

same shall have been commenced within two years from the date when such claim becomes due.

Approved April 13, 1925.

---

CHAPTER 189—H. F. No. 870

(Secs. 4434 to 4436, G. S. 1923)

*An act amending Chapter 211, General Laws of Minnesota, 1915, to provide that the fabrication of stone to be used in the erection of public buildings for the state or of any buildings which are erected in part from state funds shall be done within the state, and to provide that all provisions of said Chapter 211, General Laws, 1915, shall be applicable to the new subject matter hereof.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Home products to be used in public buildings.**—That there is hereby created a new and additional section in said Chapter 211, Laws of 1915, numbered 2-A, and reading as follows:

*“Section 2-A. That in all such buildings that involve the use of cut or dressed stone in their construction the work of cutting, dressing or fabricating such stone shall be done within the territorial limits of the State of Minnesota, and provisions to this effect shall be incorporated in all contracts hereafter made for the erection of such buildings. Provided that this act shall not be held to affect contracts existing at the time this act goes into effect.”*

**Sec. 2. Laws re-enacted.**—*That all provisions of Chapter 211, General Laws of 1915, are hereby re-enacted and made applicable to the new subject matter hereof.*

**Sec. 3.** This act shall take effect and be in force from and after its passage.

Approved April 13, 1925.

---

CHAPTER 190—H. F. No. 1069

*An act to amend Sections 5355, 5356, 5357, 5359, 5360, and 5365, General Statutes 1923, relating to the records of births and deaths and the issuance of burial permits and to the duties of registrars and undertakers in respect thereto.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Birth and death registrars.**—That Section 5355, General Statutes 1923, be and the same hereby is amended so as to read as follows:

*“5355. Each township, village and city shall, for the purpose of this act, constitute a primary registration district and the town and*

village clerk, and in cities the health officer, shall be the local registrar for the township, village or city comprising such primary registration district. The local registrar shall perform all the duties required of him by the provisions of this act.

He may appoint a deputy, for whose actions he shall be responsible.

Any local registrar who neglects or refuses to perform the duties imposed by this act shall be superseded by another to be appointed by the state registrar in his place. The State Board of Health may appoint sub-registrars to receive certificates of births and deaths and issue burial permits in any designated territory. They shall be subject to the supervision of the state registrar and may be removed by him for cause. Such sub-registrars shall note thereon the date when any certificate is filed with him, sign the same, and forward it to the local registrar of the proper district within five days after receipt; and shall make a monthly report to the state registrar on blanks furnished for that purpose of all deaths where he has had charge of the remains or sold the casket."

**Sec. 2. Registrar to be notified of birth.**—That Section 5356, General Statutes 1923, be and the same hereby is amended so as to read as follows:

"5356. The physician or midwife attending at the birth of any child, or, if there is no attending physician or licensed midwife, the father or mother, shall within ten days thereafter, subscribe and file with the local registrar of the district within which the birth occurs, a certificate of birth specifying:

Place of birth, including state, county, city, village or town with the street and house number, if any, or in lieu thereof the name of the hospital or other private, public or state institution, if in such institution.

Full name of child. If the child dies without being named before the certificate is filed, enter the word "unnamed" with the date of death.

Male or female.

Whether one of twins, triplets or other plural birth, and the number in order of birth.

Legitimate or no.

Date of birth, including year, month, day and hour.

Full name of father, provided that if the child is illegitimate the name or residence of, or other identifying details relating to, the putative father shall not be entered without his consent, except as provided in Section 5365-A.

Residence of the father.

Color or race of father—as white, colored, Indian, Chinese or other.

Age of father at last birthday.

Birthplace of father ; state or foreign country.

Occupation of father with a statement of the trade, profession or particular kind of work ; or the general nature of the industry or business engaged or employed in.

Full maiden name of mother.

Residence of mother.

Color or race of mother—as white, colored, Indian, Chinese or other.

Age of mother at last birthday.

Birthplace of mother ; state or foreign country.

