

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1891.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1891.

SECT. 9. If any proprietor declines to cultivate, use or take profit from his portion of such lands, and gives written notice of his intention so to do, to the clerk of the proprietors he shall not be regarded as liable to pay any tax or assessment on account of his portion thereof, while he neglects to cultivate, use and take profit therefrom, nor shall he be entitled to vote at the meetings of said proprietors.

Proprietor, declining to use land, shall be exempt from payment of taxes.

SECT. 10. A two-thirds part in interest of the proprietors entitled to vote at any legal meeting called for that purpose, may discontinue their association, but not to take effect until six months after the vote for that purpose.

Two-thirds of proprietors, by vote may discontinue association.

Approved March 23, 1891.

Chapter 118.

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 :

SECT. 1. The secretary of the state board of health shall be the registrar of vital statistics for the state, and shall furnish to clergymen, and others authorized to marry, to sextons, to physicians, town clerks, clerks of the society of Friends, and to clerks of courts, a copy of this act, and suitable blanks for recording births, marriages, deaths and divorces, so printed, with appropriate headings, as readily to show the following facts and such others as may be deemed necessary to secure an accurate registration.

Registrar of vital statistics, provided for, and required to furnish blanks for record births, marriages, deaths and divorces.

I. The record of a birth shall state its date and place of occurrence, full christian and surname, if named, color and sex of child, whether living or still-born, and the full christian and surnames, color, occupation, residence and birthplace of parents.

—what record of birth shall state.

II. The record of a marriage shall state its date and place of occurrence, the name, residence, and official character of the person by whom solemnized, the full christian and surnames of the parties, the age, color, occupation, and residence of each, the condition, whether single or widowed, whether first, second or other marriage; and the full christian and surnames, residence, color, occupation, and birthplace of their parents.

—what record of marriage shall state.

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—what record of death shall state.

III. The record of a death shall state its date, the full christian and surname of the deceased, the sex, color, condition, whether single or married, age, occupation, place of birth, place of death, the full christian and surnames and birthplaces of parents, and the disease or other cause of death, so far as known.

Report of facts regarding birth shall be made to town clerk.

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

Copy of the record of every marriage shall be forwarded to town clerk.

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

Town clerk shall be furnished with copy of the record of any death in town.

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.

—permit for burial.

If there is no attending physician in last sickness, clerk may issue certificate upon such facts as can be obtained.

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

—permit not required before burial, when

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

SECT. 8. The town or city clerk shall appoint two suitable and proper persons, in each town or city, as sub-registrars, who shall be authorized to issue burial permits based upon a death certificate, as hereinbefore provided, in the same manner as is required of the town or city clerk; and the said record of death upon which the permit is issued shall be forwarded to the town clerk within six days after receiving the same, and all permits by whomsoever issued shall be returned to the town clerk as required by section seven of this act. The appointment of sub-registrars shall be made with reference to locality, so as to best suit the convenience of the inhabitants of the town, and such appointment shall be in writing and recorded in the office of the town or city clerk.

SECT. 9. Town clerks and sub-registrars may issue burial permits to persons in contiguous towns, when by so doing it would be more convenient for those seeking a permit, but in

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impracticable to obtain it.

Who are required to give notice of births and deaths.

No interment or disinterment shall be made without permit.

—return of permit.

Sub-registrars shall be appointed, who may issue burial permits.

—how appointed.

Clerk and sub-registrars may issue burial permits in contiguous towns.

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all cases the permit shall be made returnable to the town clerk of the town in which the death occurred.

Assessors shall make return of all births.

SECT. 10. The assessors shall, when taking the annual inventory, collect and return to the town clerk, before the first day of June, the births which have occurred within their respective jurisdictions, during the year ending December thirty-first next preceding, together with the names of such children.

Town clerks required to make return to state registrar, annually.

SECT. 11. The clerk of every town shall keep a chronological record of all births, marriages, and deaths reported to him and shall annually, in the month of June, transmit a copy of the record of all births, marriages, and deaths occurring during the year ending December thirty-first next preceding such said report, to the state registrar, together with the names, residences, and official stations of all such persons as have neglected to make returns to him in relation to the subject matters of such records, which the law required them to make, all to be made upon blanks to be prepared and furnished by the state registrar.

Clerks of courts required to make return of divorces, annually.

SECT. 12. The clerks of courts for the several counties shall, annually, during the month of February, make returns to the registrar of vital statistics in relating to libels for divorce in their respective counties for the calendar year next preceding. Such returns shall specify the following details; the number of divorces granted; and the names of the parties including the maiden name and any other former name of female, if any, when ascertainable.

Duty of state registrar.

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

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

Appropriation.

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

Town clerk's record or certified copy, shall be prima facie evidence in judicial proceedings.

SECT. 16. If any person shall willfully neglect or refuse to perform any duty imposed upon him by the provisions of this act, he shall be fined not more than one hundred dollars for each offense, for the use of the town in which the offense occurred, and it shall be the duty of the state registrar to enforce this section as far as comes within his power, and when the state registrar knows, or has good reason to believe, that any penalty or forfeiture under this act has been incurred, he shall at his discretion, forthwith give notice thereof, in writing, to the county attorney of the county in which said penalty or forfeiture has occurred, which notice shall state as near as may be, the time of such neglect, the name of the person or persons incurring the penalty or forfeiture, and such other facts relating to the default of duty as said state registrar may have been able to learn, and upon receipt of such notice the county attorney shall prosecute the defaulting person or persons.

Penalty, for violation of provisions of this act.

—state registrar shall enforce this section.

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

Fees of clerks.

SECT. 18. This act shall take effect and be in force on and after the first day of January, eighteen hundred and ninety-two, and all acts and parts of acts inconsistent with this act, are hereby repealed.

When act shall take effect.