

of record thereof, if any, of such assessment.

Sec. 30. Request to exhibit permit - prima facie evidence. The proprietor or keeper of any building or place wherein cigarettes or cigarette papers shall be kept for sale or with intent to sell, shall upon request of any peace officer of the county exhibit to such peace officer his permit to so keep and sell. His refusal or failure to so exhibit such permit shall be prima facie evidence that such cigarettes or cigarette papers are kept for sale or with intent to sell in violation of the provisions of this chapter.

Sec. 31. Advertisement near public schools prohibited. No bills, pictures, posters, placards or other matter used to advertise the sale of tobacco in any room shall be distributed, posted, painted or maintained within four hundred (400) feet of premises occupied by a public school or used for school purposes. But this provision shall not apply to advertisement in newspapers regularly published and distributed to subscribers and purchasers as such.

Sec. 32. Penalty. Any person violating any of the provisions of the preceding section shall be punished by a fine not exceeding one hundred dollars (\$100.00) or imprisonment in the county jail not exceeding thirty (30) days.

Approved March 12, 1924.

CHAPTER 164

PUBLIC HEALTH

H. F. 260

AN ACT to amend, revise, and codify chapters two (2), three (3), four (4), and ten (10) of title six (6), and sections thirteen hundred thirty-five (1335) to thirteen hundred thirty-eight (1338), inclusive, thirteen hundred forty-six (1346) to thirteen hundred fifty-five (1355), inclusive, thirty-four hundred forty-seven (3447), thirty-four hundred forty-eight (3448), forty-one hundred fourteen (4114), forty-two hundred ten (4210), forty-two hundred eleven (4211), and forty-two hundred thirteen (4213) of the compiled code of Iowa, and chapters one (1) and five (5) of title six (6) of the compiled code of Iowa and the supplement to said code, and chapters one-a (1-a), four-a (4-a), nine-a (9-a), and eleven (11) of title six (6) of the supplement to the compiled code of Iowa, relating to the public health.

So It Enacted by the General Assembly of the State of Iowa:

That chapters two (2), three (3), four (4), and ten (10) of title six (6), and sections thirteen hundred thirty-five (1335) to thirteen hundred thirty-eight (1338), inclusive, thirteen hundred forty-six (1346) to thirteen hundred fifty-five (1355), inclusive, thirty-four hundred forty-seven (3447), thirty-four hundred forty-eight (3448), forty-one hundred fourteen (4114), forty-two hundred ten (4210), forty-two hundred eleven (4211), and forty-two hundred thirteen (4213) of the compiled Code of Iowa, and chapters one (1) and five (5) of title six (6) of the compiled Code of Iowa and the supplement to said Code, and chapters one-A (1-A), four-A (4-A), nine-A (9-A), and eleven (11) of title six (6) of the supplement to the compiled Code of Iowa are amended, revised, and codified to read as follows:

PUBLIC HEALTH

CHAPTER I

STATE DEPARTMENT OF HEALTH

Section 1. Definitions. For the purpose of this title, unless otherwise defined:

1. "Commissioner" shall mean the commissioner of public health.
2. "State department" or "department" shall mean the state department of health.
3. "Health officer" shall mean the physician who is the health officer of the local board of health.
4. "Local board" shall mean the local board of health.
5. "Physician" shall mean a person licensed to practice medicine and surgery, osteopathy and surgery, osteopathy, or chiropractic under the laws of this state, but a person licensed as a physician and surgeon shall be designated as a "physician" or "surgeon", a person licensed as an osteopath and surgeon shall be designated as an "osteopathic physician" or "osteopathic surgeon", a person licensed as an osteopath shall be designated as an "osteopathic physician", and a person licensed as a chiropractor shall be designated as a "chiropractor".
6. "Rules" shall include regulations and orders.
7. "Sanitation officer" shall mean the policeman who is the permanent sanitation and quarantine officer and who is subject to the direction of the local board of health in the execution of health and quarantine regulations.

Sec. 2. Appointment of commissioner. The governor shall, within sixty (60) days after the convening of the general assembly in nineteen hundred twenty-five (1925) and every four (4) years thereafter, appoint, with the approval of two-thirds ($\frac{2}{3}$) of the members of the senate in executive session, a commissioner of public health who shall be a physician specially trained in public hygiene and sanitation. The senate shall not approve an appointment, however, on the same legislative day on which it is submitted for approval.