Occupation of the mother with a statement of the trade, profession or particular kind of work ; or the general nature of the industry or business engaged or employed in.

Number of children born to this mother, including present birth.

Number of children born of this mother now living.

The fact of attendance and that the birth occurred at the time stated.

Date of making and address of the person subscribing.

If the child is one of a plural birth a separate certificate for each child shall be filed.

When the birth occurs in any lying-in hospital or in any private, public, charitable or state institution, without attendance by a physician or licensed midwife, the superintendent, manager or person in charge shall make and file the certificate of birth.

If the birth occurs in any hotel, rooming or boarding house, or in any private dwelling or apartment other than the home of the parents, the keeper or occupant shall immediately notify the local registrar of that fact. The local registrar shall then procure the necessary information and the signature for a proper certificate of birth.

The attending physician or midwife shall deliver to the parents a blank for a supplemental report of the given name if the child is not named at the time of making the certificate of birth.

When a certificate of birth is filed without the given or baptismal name the local registrar shall deliver to the parents a blank for a supplemental report of the name. Such supplemental report shall be made and filed with the local registrar as soon as the child is named. If such report is not filed within thirty days from the date of birth, the local registrar shall obtain such name by other means.

Whenever the state registrar shall receive a birth certificate which is incomplete or inaccurate, he shall endeavor to secure information relative to any errors or omissions, and shall make corrections on the original in red ink, when additional information is secured. Provided, that whenever a certified copy of any such corrected birth certificate is issued, the corrections shall be shown on

the certified copy in red, and this act shall be printed or typed on the form used for such certification.

*Whenever it satisfactorily appears to the state registrar that a birth record contains errors or omissions or is false in some respect he may attach a statement of the true facts to the same."*

**Sec. 3. Registrar to be notified of death.**—That Section 5357, General Statutes 1923, be and the same hereby is amended so as to read as follows:

"5357. The undertaker or person acting as such, at the burial, cremation or other disposal of the body of any person dying in this state shall obtain and file with the local registrar of the district in which the death occurs, a certificate of death containing:

A statement authenticated by the signature of some person cognizant of the facts, specifying:

Place of death, including state, county, city, village or town, with the name of the street and house number, or in lieu thereof, the name of the hospital or other private, public or state institution, if in such institution. If in an industrial or mining camp, or mine, the name of the camp or mine.

Full name of deceased. If an unnamed child the surname preceded by "unnamed."

Male or female.

Color or race—as white, colored, Indian, Chinese or other.

Single, married, widowed or divorced.

Date of birth, including year, month and day.

Age in years, months and days. If less than one day, the hours or minutes.

Occupation. If the person had any remunerative employment, statement of the trade, profession, or particular kind of work, or the general nature of the industry or business engaged or employed in.

Birthplace; state or foreign country.

Name of father, provided that if the deceased was of illegitimate birth the name or residence of, or other identifying details relating to the putative father shall not be entered without his consent, except as provided in Section 5365-A.

Birthplace of father; state or foreign country.

Maiden name of mother.

Birthplace of mother; state or foreign country.

A medical certificate subscribed by the attending physician together with his address and date of making, stating fact and time of death, giving year, month, day and hour; time of attendance; when last seen alive; the disease or injury causing death, with contributory cause or complication, and the duration of the illness; if from violence, the means and circumstances of the injury and whether indicating accident, suicide or homicide. Provided, that the

medical certificate shall be made and subscribed by the coroner whenever the cause of death is investigated by him. Provided further, that in cities of the first, second and third class the health officer, and in towns, villages and cities of the fourth class the local registrar, or a sub-registrar, shall make and subscribe the medical certificate for any death occurring therein without medical attendance or investigation by the coroner. If the local registrar, or sub-registrar, is unable to determine the cause of death he shall refer the case to a physician, or to the coroner, for certification.

When the death occurs in a hospital or other institution or place, other than the home of the deceased, a statement of the length of time at the place of death, length of time in the state, usual place of residence, and where the disease was contracted.

