marriage or death registered under the provisions
4 of this act, for the making and certification of which he
5 shall be entitled to a fee of fifty cents, to be paid by the
6 applicant; provided that the United States census bureau
7 may obtain, without expense, transcripts of certified copies
8 of births, marriages and deaths without payment of the fee
9 here prescribed, for use solely as statistical data. Any copy
10 of a birth, marriage or death, when properly certified by
11 the commissioner of health shall be prima facie evidence
12 in all courts and places of the facts therein stated. For
13 any search of the files and records when no certified copy
14 is made, the commissioner of health shall be entitled to a
15 fee of fifty cents for each hour or fractional part of an
16 hour of time of search, said fee to be paid by the applicant.