Sec. 3. Disqualifications. The commissioner shall not be an officer or member of the instructional staff of any of the state educational institutions nor of any college in which is taught any of the professions for which a license must be obtained from the department to practice the same in this state, nor shall the commissioner hold any other lucrative office of the state, elective or appointive, during his term, but he shall devote his entire time to the duties of his office.

Sec. 4. Term of officer. The term of office of the commissioner shall be four (4) years, commencing on July first of the year of appointment.

Sec. 5. Vacancies. All vacancies in the office of the commissioner of public health that may occur while the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty (30) days from the date on which the general assembly next convenes. Prior to the expiration of said thirty (30) days the governor shall transmit to the senate for its approval an appointment for the unexpired portion of the regular term. Vacancies occurring during a session of the general assembly shall be filled as regular appointments before the end of said session and for the unexpired portion of the regular term.

Sec. 6. Assistants and employees. The commissioner shall employ such assistants and employees as may be authorized by law, and the persons thus appointed shall perform such duties as may be assigned to them by the commissioner, but the head of the division of examinations and licenses shall not be a person who has been licensed to practice any of the professions for which a license must be obtained from the department to practice the same in this state.

Sec. 7. Bonds of employees. The commissioner shall require every employee who collects fees or handles funds belonging to the state to give an official bond, properly conditioned and signed by sufficient sureties, in a sum to be fixed by the commissioner which bond shall be approved by him and filed in the office of the secretary of state.

Sec. 8. Official seal. The state department of health shall have an official seal and every commission, license, order, or other paper executed by the department may be attested with its seal.

Sec. 9. Expenses. The commissioner, field and office assistants, inspectors, and employees shall, in addition to salary, receive their necessary traveling expenses by the nearest traveled and practicable route and their necessary and incidental expenses when engaged in the performance of official business.

Sec. 13. Office. The state department of health shall be located at the seat of government.

Sec. 14. Powers and duties. The commissioner of public health shall be the head of the "state department of health" which shall:

1. Exercise general supervision over the public health, promote public hygiene and sanitation, and, unless otherwise provided, enforce the laws relating to the same.

2. Conduct campaigns for the education of the people in hygiene and sanitation.

3. Issue monthly health bulletins containing fundamental health principles and other health data deemed of public interest.

4. Make investigations and surveys in respect to the causes of disease and epidemics, and the effect of locality, employment, and living conditions upon the public health. For this purpose the department may use the services of the experts connected with the bacteriological and epidemiological laboratory at the state university.

5. Make inspections of the sanitary conditions in the educational, charitable, correctional, and penal institutions in the state.

6. Make inspections of the sanitary conditions in any locality of the state upon written petition of five (5) or more citizens from said locality, and issue directions for the improvement of the same, which shall be executed by the local board.

7. Make inspections of the public water supplies, sewer systems, sewage treatment plants, and garbage and refuse disposal plants throughout the state, and direct the method of installation and operation of the same.

8. Establish, publish, and enforce a code of rules governing the installation of plumbing in cities and towns and amend the same when deemed necessary in the manner prescribed in the following section. Said rules and amendments shall be published in the same manner as other rules of the department.

9. Exercise general supervision over the administration of the housing law and give aid to the local authorities in the enforcement of the same, and it shall institute in the name of the state such legal proceedings as may be necessary in the enforcement of said law.

10. Hear and determine all appeals from the order of any local board made in connection with the enforcement of the housing law, and enforce its orders therein.

11. Establish stations throughout the state for the distribution of antitoxins and vaccines to physicians, druggists, and other persons at cost. All antitoxin and vaccine thus distributed shall be labeled "Iowa State Department of Health".

12. Exercise general supervision over the administration and enforcement of the venereal disease law, chapter five (5) of this title.

13. Exercise sole jurisdiction over the disposal and transportation of the dead bodies of human beings and prescribe the methods to be used in preparing such bodies for disposal and transportation.

14. Exercise general supervision over the administration and enforcement of the vital statistics law, chapter ten (10) of this title.

15. Enforce the law relative to the "Practice of Certain Professions Affecting the Public Health", title _____ of this code.

