

HOUSE No. 666

Bill accompanying the petition of Richard C. Cabot for legislation relative to returns of births. Legal Affairs. January 16.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eleven.

AN ACT

Relative to the Reporting of Births.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section one of chapter twenty-nine of
2 the Revised Laws is hereby amended by inserting after
3 the word "names", in the sixth line of said section, the
4 words:—occupations, ages,—and by inserting after the
5 word "parents", in the eighth line thereof, the words:—
6 and whether or not the person signing the birth certifi-
7 cate personally attended the birth, and whether or not,
8 if a physician, he used a prophylactic to prevent oph-
9 thalmia neonatorum,—and by striking out the words
10 "the occupation of the father", in the seventh line
11 thereof, so that said section shall read as follows:—
12 *Section 1.* Each city and town clerk shall receive or

13 obtain and record in separate columns the following
14 facts relative to the births, marriages and deaths in his
15 city or town : —

16 In the record of births, the date of the record, the
17 date of birth, the place of birth, the name of the child,
18 the sex and color of the child, the names, occupations,
19 ages and places of birth of the parents, including the
20 maiden name of the mother, and the residence of the
21 parents, and whether or not the person signing the
22 birth certificate personally attended the birth, and
23 whether or not, if a physician, he used a prophylactic
24 to prevent ophthalmia neonatorum. In the record of
25 the birth of an illegitimate child the name of, and other
26 facts relating to, the father shall not be recorded except
27 at the request in writing of both father and mother.
28 The term "illegitimate" shall not be used in the record
29 of a birth unless the illegitimacy has been legally deter-
30 mined, or has been admitted by the sworn statement of
31 both the father and mother.

1 SECTION 2. Section three of said chapter twenty-
2 nine of the Revised Laws, as amended by chapter
3 ninety-three of the acts and resolves of nineteen hundred
4 and ten, is hereby amended by striking out the whole
5 of said section and inserting in place thereof the follow-
6 ing : — *Section 3.* Physicians and midwives shall make
7 and keep a record of all facts relative to births, specified
8 in section one of this act, and shall, within forty-eight
9 hours in cities and within five days in towns, make
10 report to the clerk of each city or town of any child
11 at whose birth they were present, stating the date and
12 place of such birth, the name, if any, of the child, its
13 sex and color, and the names, ages, places of birth,
14 occupations and residence of the parents, and the maiden

15 name of the mother. If the child is illegitimate the
16 name of, and other facts relating to, the father shall not
17 be stated, except at the request in writing of both the
18 father and the mother, filed with the return. The fee
19 of the physician or midwife shall be twenty-five cents
20 for each birth so reported, which shall be paid by the
21 city or town where the report is made, upon presenta-
22 tion to the city or town treasurer of a certificate from
23 the city or town clerk, stating that such birth has been
24 properly reported to him. A physician or midwife who
25 neglects to make and keep the record required herein
26 or to report such birth within forty-eight hours there-
27 after in cities or within five days thereafter in towns
28 shall for each offence forfeit not more than twenty-five
29 dollars.

1 SECTION 3. This act shall take effect upon its passage.

