

CHAPTER 69.

REGISTRATION OF MARRIAGES, BIRTHS AND DEATHS.

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69.01 Vital statistics; bureau created. For the complete and proper registration of births, deaths, marriages, accidents and divorces, for legal, sanitary and statistical purposes, there shall be and hereby is created and established a "State Bureau of Vital Statistics."

69.02 Under state board of health. This department shall be under the immediate supervision and direction of the state board of health. The secretary of the state board of health shall be designated as the state registrar of vital statistics, and shall be charged with the uniform and thorough enforcement of the law throughout the state.

69.03 Rules and regulations. The state board of health is hereby empowered to make, promulgate and enforce such rules and regulations as may be considered necessary to carry out the provisions of sections 69.01 to 69.59, inclusive, and shall from time to time recommend any additional forms and amendments that may be necessary for this purpose.

69.04 Statistician and assistants. The state board of health shall provide a competent vital statistician to assist the state registrar and such clerical and other assistants as may be necessary for the purposes of sections 69.01 to 69.59, inclusive, and shall fix the compensation of such persons within the amount appropriated by the legislature.

69.05 Districts and local registrars. For the purposes of this chapter, the state shall be divided into registration districts as follows: Each city, incorporated village and town shall constitute a primary registration district. The health officer of the board of health in cities and the clerk of each town and incorporated village shall be the local registrar of vital statistics.

69.06 Blank forms. The state registrar shall cause to be prepared blank forms of certificates of births, deaths, marriages, accidents, divorces and of burial permits, corresponding to the requirements of sections 69.01 to 69.59, inclusive, which forms shall be printed and supplied in the same manner as the blanks and stationery for the use of the several offices of the state government.

69.07 State registrar's duties. (1) The state registrar shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration, and no blanks shall be used other than those supplied by the state registrar.

(2) He shall carefully examine the certificates received from the local registrars and if any such are incomplete or unsatisfactory he shall require such further information as may be necessary to make the record complete.

(3) He shall further arrange, bind, and permanently preserve the certificates in a systematic manner and prepare and maintain a comprehensive and continuous card index of all births, deaths, marriages and divorces registered.

(4) He shall also prepare and publish biennially such of the vital facts appearing on the certificates of births, deaths, marriages, accidents and divorces as shall be determined by the state board of health to be necessary and useful.

(5) He shall inform all registrars what diseases as decided by the state board of health are to be considered infectious, contagious or communicable and dangerous to the public health, so that when deaths occur from such diseases proper precautions may be taken to prevent their spread.

(6) He shall at least once each year tabulate and classify all cases of children born with deformity or physical defects in the state since the preceding tabulation or classification, and shall preserve and keep the same on file in his office. Such tabulations or classifications shall be included in the biennial report of the state board of health.

69.08 State registrar's powers; prosecuting attorneys. (1) The state registrar is hereby charged with the thorough and efficient execution of the provisions of sections 69.01 to 69.59, inclusive, in every part of the state, and with supervisory power over local registrars to the end that all of its requirements shall be uniformly complied with.

(2) He shall have authority to investigate cases of irregularity or violations of the law, personally or by an accredited representative, and all registrars shall aid him, upon request, in such investigations.

(3) When he shall deem it necessary, he shall report cases of violation of any of the provisions of sections 69.01 to 69.59, inclusive, to the prosecuting attorney of the proper county, with a statement of the facts and circumstances, and when any such case is reported to him by the state registrar he shall forthwith initiate and promptly follow up the necessary court proceedings against the parties responsible for the alleged violations of law, and upon request of the state registrar the attorney-general shall likewise assist in the enforcement of the provisions of sections 69.01 to 69.59, inclusive.

Note: State board of health and state registrar of vital statistics have no investigational duty under this section, where A is divorced from B November 17 and August 15 of following year child is born to A and birth certificate shows B to be father thereof, although B claims otherwise. State registrar may not determine judicial questions of disputed parentage of child or change or alter birth certificate to conform to what upon investigation he believes to be truth in matter. 27 Atty. Gen. 759.

