

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)

ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

Published by the Secretary of State, agreeably to Resolves of June 28,
1820, February 18, 1840, and March 16, 1842.

AUGUSTA
KENNEBEC JOURNAL PRINT
1903

PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

or packs any sardines in violation of this section forfeits five dollars for every hundred fish so flaked, baked or packed, to be recovered by indictment or action for debt, one-half to the complainant or prosecutor, and one-half to the town in which the offense is committed.'

Section 3. This act shall take effect when approved.

Approved March 27, 1903.

CHAP. 179

—penalty.

Chapter 179.

An Act to repeal so much of Chapter thirty of the Revised Statutes, as amended by Section five of Chapter forty-two of the Public Laws of eighteen hundred and ninety-nine, and as amended by Chapter three hundred and seventy-nine of the Private and Special Laws of nineteen hundred and one, as closes Oaks pond, in Cornville, to ice fishing.

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

Section 1. So much of chapter thirty of the revised statutes, as amended by section five of chapter forty-two of the public laws of eighteen hundred and ninety-nine, and as amended by chapter three hundred and seventy-nine of the private and special laws of nineteen hundred and one, as closes Oaks pond, in Cornville, to ice fishing, is hereby repealed.

Ice fishing in Oaks pond, prohibition repealed.

Section 2. This act shall take effect when approved.

Approved March 27, 1903.

Chapter 180.

An Act to amend Section four, Section eleven, Section nineteen of Chapter eighteen of the Public Laws of eighteen hundred ninety-one as amended by Chapter one hundred fifty-four of the Public Laws of eighteen hundred ninety-five, relating to returns of Vital Statistics.

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

Section 1. Section four of chapter one hundred eighteen of the public laws of eighteen hundred ninety-one as amended by chapter one hundred fifty-four of the public laws of eighteen hundred ninety-five is hereby amended so as to read as follows:

'Section 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

Section 4 of chapter 118, public laws of 1891, as amended by chapter 154, public laws of 1895, amended. Town clerk shall be notified by attending physician, of death in town.

CHAP. 180

—duty of undertaker.

Section 11 of chapter 118, public laws of 1891, amended.

Town clerk required to make returns annually to state registrar.

Section 19, additional, to chapter 118, public laws of 1891, amended.

last sickness, a certificate, duly signed, setting forth as far as may be, the facts required by section nineteen of chapter one hundred eighteen of the public laws of eighteen hundred ninety-one as amended by section seven of chapter one hundred fifty-four of the public laws of eighteen hundred ninety-five and as further amended hereby; 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 other facts required by section one of chapter one hundred eighteen of the public laws of eighteen hundred ninety-one; 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.'

Section 2. Section eleven of chapter one hundred eighteen of the public laws of eighteen hundred ninety-one is hereby amended so as to read as follows:

'Section 11. The clerk of every town shall keep a chronological record of all births, marriages, and deaths reported to him and shall in the month of June, nineteen hundred three, transmit a copy of the record of all births, marriages, and deaths occurring during the year of nineteen hundred two to the state registrar, and shall thereafter annually between the fifteenth and the twentieth of January send a copy of the record of all births, marriages, and deaths occurring during the year ending December thirty-one next preceding such said report, to the state registrar, together with the names, residences, and official stations, of all persons who 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, and if no births, marriages, or deaths have occurred in the calendar year preceding the aforementioned time for making his annual returns, the town clerk shall send to the state registrar a statement to that effect. Whenever a birth, marriage or death, required by law to be returned to or by such clerk is reported to, or made by him in any year after its occurrence, and subsequent to his return made hereunder, he shall make due return thereof to the state registrar forthwith.'

Section 3. Section nineteen, additional, to chapter one hundred eighteen of the public laws of eighteen hundred ninety-one, which was added thereto by section seven of chapter one hundred fifty-four of the public laws of eighteen hundred ninety-five, is hereby amended so as to read as follows:

CHAP. 181

'Section 19. A physician who has attended a person during his last illness shall within twenty-four hours after the death of said person make 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 shall either deliver it to the person superintending the burial or leave it with the family of the deceased or at the said physician's office where it may be obtained when called for; and a physician or midwife who has attended at the birth of a child dying immediately thereafter, or at the birth of a still-born child, shall, when requested, forthwith furnish for registration a certificate, 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.'

Attending physician shall within 24 hours after the death, make a certificate of name, age, disease, and date of birth of deceased.

—certificate, how disposed of.

Approved March 27, 1903.

Chapter 181.

An Act relating to actions for Libel or Slander.

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

Section 1. The defendant in an action for libel, may prove under the general issue, in mitigation of damages, that the charge was made by mistake or through error or by inadvertence, and that he has in writing, within a reasonable time after the publication of the charge, retracted the charge and denied its truth, as publicly and as fully as he made the charge.

Mitigation of damages in action for libel.

Section 2. In actions for libel or slander, and unproved allegation in the pleadings that the matter charged is true, shall not be deemed proof of malice unless the jury on the whole case find that such allegation or the defense thereunder, is made with malicious intent.

Proof of malice, relating to.

Section 3. This act shall not apply to pending actions or to causes of action existing on the date of the approval of this act.

Pending actions, and existing causes of actions, not affected by this act.

Section 4. This act shall take effect when approved.

Approved March 27, 1903.