A statement showing place and date of burial signed by the undertaker with his address.

In the case of a child dead at birth, a certificate of birth having the word "still-birth" inserted in place of the name, and also a certificate of death shall be made and filed with the local registrar, and a burial permit issued as hereinafter provided. The medical certificate shall be signed by the attending physician and shall state the cause of death as "still-born" with the cause of the still-birth, whether a premature birth, and if so, the period of uterogestation in months. Provided, that a certificate of birth or death shall not be required for a child that has not advanced to the fifth month of utero-gestation.

In cases of still-births occurring without an attending physician the medical certificate shall be made and subscribed as is herein provided in case of death without medical attendance.

Whenever the state registrar shall receive a death certificate which is incomplete or inaccurate, he shall endeavor to secure information relative to any errors or omissions, and shall make corrections on the original in red ink when additional information is secured; provided, that whenever a certified copy of any such corrected death certificate is issued, the corrections shall be shown on the certified copy in red and the provisions of this act shall be printed or typed on the form used for such certification.

*Whenever it satisfactorily appears to the state registrar that a death record contains errors or omissions or is false in some respect he may attach a statement of the true facts to the same."*

Sec. 4. Burial permits.—That Section 5359, General Statutes 1923, be and the same hereby is amended so as to read as follows:

"5359. Upon the filing of a proper certificate of death completely filled out, with the local registrar, or sub-registrar, but not otherwise, he shall issue a burial permit reciting the place and time of death; the full name, age, sex and nativity of the deceased; the cause of death; the name of the medical attendant; the time and

place of interment; the name and address of the undertaker; that a certificate of death complying with the law has been filed in his office; and authorizing the burial or other disposition of the body. He shall sign the permit officially, date it the day of issue, and deliver it to the undertaker, or person applying therefor, who shall deliver it to the person in charge of the place of burial, or when the body is transported by common carrier, to the person accompanying it, before interment or other disposition of the body is made. Provided, that when the body is transported from without for burial within the state, the transit permit issued in accordance with the law of the state where the death occurred, shall be accepted by the local registrar of the district in which the interment is made in place of a certificate of death and a burial permit issued accordingly, with the fact that the body is brought in for interment endorsed thereon.

*In unorganized townships burial permits shall be issued by a registrar or sub-registrar in any adjacent organized city, village, or township, to whom application shall be made. When the permit is issued by a local registrar, he shall transcribe the original death certificate in his local record book and on or before the 10th of the month following he shall transmit such original death certificate to the state registrar. When the permit is issued by a sub-registrar, he shall, within five days, transmit the original death certificate to the state registrar."*

**Sec. 5. Undertakers to keep record.**—That Section 5360, General Statutes 1923, be and the same hereby is amended so as to read as follows:

"5360. Every person, firm, or corporation selling a casket, shall keep a record showing the name of the purchaser, purchaser's post-office address, name of deceased, date of death, and place of death of deceased, which record shall be open to inspection of the state registrar at all times. On the first day of each month the person, firm or corporation, selling caskets, *and every undertaker or other person attending to the burial, or conducting the funeral of a dead person*, shall report to the state registrar *such facts as he may require* for the preceding month, on a blank provided for that purpose; provided, however, that no person, firm, or corporation selling caskets to dealers or undertakers only shall be required to keep such record.

Every person, firm, or corporation selling a casket at retail, and not having charge of the disposition of the body, shall inclose within the casket a notice furnished by the state registrar calling attention to the requirements of the law, a blank certificate of death, and the rules and regulations of the State Board of Health concerning the burial or other disposition of a dead body."