69.09 Central office to collect statistics at local expense, when. In case it is found impossible to obtain through the local registrars complete reports of all births, deaths, marriages and accidents occurring in cities, incorporated villages or towns, then the state board of health may cause these records to be properly collected and the necessary expenses incurred by so doing shall be charged to and paid for by the city, incorporated village or town wherein this expense is necessarily incurred.

69.10 Itemize expenses. The state registrar or other person appointed by him to collect such information shall file with the clerk of such city, incorporated village or town, an itemized statement of all expenses incurred, which statement shall serve as prima facie evidence of the claim against said city, incorporated village or town.

69.11 Certified copies. (1) 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.

(2) The state registrar and any other officials authorized to issue birth certificates, may issue a short form certificate in such form as shall be prescribed by the state bureau of vital statistics. [1939 c. 524]

Note: Under this section the death certificate is admissible as a public record constituting prima facie evidence of the facts stated therein. Milwaukee E. R. & L. Co. v. Industrial Commission, 222 W 111, 267 NW 62.

69.12 Fees. (1) For such certified copy the local registrar of any city or village, register of deeds or state registrar shall charge a fee of 50 cents; and for such short-form certificate a fee of 25 cents, except that the short-form certificate for the birth of a person under 18 years of age shall be issued free. The state registrar, register of deeds or local registrar of any city or village may issue the short-form certificate or other verifications of birth, death, marriage and divorce free to governmental agencies.

(2) The state registrar may charge 50 cents for filing delayed records under section 69.57.

(3) The state registrar shall keep an accurate accounting of all fees received and shall turn the fees over to the state treasurer weekly. For budgetary purposes, the bureau of vital statistics shall be divided into 2 divisions: the division of public health statistics which shall remain a part of the general administration of the board of health; and the division of legal records, which shall file, index, preserve, correct and issue copies of, and in general be responsible for the birth, death, marriage and divorce records after they have served their purpose as public health statistics. The money deposited for fees from the division shall be placed in a revolving fund to be used by the board of health to carry out the work of this division of legal records, and to pay the rent necessary to house the bureau of vital statistics, including the vault space for the storage of these vital records. The state board of health may make available at cost to any other governmental agency, if this does not interfere with the board's own work, the services of any microfilm or other reproduction equipment it has available; the money received for such services shall be accurately accounted for and deposited in the same revolving fund to be used to defray the cost of the microfilm work of the division. Any excess funds over \$10,000 so accumulated at the end of each fiscal year shall revert to the state general fund. [1941 c. 312]

69.13 Local statistics. It shall be the duty of the health officer of every board of health of cities in the state and in towns and incorporated villages, of the town and village clerk to collect certificates of births, deaths, marriages and accidents that occur in the city, incorporated village or town in which he is an officer.

69.14 Registrar's deputy, local. As local registrar, said health officer or clerk shall, upon assuming the duties of his office, appoint a deputy whose duty it shall be to act in his stead in case of his absence, illness or disability. Said deputy shall accept such appointment in writing and shall be subject to all rules and regulations governing the actions of the local registrars.

69.15 Subregistrars, duties. The local registrar or his deputy, in each city, incorporated village, and township shall serve as subregistrar for every other local registrar in the state for the purpose of receiving death certificates and issuing burial permits. The subregistrar shall sign his name with the date on which the certificate of death was filed with him, in the space beneath the place for the signature of the local registrar, and forward the certificate at once to the registrar of the district where the death occurred. All subregistrars who sign certificates of death and forward them at once to the proper local registrar, shall receive a fee of ten cents for each certificate; to be paid by the treasurer of the county, upon the certification of the state registrar. If any certificate of death is incomplete or unsatisfactory, it shall be the duty of the subregistrar to withhold issuing the burial or removal permit to the undertaker, until the necessary information is obtained, or a satisfactory record furnished. Each subregistrar shall be liable to the same penalty for neglect of duty as the local registrar.

69.16 Enforcement, local. The local registrars shall enforce the provisions of sections 69.01 to 69.59, inclusive, in their respective districts, under the supervision and direction of the state registrar; and shall make an immediate report to the state registrar of any violations of said sections coming to their notice by observation or upon complaint.