16. Establish and maintain such divisions in the department as are necessary for the proper enforcement of the laws administered by it, including a division of contagious and infectious diseases, a division of venereal diseases, a division of housing, a division of sanitary engineering, a division of vital statistics, and a division of examinations and licenses; but the various services of the department shall be so consolidated as to eliminate unnecessary personnel and make possible the carrying on of the functions of the department under the most economical methods.

17. Establish, publish, and enforce rules not inconsistent with law for the enforcement of the provisions of this title and for the enforcement of the various laws, the administration and supervision of which are imposed upon the department.

Sec. 14-a1. Plumbing regulations. The code of rules governing the installation of plumbing provided for in the preceding section may be amended biennially as conditions may require. The necessary amendments shall be determined by a plumbing code committee which shall be appointed by the commissioner of public health on or before July first, nineteen hundred twenty-five (1925), and every four (4) years thereafter. Such committee shall consist of the engineer who is head of the division of sanitary engineering, the commissioner of health, the housing commissioner, one master plumber and one journeyman plumber. The engineer member shall be chairman of the committee.

Sec. 14-a2. Powers of plumbing committee. The committee shall meet at the call of the chairman, which shall be issued during the month of December of each even-numbered year. It shall continue in session until it has agreed upon the amendments deemed necessary to the existing code governing the installation of plumbing.

Sec. 14-a3. Compensation and expenses of committee. The members of the committee shall receive no compensation for their services, but they shall receive their necessary traveling and hotel expenses in discharging the duties prescribed in the preceding section.

Sec. 14-a4. Plumbing code revision fund. Cities and towns licensing plumbers shall pay to the treasurer of state one dollar (\$1.00) for each license issued and twenty-five cents (25c) for each renewal thereof. The fees so received shall be kept by the treasurer of the state in a separate fund to be known as the plumbing code fund. Such fund shall be used in paying the claims arising under the preceding section and in paying the cost of printing the code of rules governing the installation of plumbing, plumbers' license and application blanks.

Sec. 15. Housing law applicable to mining camps. When the health conditions

in any mining camp become a menace to the health of the inhabitants thereof, the department shall require compliance with the provisions of the housing law in so far as the same may be reasonably applicable in such camp.

Sec. 16. Permits for construction of new mining camps. No new mining camp shall be constructed of more than five (5) houses until a written permit is secured from the department. Application for said permit shall be made in writing, accompanied by a plat of the proposed camp showing in detail the location, topography, character of the houses to be built, and the provisions to be made for drainage, sewage, outside toilets, and water supply. Within three (3) weeks from the receipt of such application the department shall inspect the proposed camp and, if satisfied that the same will comply with the general provisions of the housing law as far as reasonably applicable, shall issue the permit requested.

Sec. 16-a1. Investigation of pollution of water. The department may upon its own initiative investigate the alleged pollution or corruption of any stream or body of water which is rendering the same unwholesome or unfit for domestic use, or as a public water supply, or which is rendering it deleterious to fish life, and the department shall make such investigation upon the written petition of:

1. The council of any city or town.
2. Any local board of health.
3. The trustees of any township.
4. Twenty-five residents of the state.

The power vested by this section in the department shall not apply, however, to the lower five thousand (5,000) feet of any stream flowing into a river at a place where such river forms a part of the boundary line of the state.

Sec. 16-a2. Time and place of hearing. Upon the filing of such petition or upon the institution of such proceeding by the department, it shall make an order fixing the time and place for a hearing which shall not be less than ten (10) days thereafter. Such hearing shall be public and shall be carried on as far as possible in the same manner as a court hearing and every alleged offender shall have the right to appear by counsel, present testimony, and examine witnesses.

Sec. 16-a3. Notice. Notice of the time and place of hearing shall be served upon each alleged offender at least ten (10) days before said hearing in the manner required for the service of notice of the commencement of an ordinary action in a court of record.

Sec. 16-a4. Order. After such hearing the department may, if it believes the alleged offender is guilty of the charges, enter an order directing such person to desist in the practice found to be the cause of such pollution or corruption, or it may order a change in the method of passing waste materials into the water so that the same will be rendered innocuous and harmless.

Sec. 16-a5. Reasonable time for compliance. If any such change is ordered, unless such practice is rendering such water dangerous to the public health, a reasonable time shall be granted to the offender in which to put in use the method ordered.

Sec. 16-a6. Record. The department shall keep a complete record of such proceeding, including all the evidence taken, and such record shall be open to public inspection.