**Sec. 6. Fees of registrars.**—That Section 5365, General

Statutes 1923, be and the same hereby is amended so as to read as follows:

"5365. Each local registrar except those acting in cities which have a population of more than 100,000 shall receive, from the county in which his district is located, a sum of twenty-five cents for each birth and each death certificate. He shall receive the same fee for each monthly report card of no births or deaths having occurred in his district to his knowledge, providing such card is received by the state registrar before the fifteenth of the month following that to which it applies. Annually, on or before the first day of April, the state registrar shall tabulate all the facts shown in the returns of local registrars, except those acting in cities which have a population of more than 100,000 as having occurred during the preceding year, and transmit to the clerk of the district court of each county a certified copy of such tabulation, so far as the same relates to the vital statistics of such county, and each clerk of the district court shall file, index and preserve such certified copy, and the same shall be prima facie evidence of each and every fact contained therein. Such tabulation shall show the whole number of births and deaths, and reports of no births or deaths having occurred, transmitted by each local registrar during each year, but no fee shall be paid for "no report" cards if a report of a birth or death for that month is received later.

Upon the receipt and the filing of such certified copies the clerk of court shall issue to each local registrar within his county a voucher for the amount due him as shown by such tabulated statement. Upon the presentation of such voucher to the county auditor, a warrant for the amount thereof shall be issued by him. The forms of indexes and indexing shall be prescribed by the state registrar and made in a suitable book furnished at the expense of the county. All statistics of births and deaths shall be so indexed without other compensation than the clerk's salary, except, that in counties where the clerk is not on a salary basis he shall be paid five cents by the county, for each name so indexed.

*Whenever it satisfactorily appears to any clerk of court in Minnesota that a birth or death record on file in his office contains errors or omissions, or is false in some respect, he may attach a statement of the true facts to the same, when authenticated by an affidavit made by a person presuming to know the fact or facts, which affidavit is to be filed with said clerk and made a part of the original record. He shall immediately furnish to the state registrar copies of such affidavits.*

A. Whenever the clerk of the district court shall report to the state registrar that a judgment has been entered determining the paternity of an illegitimate child, the state registrar shall record the name of the father, and sufficient data to identify the judgment, in

connection with the record of the birth of the child appearing in his office, and also in connection with the record of the death of the child, if there be such record. A report by the clerk of the subsequent vacation of such judgment shall be recorded in like manner.

Likewise whenever any District Court shall enter a judgment that any person named on a birth certificate or death certificate, as the father of an illegitimate child, is not in fact the father of such child, the clerk of such court shall forward to the state registrar and to the local registrar of the district in which such birth or death is reported, a copy of its judgment; whereupon, it shall be the duty of such registrars to make such corrections as to the statement of paternity on such birth or death certificate, and to attach to the original, or to his record of the original, a copy of such judgment.

B. Except when so ordered by a court of record no member of the state board of health, nor any state or local registrar, nor any person connected with the office of either, shall disclose the fact that any child was illegitimate. The district court shall have jurisdiction, upon petition against and notice to the state registrar, to issue such orders permitting or requiring the inspection of records of births and deaths, as to it may seem just and proper, and the making and delivery of certified copies thereof.

C. *The birth and death records of the State Board of Health shall be open to inspection by the State Board of Control or its designated agents at all times, and it shall not be necessary for said Board of Control to obtain an order of court in order to inspect records of illegitimate children or to secure certified copies thereof.*

D. *Whenever the parents of a child whose birth has been reported to the State Board of Health as illegitimate shall marry each other and when the father of such illegitimate child shall execute an affidavit that he is the father of said child and that at a certain specified time he married the mother of said child and shall mail said affidavit to the state registrar then the state registrar shall amend the birth record of such child so as to indicate the child is a legitimate child and certified copies thereof may be issued without a court order. The state registrar shall report to the local registrar the legitimation of said child by the marriage of his parents to each other and the local registrar shall note upon his records the fact that the child is legitimized and record the name of the father. The state registrar shall include in his annual report to the clerk of district court of the county a copy of said affidavit of the father legitimizing said child and the said clerk of court shall file said affidavit and enter on his records the name of the father and the fact that such child is legitimized."*

Sec. 7. This act shall take effect and be in force from and after its passage.

Approved April 13, 1925.