69.17 Registration; physicians; midwives; undertakers. Each physician, midwife and undertaker shall before acting or practicing as such in any district 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 chapter, together with such rules and regulations as may be prepared by the state registrar relative to its enforcement.

69.18 Local registrar; annual report, fees, blanks. Within thirty days after the close of each calendar year, each local registrar shall make a return to the state registrar of all physicians and midwives who have been registered in his district during the whole or any part of the preceding calendar year, and in certifying names for payment as hereinafter provided, the state registrar shall not include any physicians or midwives who have not complied with the requirements of this section. No fee or other compensation shall be charged by local registrars to physicians, midwives or undertakers for registering their names under the foregoing section or making returns thereof to the state registrar. The local registrar shall supply blank forms of certificates to such persons as require them, and shall carefully examine each certificate of birth, death, marriage or accident, when presented for record to see that it has been made out in accordance with the provisions of sections 69.01 to 69.59, inclusive, and the instructions of the state registrar.

69.19 Burial and removal permits. 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.

69.20 Deaths from dangerous diseases. In case the death occurred from some disease that is held by the state board of health to be infectious, contagious or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be granted by the registrar except under such conditions as may be prescribed by the state board of health.

69.21 Birth certificates. If a certificate of birth is incomplete the local registrar shall immediately notify the parents of the child and require them to supply the missing items if they can be obtained.

69.22 Certificates; numbering. 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.

69.23 Duplicate records. 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.

69.24 Original certificates; transmittal; exception. 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.

69.25 Nothing to report. If no births, deaths, marriages or accidents occurred in any month, the local registrar shall on or before the seventh day of the following month, report that fact to the state registrar in such manner as the state registrar shall direct.

69.26 Birth certificates by physician or midwife. The physician or midwife in attendance when any birth occurs shall file a certificate of birth, properly and completely filled out, giving all the particulars required by sections 69.01 to 69.59, inclusive, with the local registrar of vital statistics of the district in which the birth occurred within 5 days after the date of birth. All certificates for illegitimate births subsequent to October 1, 1907 shall be kept in a separate file and shall be subject to public inspection only upon court order, except for obtaining proof of heirship. A copy of an illegitimate birth record shall be furnished only upon the order of any county judge or judge of the juvenile court. All bills or charges for professional services rendered by the physician or midwife in attendance upon a birth shall be unlawful if the birth certificate, properly filled out, is not reported as herein provided. [1935 c. 41; 1941 c. 259]

69.27 Nonprofessional birth certificate; foundlings reported. (1) If there be no attending physician or midwife, then the father of the child, householder or owner of the premises, manager or superintendent of a public or private institution in which the birth occurred shall file a satisfactory certificate of birth with the local registrar within five days.

(2) It shall be the duty of anyone finding an unknown child, to immediately report that fact to the local registrar of vital statistics of the town, village or city where the child was found; such report shall show the sex and color of the child, the date and place of finding the child, and the name of the person or institution in charge of such child. The town, village or city in which the child is found shall be known as the place of legal birth and the date of birth shall be stated by the person in charge of the child as nearly as can be determined and the date so given shall be known as the legal date of birth. The person or superintendent of the institution with whom the child is placed for care shall give the child a name and shall be responsible for filling out as completely as possible the regular form of birth certificate and filing it with the local registrar where the child was found, who shall make a copy for the register of deeds, a copy for the local record, if required, and then forward the original certificate to the state board of health with his next monthly report. If the child should later be identified and a certificate of birth be found or obtained, the record provided for by this section shall be destroyed. When foundlings or other children for whom it is impossible to provide a regular form of birth certificate are adopted, it shall be lawful for the adoptive parents to fill out and sign a birth record, giving their names as the adoptive parents. [1933 c. 110]

69.28 Standard birth certificates. The certificate of birth shall contain such items as the state board of health may determine are necessary and shall agree in the main with the standard form recommended by the United States census bureau. [1931 c. 352 s. 1; 1937 c. 205]

69.29 Report of congenital deformities. (1) Within twenty-four hours after the birth of any child with a deformity or physical defect, the attending physician or midwife,

or if there is no physician or midwife in attendance then the parent or guardian of the child, or other responsible person, shall, in addition to and separate from the notice thereof required in the birth certificate, directly notify the state board of health of such deformity or defect and shall explain as fully as possible the exact nature thereof. Said physician or midwife, or parent, guardian, or other responsible person may, in addition to the notice and explanation herein required make such suggestions or recommendations as to the care, treatment or correction of such deformed or defective person, or give such information with reference thereto as he may deem necessary or helpful.

