

No. 112, A.]

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CHAPTER 188.

AN ACT to amend sections 1022—12, 1022—13, 1022—17, 1022—19, 1022—21, 1022—24, 1022—25, 1022—26, 1022—47, 1022—48, subsections 1 and 3, of section 1022—57, 1022—59 and 4608h, of the statutes, and to create sections 1022—60 to 1022—62, inclusive, and subsection 7 of section 1022—57, of the statutes, relating to vital statistics.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Sections 1022—12, 1022—13, 1022—17, 1022—19, 1022—21, 1022—24, 1022—25, 1022—26, 1022—47, 1022—48, subsections 1 and 3 of section 1022—57, 1022—59 and 4608h, of the statutes are amended to read: Section 1022—12. The state registrar, * * * register of deeds, or the local registrar of any city or village shall upon request furnish any applicant a certified copy of a record of any birth, death, marriage or divorce and when properly certified to * * * shall be prima facie evidence in all courts and all places of the facts stated therein.

Section 1022—13. * * * For * * * such certified copy * * * he shall be entitled to a fee of fifty cents to be paid by the applicant; * * * the state registrar shall keep * * * and prepare accurate accounts of all fees received by him and turn * * * same over to the state treasurer at the close of each fiscal year.

Section 1022—17. Each sub-registrar shall note over his signature the date of each certificate received by him and forwarded to the local registrar of the * * * district within ten days, and before the seventh day of the month following. Each sub-registrar shall be subject to the provisions and control of the state registrar, * * * and may be removed by him for neglect or failure to perform his duties and shall be liable to the same penalty for neglect of duty as the local registrar.

Section 1022—19. Each physician, midwife and undertaker shall on or before the first day of * * * January, 1910, register his or her name, address, and occupation with the local registrar of the district in which he or she resides or may * * * thereafter establish a residence and shall thereupon be supplied by the local registrar with a copy of this act, together with such rules and regulations as may be prepared by the state registrar relative to its enforcement.

Section 1022—21. If any certificate of death is incomplete or unsatisfactory, it shall be the local registrar's duty to call attention to the defects in the return and to withhold issuing the burial or removal permit to the undertaker, *until the necessary information is obtained or a satisfactory record furnished.*

Section 1022—24. * * * *The local registrar shall number and date consecutively the certificates of births, deaths and marriages as he receives them, * * * beginning with number one'' in each calendar year and sign his name as * * * such registrar thereto.*

Section 1022—25. * * * *The local registrar in all cities and incorporated villages shall also make and keep a complete and accurate copy of each birth, death, and marriage certificate * * * received by him, upon a form identical with the original certificate to * * * be filed and permanently preserved in his office, as the local record, of such birth, death or marriage, in such manner as directed by the state registrar.*

Section 1022—26. * * * *The local registrar shall, on or before the seventh day of each month, transmit to the state registrar all original certificates of births, deaths, marriages, or accidents received by him, provided that in cities of the first class original certificates may be retained by the local health authorities and * * * duplicates of the original certificates may be forwarded by the local registrar to the state registrar.*

Section 1022—47. It shall be necessary for all parties intending to be married in this state to obtain from the county clerk, or other person designated by law to authorize marriage, a certificate of marriage as completely filled out as possible *from the information given*, with the exception of the names of subscribing witnesses and the signature of the person performing the marriage ceremony.

Section 1022—48. Said certificate shall be delivered to the ordained minister or priest, court commissioner, judge of a court of record, justice of the peace, or other person selected to perform the marriage, who shall return the certificate of marriage completely filled out and signed to the local registrar of vital statistics of the city, incorporated village, or town in which * * * said marriage was performed, within three days after the date of the marriage. *The marriage license shall be retained by the person who solemnizes the marriage to be prima facie evidence of his authority to perform the marriage ceremony.*

Section 1022—57. 1. * * * *For each complete certificate of each birth, death, marriage or accident forwarded to the*

state registrar, together with the copy thereof transmitted to the register of deeds in accordance with the provisions of this act, including the copy retained in cities and villages the local registrar shall be paid the sum of fifteen cents.

3. Certificates lacking items which shall be determined by the state registrar to be important shall be considered * * * defective in so far as they fail to contain the specific facts or items demanded by the state registrar unless the missing information * * * or facts are obtained * * * to complete the original certificate and in that case the facts so obtained shall be considered a part of the original certificate as though it were contained in the original certificate, and said subsequent information relative to said facts and information shall be written on the original certificate and become a part thereof.

7. The state registrar shall certify to the register of deeds of each county all corrections and additional information received by him to complete any original certificate received from such county.

Section 1022—59. There is hereby annually appropriated to the state board of health and vital statistics, in addition to other appropriations provided by law, the sum of six thousand dollars or so much thereof as may be necessary to enable the said board to carry out the provisions of * * * sections 1022—1 to 1022—62, inclusive, of the statutes, to be paid by the state treasurer on the certification of the president and secretary of such board.

Section 4608h. Any person who shall wilfully violate any of the provisions of sections 1022—1 to * * * 1022—62, inclusive, of the statutes, or who shall neglect or refuse to perform any duty or do any act imposed upon him * * * as required by said sections, or who shall neglect or refuse to make any certificate required by said sections to be made, or falsely make any such certificate, or knowingly make any false statement in any such certificate, or who shall alter any certificate or report provided for * * * as required by said sections shall be punished by a fine of not less than twenty dollars or more than two hundred dollars for each offense, or by imprisonment in the county jail for a period of not less than thirty days or more than sixty days, or by both such fine and imprisonment.

SECTION 2. There are added to the statutes three new sections to read: Section 1022—60. The local registrar shall, on or before the seventh day of each month, make a (complete and

accurate) copy of each birth, death and marriage certificate received by him, upon a form identical with the original certificate and transmit the same to the register of deeds of his county.

Section 1022—61. 1. Every register of deeds shall file and index all certificates of births, deaths or marriages, received by him from the state and local registrar and thereafter properly bind said certificates in book form. He shall also make all corrections or additions certified to him by the state registrar. The cost of all books furnished to each county by the state registrar shall be paid by the treasurer of such county upon the certificate of the state registrar.

2. Whenever original certificates of birth, death or marriage or accidents are sent to the register of deeds by physicians, midwives, ministers or other persons, the register of deeds shall forthwith return all such original certificates to the local registrar in the district where the birth, death, marriage or accident occurred.

3. Such register of deeds shall receive from the county a fee of ten cents for the filing, indexing and correcting of each certificate so filed and indexed by him.

Section 1022—62. The state registrar shall within a reasonable time after the publication of this act deliver to the register of deeds of each county copies of all certificates of births, deaths, or marriages occurring in said county which have been received and filed by the state registrar between October 1, 1907, and the date upon which this act becomes operative. Each county shall pay into the state treasury for each copy so sent to the register of deeds of such county the sum of three cents, from which fund the state registrar shall be paid his actual and necessary expenses and disbursements in making the copies provided for in this section, upon vouchers properly audited by the secretary of state.

SECTION 3. This act shall take effect and be in force from and after October 1st, 1909.

Approved May 26, 1909.