Sec. 16-a7. Appeal. An appeal may be taken by the aggrieved party from any order entered in such proceeding to the district court of the county in which the alleged offense was committed. Such appeal shall be perfected by serving a written notice on the commissioner of public health within thirty (30) days of the entry of such order.

Sec. 16-a8. Transcript. Within thirty (30) days after an application for an appeal is filed with the commissioner, he shall make, certify, and file in the office of the clerk of the court to which the appeal is taken, a full and complete transcript of all documents and papers relating to the case.

Sec. 16-a9. Trial term - precedence. The first term after the appeal is taken shall be the trial term, and if the appeal is taken during a pending term, it shall be triable during such term at any time after ten (10) days from the date that the transcript is filed by the commissioner. The hearing on appeal shall be tried as a suit in equity and shall be de novo.

Sec. 16-a10. Violation of order - contempt. Failure to obey any order made by the department with reference to matters pertaining to the pollution of streams shall constitute contempt. In such event the department may certify to the district court of the county in which such disobedience shall occur, or to the district court of Cook county, the fact of such failure. The district court shall then proceed to hear and determine the matter and to punish for contempt to the same extent as though such failure were in connection with an order made by the district court which is made punishable by contempt. Any party found guilty of contempt under this section shall be fined not to exceed one thousand dollars (\$1000.00) or be imprisoned for failure to pay such fine. The penalties provided in this section shall be considered as additional to any penalty which may be imposed under the law relative to nuisances or any other statute relating to the pollution of streams, and a conviction under this section shall not be a bar to prosecution under any other penal statute.

Sec. 17. Notice of adoption of rules. Immediately after the adoption of any rule the department shall forward a certified copy of such rule to the county auditor of each county and to each local board of health. When such rule shall be amended, notice of said amendment shall be given in the same manner.

Sec. 18. Time rules take effect. The rules of the department shall take effect and be in force in the respective counties from and after the date stated in the certified copies of said rules which are forwarded to the county auditors.

Sec. 19. Publication and distribution of rules. The department shall publish from time to time a sufficient number of its rules to supply the needs of the several counties. The county auditor shall annually forward to the department a certified list of the names and addresses of the clerks of all the local boards of health in his county. Upon receipt of said list the department shall forward to the local boards sufficient copies for distribution in each county, and the clerk of the local board shall upon request furnish a copy of said rules to any resident, physician, or citizen.

Sec. 20. Refusal of local board to enforce rules. If any local board shall fail to enforce the rules of the state department or carry out its lawful directions, the department may enforce the same within the territorial jurisdiction of such local board, and for that purpose it may exercise all of the powers given by statute to the local board, and may employ the necessary assistants to carry out its lawful directions.

Sec. 21. Expenses for enforcing rules of department. All expenses incurred by the state department in determining whether its rules are enforced by a local board, and in enforcing the same when a local board has failed to do so, shall be paid in the same manner as the expenses of enforcing such rules when enforced by the local board.

Sec. 22. Duty of peace officers to enforce rules. All peace officers of the state when called upon by the department shall enforce its rules and execute the lawful orders of the department within their respective jurisdictions.

Sec. 23. Interference with health officer. Any person resisting or interfering with the department, its employees or authorized agents, in the discharge of any duty imposed by law shall be guilty of a misdemeanor.

Sec. 24. Biennial report. The department shall make a report to the governor in each even-numbered year, at the time provided by law, which shall include all receipts and disbursements for the year, such information and statistics concerning the public health and enforcement of the several laws administered by it, and such instruction upon the subject of hygiene and sanitation as may be thought useful for dissemination among the people, with such suggestions as to legislation as may be deemed advisable.

Sec. 25. Appropriations. The following sums, or so much thereof as may be necessary, are hereby annually appropriated, for the biennium ending June thirtieth, nineteen hundred twenty-five (1925), to the department from any funds in the state treasury not otherwise appropriated:

1. Ten thousand dollars (\$10,000.00) for the purpose of enabling the department to make the various inspections, investigations, and surveys authorized by paragraphs four (4) to seven (7), inclusive, of section fourteen (14).

2. Five thousand dollars (\$5,000.00) for the purpose of administering the housing law and carrying out the provisions of sections fifteen (15) and sixteen (16).