(2) The reports, notices or explanations of all cases of congenital deformity or physical defect provided for by this section shall be treated as confidential to the extent that the name or address of the deformed or defective person shall not be published by any newspaper, magazine or other paper or publication of general or special circulation.

(3) The secretary of the state board of health shall, immediately upon hearing of any case of congenital deformity or physical defect give to the crippled children division, state department of public instruction, the name and address and such other information as may be helpful in the follow-up care program of such children. [1931 c. 79 s. 12; 1937 c. 136]

69.30 Child's name; supplementary report. When any certificate of birth of a living child is presented without a statement of the given name, then the local registrar shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed and returned to the registrar as soon as the child shall be named. The original certificate of birth shall not be considered complete until the supplemental report is filed or the blank returned with the statement "died unnamed."

69.31 All dispositions of dead; permit requisite. The body of any person whose death occurs in this state shall not be interred, deposited in a vault or tomb, cremated, or otherwise disposed of, until a permit for burial or removal shall have been properly issued by a local registrar, deputy or subregistrar, and no such burial or removal permit shall be issued by any registrar, deputy or subregistrar until a complete and satisfactory certificate and return of the death has been filed with him as hereinafter provided. [1933 c. 109]

69.32 Stillbirths. Stillborn children shall be registered in accordance with the rules of the state board of health and with the other sections of this chapter pertaining to the filing of certificates. The certificate of stillbirth shall contain such items as the state board of health may determine are necessary and shall agree in the main with the standard form recommended by the United States census bureau. The funeral director or person acting as such shall be responsible for filing the certificate before obtaining a burial permit, and shall have the items pertaining to the cause and conditions of the stillbirth filled in and signed by the physician or other person attending the birth. In case the birth was unattended, the local registrar or the coroner shall state over his signature such facts as can be ascertained about the birth in the space so provided. [1941 c. 179]

69.33 Standard death certificate. The certificate of death shall contain such items as the state board of health may determine are necessary and shall agree in the main with the standard form recommended by the United States census bureau. [1941 c. 179]

69.34 Death particulars; authentication. The personal and statistical particulars (subsections (1) to (13) of section 69.33) shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts.

69.35 Undertaker's signature. The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

69.36 Physician's certificate; causes of death. (1) The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred.

(2) He shall further state the cause of death so as to show the course of disease or sequence of causes resulting in death, giving the primary and immediate causes, and also the contributory causes, if any, and the duration of each.

(3) Indefinite and unsatisfactory terms indicating only symptoms of disease or conditions resulting from diseases will not be held sufficient for issuing a burial or removal permit and any certificate containing only such terms, as defined by the state registrar, shall be returned to the physician for correction and definition.

(4) Causes of death which may be the result of either disease or violence shall be carefully defined, and, if from violence, its nature shall be stated, and whether accidental, suicidal, or homicidal.

(5) In case of deaths in hospitals, institutions, or away from home, the physician shall furnish the information required under this head (subsection (19) of section 69.33), and shall state where, in his opinion, the disease was contracted.

(6) And the cause of death and all other facts required shall in all cases be stated in accordance with the rules and regulations of the state registrar.

69.37 Death without physician. In case of death without the attendance of a physician, or if the certificate of the attending physician cannot be obtained early enough for the purpose, any physician employed for the purpose shall upon the request of the local registrar or his deputy, make such certificate as is required of the attending physician.

Note: Local registrar of vital statistics has no authority to employ physician to investigate cause of death where deceased had no attending physician or attending physician cannot be reached in time. Under 69.37 and 69.31, cost of investigating cause of death is part of burial expenses and cannot be paid by local registrar. Only fee authorized to be paid from public funds is sum of 25 cents for making and filing death certificate pursuant to 69.54 (1). 29 Atty. Gen. 470.

