

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## SIXTY-SEVENTH LEGISLATURE

OF THE

## STATE OF MAINE

1895.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.

1895.

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**Chapter 154.**

An Act amendatory of and additional to chapter one hundred and eighteen of the Public Laws of eighteen hundred and ninety-one, entitled "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. Chapter one hundred and eighteen of the public laws of eighteen hundred and ninety-one, is hereby amended as follows: Section four is amended by inserting after the word "city" in the twelfth line, the words 'where said person died,' so that said section as amended, shall read as follows:

Sec. 4, Public Laws of 1891, amended.

'SECT. 4. Whenever any person shall die, or any still-born child 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 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 where said person died and obtain a permit for burial; and in case of any contagious or infectious disease, said certificate shall be made and forwarded immediately.'

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

—permit for burial.

SECT. 2. Section five is amended by inserting after the word "death" in the sixth line, the words 'or from any other source,' so that said section when amended, shall read as follows:

Sec. 5, amend d.

'SECT. 5. In 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, or from any other source, 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.'

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

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Sec. 7,  
amended.

SECT. 3. Section seven is amended by inserting after the word "city" in the fifth line the words 'where said person died;' and also by inserting after the word "town" in the twelfth line the words 'from whom said permit was obtained,' so that said section when amended, shall read as follows :

No interment,  
or disinterment,  
shall be  
made without  
permit.

'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 where said person died, 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 from whom said permit was obtained within six days after the day of burial.'

Sec. 13,  
amended.

SECT. 4. Section thirteen of said chapter is amended, so that said section as amended, shall read as follows :

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 alphabetically for convenient reference, 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 form as will render them of practical utility, not more than two 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.'

Sec. 16,  
amended.

SECT. 5. Section sixteen of said chapter is amended, so that said section as amended, shall read as follows :

Penalty for  
violation of  
provisions of  
this act.

'SECT. 16. If any person shall willfully neglect or refuse to perform any duty imposed upon him by the provisions of this act, it shall be a misdemeanor, and 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.'

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—state registrar shall enforce this section.

SECT. 6. Section seventeen of said chapter is amended, so that said section as amended, shall read as follows :

Sec. 17, amended.

'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. It shall be the duty of the town clerk to enforce, so far as comes within his power, sections three, four, six, seven and ten, of chapter one hundred and eighteen, laws of eighteen hundred and ninety-one, and when he knows of any birth, marriage or death, which is not reported to his office in accordance with the provisions of said chapter, he shall collect, so far as he is able to do so, the facts called for in the blank certificates of birth, of marriage, or of death, as furnished by the state registrar, and shall record them as is prescribed in said chapter one hundred and eighteen ; and for every birth, marriage or death thus collected and recorded he shall receive from the town the sum of twenty-five cents.'

Fees of clerks

SECT. 7. Said chapter is further amended by adding thereto the following sections :

'SECT. 19. A physician who has attended a person during his last illness shall, when requested, forthwith furnish for registration a certificate stating, to the best of his knowledge and belief, the name of the deceased, his age, the disease of which he died, and the date of his death ; and a physician or midwife who has attended at the birth of a child dying immediately thereafter, or at the birth of a stillborn child, shall, when requested, forthwith furnish for registration a certificate,

Physician in attendance shall furnish certificate of cause of death, etc.

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—penalty.

stating to the best of his knowledge and belief, the fact that such child died after birth or was born dead. It shall be a misdemeanor for any person to make a false return in regard to any birth or death.

Birth, marriage or death, in unincorporated place.

‘SECT. 20. When a birth, marriage or death occurs in an unincorporated place, it shall be reported to the town clerk in the town which is nearest to the place at which the birth, marriage or death took place, and shall be recorded by the town clerk to whom the report is made; and all such reports and records shall be made and recorded and returned to the state registrar as is provided in chapter one hundred and eighteen, laws of eighteen hundred and ninety-one.

Shall be reported to town clerk nearest, and recorded by him.

Clerk shall make certified copy of record on first Monday of each month.

‘SECT. 21. The clerk of each town shall, on the first Monday of each month, make a certified copy of the record of all deaths and births recorded in the books of said town during the previous month, whenever the deceased person, or the parents of the child born were resident in any other town in this state at the time of said death or birth, or whenever they were recently resident in any other town, or whenever the remains of any deceased person have been carried to any other town for burial; and shall transmit said certified copies to the clerk of the town in which said deceased person or parents were resident at or near the time of said birth or death, or to which the remains of such deceased person have been carried for burial, stating in addition the name of the street and the number of the house, if any, where such deceased person or parents so resided, whenever the same can be ascertained; and the clerk so receiving such certified copies shall record the same in the books kept for recording deaths or births.

—transmit to clerk of town where person or parents were resident at time of death.

—blanks.

Such certified copies shall be made upon blanks to be furnished for that purpose by the registrar of vital statistics.

Bodies of persons dying of cholera, etc.

—shall not be removed unless certificate of cause of death is attached to outer case.

‘SECT. 22. No body of a deceased person whose death was caused by cholera, yellow fever, diphtheria, scarlet fever, typhus fever, typhoid fever, small pox or other pestilential disease, shall be removed from place to place in this state by any railroad, steamboat or other common carrier, unless there shall be attached to the outer case in which said body is enclosed, a certificate from the board of health where such person died, stating the disease causing such death, and that necessary precautions against infection satisfactory to said

board have been observed. It is further provided, that a certificate of death giving heart failure as the only cause of death shall not be deemed sufficient upon which to issue a burial permit, and such certificate must be returned to the physician who made it for the proper correction and definition. If the body of a deceased person is brought into this state from without for burial, and if it is accompanied by a permit issued by the legally constituted authorities of the state from which it was brought, such permit shall be received as sufficient authority upon which the clerk of the town in which said body is to be buried shall issue a permit for burial; but if it is not accompanied by such permit, then the person or persons in charge of it shall apply for a burial permit to the clerk of the town in which it is to be buried, and the clerk of the town shall issue such permit when furnished with satisfactory information.

—heart failure not deemed sufficient cause for burial permit.

‘SECT. 23. The provisions of this act shall be enforced, and violation hereof shall be punished, as provided by section sixteen of chapter one hundred and eighteen of the public laws of eighteen hundred and ninety-one, unless otherwise provided for by law.

Violations, how punished.

‘SECT. 24. All acts and parts of acts inconsistent with this act, are hereby repealed.’

Inconsistent acts, repealed.

Approved March 26, 1895.

### Chapter 155.

An Act to amend clause two, section eighty-seven of chapter eleven of the Revised Statutes, relating to Examination of Teachers.

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

Clause two, section eighty-seven of chapter eleven of the revised statutes as amended by chapter thirty-two of the public laws of eighteen hundred and ninety-one, is hereby amended by inserting after the word “arithmetic” in the fourth line, the words ‘civil government,’ and after the word “physiology” in the fifth line the words ‘with special reference to the effects of alcoholic drinks, stimulants, and narcotics upon the human system;’ so that said section as amended, shall read as follows: II. ‘On

Clause 2, Sec. 87, ch. 11, R. S., amended.