3. Ten thousand dollars (\$10,000.00) for the registration of vital statistics including the printing of forms and such other expenses as may be required in maintaining a division of vital statistics.

4. Two thousand dollars (\$2,000.00) for the distribution of anti-toxin and vaccine.

Sec. 26. Penalty. Any person who knowingly violates any provision of this chapter, or of the rules of the department, or any lawful order, written or oral, of the department or of its officers or authorized agents shall be guilty of a misdemeanor.

CHAPTER 2

STATE BOARD OF HEALTH

Sec. 27. Composition of board of health. The state board of health shall consist of:

1. The commissioner of public health.
2. The members of the executive council.
3. Five health officers to be appointed by the governor.

Sec. 27-a. Appointment of members of board of health. The governor shall appoint, prior to the second Tuesday in January in nineteen hundred twenty-five (1925) and every two (2) years thereafter, the five (5) health officers provided for in the preceding section, who shall serve for a period of two (2) years or until their successors are appointed and qualify. Not more than one of such health officers shall be appointed from any one congressional district.

Sec. 28. Duties of board of health. The state board of health shall be an advisory body to the state department of health and shall have the following powers and duties:

1. To consider and study the entire field of legislation and administration concerning public health, hygiene, and sanitation.
2. To advise the department relative to:
 - a. The causes of disease and epidemics, and the effect of locality, employment, and living conditions upon the public health.
 - b. The sanitary conditions in the educational, charitable, correctional, and penal institutions in the state.
 - c. The public water supplies, sewer systems, sewage treatment plants, and garbage and refuse disposal plants, and the method of installing and operating the same.
 - d. Contagious and infectious diseases, quarantine and isolation, venereal diseases, antitoxins and vaccines, housing, and vital statistics.
3. To recommend policies and practices to the department relative to any duty imposed upon it by law, which recommendations shall be given due consideration by the department.
4. To appoint a committee, upon the request of the department, to advise with the department relative to any duty imposed upon it by law.
5. To investigate the conduct of the work of the department, and for this purpose it shall have access at any time to all books, papers, documents, and records of the department.
6. To advise or make recommendations to the governor and general assembly relative to public health, hygiene, and sanitation.
7. To adopt rules, not inconsistent with law, for its internal control and management, a copy of which rules shall be filed with the department.
8. To act by committee, or by a majority of the board.
9. To keep minutes of the transactions of each session, regular or special, which shall be public records and filed with the department.

Sec. 29. Submission of questions to board by department. The department may lay before the board, or any committee thereof, at any regular or special meeting, any matter upon which it desires the advice or opinion of such body or committee.

Sec. 30. Time of meetings. The board shall meet semi-annually, on the second Tuesday in July and January of each year, and at such other times as may be deemed necessary by the commissioner of public health or the governor. The officer calling a special meeting of the board shall give each member ten (10) days' written notice by mail of such meeting. A majority of the members of the board shall constitute a quorum.

Sec. 31. Place of meetings. The meetings of the board shall be held at the seat of government unless otherwise ordered by the board. The executive council shall furnish the board with suitable quarters in which to hold its meetings.

Sec. 33. Officers. At the meeting held in July of each year a president and secretary shall be elected from the board, who shall serve for a period of one year. At the request of the board the department shall furnish an executive clerk from the regular employees of the department to record the minutes of the meetings of the board.

Sec. 34. Supplies. The department shall furnish the board of health with all articles and supplies required for the public use and necessary to enable the board to perform the duties imposed upon it by law. Such articles and supplies

shall be obtained by the department in the same manner in which the regular supplies for the department are obtained and the same shall be considered and accounted for as if obtained for the use of the department.

Sec. 35. Compensation and expenses of board members. The members of the board shall receive no compensation as such, but the traveling expenses of the members shall be paid from any funds in the state treasury not otherwise appropriated.

Sec. 36. Publication of proceedings. Upon request of the board the department shall incorporate the proceedings of the board, or any part thereof, in its biennial report to the governor, and the same shall be published as a part of the official report of the department.

CHAPTER 3

LOCAL BOARD OF HEALTH

Sec. 37. Organization of local board of health. The local board of health shall consist:

1. In cities and towns, of the mayor, health physician, and members of the city or town council.
2. In townships, of the members of the board of township trustees.