69.38 Local registrar to report death, when. When a physician cannot be obtained early enough and only in such case, the local registrar is authorized to insert the facts relative to the cause of death, from the statements of relatives or other competent persons, and the permit for burial shall be issued upon such information.

69.39 Coroner's certificate. Any coroner whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the nature of the disease, or the manner of death, and if from external causes or violence whether "probably" accidental, suicidal or homicidal, as determined by the inquest; and shall, in either case, furnish such information as may be required by the state registrar to classify the death.

69.40 Undertaker's duties relative to certificate and permit. (1) The undertaker, or person acting as undertaker, shall be responsible for obtaining and filing the certificate of death with the registrar and securing a burial or removal permit prior to any disposition of the body.

(2) He shall obtain the personal and statistical particulars required from the person best qualified to supply them over the signature and address of his informant. He shall then present the certificate to the attending physician or other person authorized by law to fill out the medical certificate of the cause of death and other particulars necessary to complete the record, as specified in sections 69.33 to 69.39, inclusive. He shall then state the facts required relative to the date and place of burial over his signature and with his address, and present the completed certificate to the registrar who shall then issue a burial or removal permit.

(3) The undertaker shall deliver the burial permit to the sexton or person in charge of the place of burial before interring the body, or attach the removal permit to the box containing the corpse, when shipped by any transportation company, to accompany the same to destination.

69.41 Burial within district; wording of permit. If the interment or other disposition of the body is to be made in the registration district in which the death occurred, the wording of the burial permit may be limited to a statement by the registrar and over his signature, that a satisfactory certificate of death having been filed with him as required by law, permission is granted to inter, remove, or otherwise dispose of the body of the deceased, stating the name, age, sex, cause of death and other necessary details upon the form prescribed by the state registrar.

69.42 Burial elsewhere; certificate copy. In case the interment or other disposition of the body is to be made in some registration district other than that in which death occurred, a complete copy of the certificate of death issued by the authorities where the death occurred or the certificate of removal issued when shipped by any transportation company, shall be accepted as a burial permit for the interment of the body.

69.43 Sexton's duty. No sexton or person in charge of any premises in which interments or cremations are made shall inter or cremate or permit the interment or cremation of any body unless it is accompanied by a burial permit as herein provided.

69.44 Sexton's indorsement and return. Each sexton or person in charge of any burial grounds shall indorse upon the permit the date of the interment, over his signature, and shall retain all such permits as the part of his record.

69.45 Sexton's records. He shall also keep a record of all interments made in the premises under his charge, stating the name of the deceased person, place of death, date of burial, and name and address of the undertaker.

69.46 County clerk's or judge's marriage records. The county clerk, county judge or judge of a court of record, shall before issuing a certificate of marriage, enter upon a blank or stub provided for that purpose the names and addresses of the parties to the proposed marriage, the name of the person who will probably perform the ceremony and such other information as the state registrar shall determine is necessary and useful.

69.47 Central office may call for papers. Upon the demand of the state registrar all such records shall be sent to the central office at Madison for the purpose of checking the returns sent in by local registrars and then returned to the county clerk to be preserved as a permanent record.

69.48 Going out of state to marry. When parties living in this state shall go out of it to be married, and shall return to it to reside, they shall obtain from the county clerk of the county in which either of them resided prior to their marriage, a blank certificate of marriage which they shall cause to be properly filled out and filed with the local registrar of vital statistics of the city, incorporated village or town wherein they reside, within ten days after their return.

Note: Violation of this section may be relating to marriage outside state to punished under 352.52 in county where couple cumvent our laws, applies only to marriages resides after such marriage. Section 245.04, prohibited by 245.03. 27 Atty. Gen. 138.

69.49 Industrial illness and diseases. (1) Every medical practitioner in this state attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic or mercury or their compounds, or from compressed air illness, contracted as a result of the nature of the patient's employment, shall send to the secretary of the state board of health and bureau of vital statistics a notice, stating the name and full postal address and place of employment of the patient and the disease from which, in the opinion of the medical practitioner, the patient is suffering.

(2) If any medical practitioner fails to comply with the provisions of this section, he shall be liable to a fine not exceeding ten dollars.

(3) It shall be the duty of the industrial commission to enforce the provisions of this section, and he may call upon the state and local boards of health for assistance.

69.50 Divorces reported by clerk of court. The clerk of every court having jurisdiction of divorce proceedings shall, within thirty days after January first of each year, return to the state registrar of vital statistics upon the blanks provided for that purpose, statistics relative to each suit for annulment of marriage or divorce brought or acted upon in said court during the preceding year.

69.51 Divorce items. Said record shall contain the following items: The record number, full name, age, color, and occupation of plaintiff and defendant, date and place of marriage, residence of each at time of marriage and at time suit was brought, date of separation, date of filing the action, the alleged cause or causes for annulment or divorce, kind of relief prayed for, manner of service of summons, whether or not the suit was contested, date and nature of decree, final disposition of case; whether alimony was asked and granted, number of children by the marriage, number of children affected by the decree and such other information as the state registrar shall determine is necessary and useful to a proper study of divorces in this state. When a cross bill is filed a similar return relating thereto shall be made.

69.52 Biennial report of state registrar. The state registrar shall biennially prepare from said returns, abstracts and tabular statements of the facts relating to divorce in each county, and embody them, with the necessary analysis, in the regular biennial report of the state board of health and vital statistics.

69.53 Fees of local registrars; certified copies. (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 sections 69.01 to 69.54, inclusive, including the copy retained in cities and villages, the local registrar shall be paid the sum of twenty cents.

(2) In case no births, deaths, marriages or accidents were registered during any month, the local registrar shall be entitled to be paid the sum of fifteen cents for each report to that effect promptly made in accordance with the directions of the state registrar.

(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.

(4) No fee shall be paid to local registrars for defective certificates until the missing information, when possible to obtain, is supplied.

(5) All amounts payable to registrars under provisions of this section shall be paid by the treasurer of the county in which the registration districts are located upon certification by the state registrar.

(6) The state registrar shall annually certify to the treasurers of the several counties the number of births, deaths, marriages and accidents registered, with the names of the local registrars and the amounts due each at the rates fixed herein.

(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.

(8) Whenever there shall be filed with the state registrar of vital statistics a certificate of death of any resident of this state, who died without the state, the registrar shall forward to the register of deeds of the county in which such deceased person resided, a certified copy of such certificate of death, who shall make a proper record of the same.

69.54 Fees of informants; certificates; counties to pay. (1) Each physician, midwife, minister, or priest, court commissioner, judge of a court of record, justice of the peace or other persons acting as informant and filing with the local registrar, certificates of births, deaths, and marriages completely and legibly made out in ink, shall be entitled to receive the sum of twenty-five cents for each birth, death, and marriage so recorded, to be paid by the treasurer of the county upon certification by the state registrar.

(2) Only one certificate shall be received for each birth, death, marriage and accident and the order of right to file the certificates shall be the same as the order of responsibility for filing as herein given.

(3) Defective certificates shall not be entitled to payment until the missing information, when possible to obtain, is supplied.

(4) The state registrar shall annually certify to the treasurers of the several counties, the number of births, deaths, marriages and accidents registered with the names of the persons reporting and the amounts due each at the rate fixed herein.

(5) Any person entitled to such fee shall claim and demand the same within a period of three years after receipt by the county treasurer of the warrant or certificate from the state registrar authorizing such payment, and no right to such fee shall exist after the expiration of such time. Provided that every claim and right now existing to such fees as are mentioned in this section of the statutes, whether arising thereunder or under any other law relating to such fees, shall become void, and every right of action for the collection thereof shall be barred, after the expiration of one year from and after the passage and publication hereof.

69.55 Local registrar, transmit copies to register of deeds. 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.

69.56 Register of deeds; duties. (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.

Note: Fee for filing and registering marriage, birth and death certificates is determined by 59.57 (11b), rather than 69.56 (3). 24 Atty. Gen. 335.

See note to 59.51, citing 27 Atty. Gen. 619.