Sec. 38. Chairman of local board - duties. In cities and towns the mayor shall be chairman of the local board, and when said board is not in session he shall as mayor and as chairman of said board enforce the statutes of the state relative to public health and the rules of the state department and local board. In townships the trustees shall elect one (1) of their number as chairman who shall have the same duties as the chairman of the local board in cities and towns.

Sec. 39. Clerk of local board - duties. The town, city, or township clerk, as the case may be, shall be clerk of the local board, keep its records, and perform such other duties as may be prescribed by the local board.

Sec. 40. Health officer of local board. Each local board shall have a health officer who shall be a physician, or one specially trained in public hygiene and sanitation. In cities and towns the health physician shall be such health officer. In every other case the local board shall appoint said health officer who shall hold office during its pleasure.

Sec. 41. Appointment of sanitation and quarantine officer. Upon request of the local board, the mayor in every city or town shall appoint a member of the police force to be a permanent sanitation and quarantine officer who shall be subject to the orders and directions of the local board and its health officer in the execution of health and quarantine regulations.

Sec. 42. Meetings. The local board shall meet for the transaction of business on the first Monday of April and November in each year and at such other times as it may deem necessary.

- Sec. 43. Duties of local board. The duties of the local board shall be:
1. To obey and enforce the rules and lawful orders of the state department.
 2. To furnish the state department at the times and in the manner prescribed by the department, reports of its proceedings.

3. To establish, maintain, and terminate quarantines in all cases of quarantinable diseases as may be required by law or by the rules of the state department.

4. To make such rules, not inconsistent, with law or the rules of the state department as may be necessary for the enforcement of the various laws, the administration of which is imposed upon the local board.

5. To have, subject to the rules of the state department, charge of the burial or disposal of the dead and of all cemeteries dedicated to public use not legally controlled by other trustees or persons.

6. To regulate all fees and charges of persons employed by it in the execution of health laws, its own rules, and those of the state department.

Sec. 44. Publication of rules. All rules adopted by the local board shall take effect after publication in some newspaper of general circulation in the city, town, or township in which said board has jurisdiction, or after posting a copy of the same in five (5) public places therein.

Sec. 45. General duties of health officer. The health officer shall be the advisor of the local board in all matters pertaining to the public health, the control of communicable diseases, the establishment, maintenance, and termination of quarantine, sources of filth, disposal of garbage, refuse, and night soil, and the pollution of wells and other sources of water supply; and he shall recommend to the local board the proper measures to be taken by it for the abatement of unhealthful conditions and for the preservation of the public health.

Sec. 46. Special duties of health officer. At least twice each year, and oftener if necessary, the health officer shall personally inspect, or cause to be inspected, the schools, public buildings, and public utilities within the jurisdiction of the local board, and he shall recommend to the local board the necessary measures to be taken by it for the maintenance of such schools, public buildings, and public utilities in a sanitary condition. In case of sickness where no physician is in attendance, the health officer shall investigate the character of such sickness and report his findings to the local board.

Sec. 47. Additional duties of health officer. In addition to his statutory duties the health officer shall perform such other duties as the local board may assign to him.

Sec. 48. Right to enter premises to abate nuisances. The local board, health officer, or sanitation officer may enter any building, vessel, or other place for the purpose of examining into, preventing, or removing any nuisance, source of filth, or cause of sickness.

Sec. 49. Abatement of nuisance. The local board may order the owner, occupant, or person in charge of any property, building, or other place, to remove at his own expense any nuisance, source of filth, or cause of sickness found thereon, by serving on said person a written notice, stating some reasonable time within which such removal shall be made, and if such person fails to comply with said order, the local board may cause the same to be executed at the expense of the owner or occupant.

Sec. 50. Closing of premises. In such cases the local board may order the occupants of said place to move therefrom and fix some reasonable time for compliance therewith. If the order is not complied with, said board may forcibly remove the occupants and close the premises; and said place shall not be again occupied as a dwelling or place of business without the written permission of the local board.

Sec. 51. Refusal of admittance - warrant. In case any member of the local board, the health officer, or the sanitation officer, in proceeding under the authority of the three (3) preceding sections, shall be refused entry to any place, complaint may be made under oath to any magistrate of the county, whether a member of the local board or not, and said magistrate shall thereupon issue his warrant, directed to some peace officer of the county, commanding him between the hours of sunrise and sunset, accompanied by two (2) or more members of said board, the health officer, or the sanitation officer, to prevent, remove, or destroy any nuisance, source of filth, or cause of sickness, found to exist in said place, which order shall be executed by said officer under the direction of the members of the local board, the health officer, or the sanitation officer.