Register of deeds may decline to register certificates of births which occurred more than year previously, when such certificates are offered by local board of health, or by state board of health without statutory fees. 30 Atty. Gen. 90.

69.57 Delayed registration. (1) A delayed registration is defined as a birth, death or marriage filed one year or more after the event occurred. The state registrar is empowered to file such records for births, deaths or marriages occurring heretofore or hereafter in this state upon presentation of sufficient proof, which in main shall conform with the national recommendations of the bureau of the census.

(2) The state registrar shall issue detailed instructions as to the proof required for filing a delayed record and for correcting any record of birth, death or marriage shown

to be in error which instructions shall be strictly followed in making any corrections or filing any delayed records within the state. Such proof shall consist of documentary evidence for delayed records or for major corrections of records.

(3) All the evidence affecting the major corrections of a certificate or the filing of a delayed certificate, after such evidence has been filed with the state registrar, shall be kept in a special permanent file. When a copy of such corrected or delayed certificate is issued, a summary of such evidence shall be included.

(4) The admissibility in evidence of a delayed or corrected certificate shall be subject to the discretion of the court, judicial or administrative body or official to whom any such certificate is offered as evidence. [1941 c. 312]

69.58 Monthly report of births, marriages and deaths. The local registrar of each township, incorporated village and city shall, on the first day of each and every month, make an exact copy of all births, marriages and deaths recorded in such city, incorporated village or township during the previous month, whenever the parents of the child born, or the bride or the groom, or the deceased person, were resident in any other city or incorporated village in this state or in any other state at the time of said birth, marriage or death; and shall transmit such copies to the registrar of the incorporated village, city or state in which such parents of the child born, the bride or the groom, or the deceased, were resident at the time of said birth, marriage or death. The registrars so receiving such copies shall record the same in the books kept for recording births, marriages and deaths. Such copies shall be made upon blanks to be furnished for that purpose by the state board of health.

69.59 Marriage records; correction. The circuit court of any county in which there is any marriage legally recorded may make an order correcting such record on proof being made to the satisfaction of the court that the record is incorrect in any particular. The officer in charge of such records shall record such order or a copy certified by the clerk under the seal of the court, and such record shall have the same effect as the record of marriage duly returned by the proper person.

69.60 Birth certificates; adoption. (1) On being advised pursuant to section 322.05 of the adoption of any child whose birth has previously been registered or pursuant to section 245.35 of the legitimation of any child due to the subsequent marriage of the parents, the state registrar of vital statistics shall cause a new birth certificate to be filled out signed by himself or his authorized representative. In the certification to this new certificate, and over his signature, reference shall be made to this section of the statutes by number only. In all other respects the certificate shall be the same as other birth certificates, and shall contain nothing else to differentiate it therefrom.

(2) In cases of adoption, all the names and statistical particulars entered on the new certificate shall refer to the adoptive parents. Where the question of legitimacy is asked, it shall be answered in the affirmative.

(3) In cases of legitimation under section 245.35, the names and statistical particulars shall be entered as of the date of birth but as though the parents were married at that time. Where the question of legitimacy is asked, it shall be answered in the affirmative.

(4) All other items not affected by the adoption or legitimation shall be copied as on the original, including the date of filing.

(5) The new certificate shall then be filed in place of the original, and the original, together with all correspondence, affidavits, court orders, etc. pertaining thereto, shall be filed away from all public access. Copies of or access to these originals or any material pertaining thereto shall be obtained only on court order or at the discretion of the state registrar. Copies of the new certificate shall be issued under the same laws and rules as apply to the issuing of other certificates.

(6) The state registrar shall send a copy of each such new certificate to the register of deeds and to the village clerk or city health officer where a copy of the original was filed. Such register of deeds and local registrar shall file this new record in their regular file, and impound the original which shall not be examined except upon court order or request of the state registrar.

(7) This section shall be retroactive in that the state registrar may treat all such records now on file since October 1, 1907, in such manner, and so notify the registers of deeds and local registrars. [1931 c. 352 s. 2; 1939 c. 524]

69.605 [Repealed by 1939 c. 524 s. 1]