Sec. 52. Collection of costs for abating nuisance. All expenses incurred by the local board in proceeding under the four (4) preceding sections may be recovered by suit in the name of the local board, or said board may certify the amount of said expenses, together with a description of the property, to the county auditor who shall enter the same upon the tax books as costs for removing a nuisance and said amount shall be collected as other taxes.

Sec. 53. Peace officers to enforce rules and orders. Peace officers, when called upon by the local board, shall enforce its rules and execute the lawful orders of said board.

Sec. 54. Interference with health officers. No person shall interfere with the local board, or its officers, or authorized agents, in the discharge of any duty imposed by law, or the rules of the state department or the local board.

Sec. 55. Penalty. Any person who knowingly violates any provision of this chapter, or of the rules of the local board, or any lawful order, written or oral, of said board, or of its officers or authorized agents, shall be guilty of a misdemeanor.

CHAPTER 4

CONTAGIOUS AND INFECTIOUS DISEASES

Sec. 56. Definitions. For the purposes of this chapter:

1. "Communicable disease" shall mean any infectious or contagious disease.
2. "Placard disease" shall mean whooping cough, measles, mumps, chickenpox, or any other disease designated as a placard disease by the state department.
3. "Quarantinable disease" shall mean scarlet fever (including scarlet rash and scarletina), smallpox, diphtheria, (including membranous croup), cholera, leprosy, cerebro-spinal meningitis, anterior poliomyelitis, Spanish influenza, bubonic plague, or any other disease designated as quarantinable by the state department.
4. "Quarantine" shall mean the complete detention of a person within his own residence or temporary place of abode and the exclusion of the public from said place for the purpose of safeguarding the public from a communicable disease.
5. "Isolation" shall mean the removal of a person from his own residence or temporary place of abode and detention in some special place, from which the public is excluded, for the purpose of safeguarding the public from a communicable disease.

Sec. 57. Form of warning signs and reports. The form of quarantine, temporary quarantine, and warning signs shall be prescribed by the rules of the state

department, and the forms for all reports required by this chapter shall be likewise prescribed.

Sec. 58. Reporting of quarantinable and placard diseases. The physician, attending any person infected with a quarantinable disease or placard disease shall immediately report the same orally to the local board or to one of its officers and at once follow said report with a written report. Such reports shall be made in accordance with the rules of the state department and the local board. In case there is no attending physician, the parents, guardian, school teacher, or the householder of the premises wherein such disease exists shall report the same.

Sec. 59. Reporting quarantinable and placard diseases to department. All quarantinable and placard diseases shall be reported by the local board to the state department as prescribed by the rules of the department.

Sec. 60. Care of persons infected with communicable diseases. In case any person shall be infected with any communicable disease, dangerous to the public health, whether a resident or otherwise, the local board shall make such orders in regard to the care of said person as are necessary to protect the public health, and said orders shall be executed by the mayor, township clerk, health officer, or sanitation officer as the local board may direct or provide by its rules.

Sec. 61. Establishment of quarantine. A quarantine shall be established in every case of a quarantinable disease, and in such cases the infected person may be removed and isolated in a separate house or hospital for detention and treatment. All quarantines and isolations ordered under the authority of this section shall be executed in accordance with the rules of both the state department and the local board.

Sec. 62. Placard diseases not quarantined. A quarantine shall not be established in case of a placard disease, but a warning sign shall be posted which shall serve merely as a warning to the public.

Sec. 63. Warning signs required. All quarantinable and placard diseases shall, as soon as possible, be definitely diagnosed and the proper warning sign placed in a conspicuous place on the house, dwelling, or place in which the quarantinable or placard disease exists.

Sec. 64. Temporary quarantine pending diagnosis. When the type of the disease cannot be immediately determined or diagnosed, a temporary quarantine shall be established and all the requirements of quarantine shall be observed, but such temporary quarantine shall terminate within forty-eight (48) hours after being established.

Sec. 65. Instructions to persons quarantined or isolated. Every official, when establishing a quarantine or removing an infected person for the purpose of isolation, shall furnish to said person printed instructions relative to the duties and restrictions imposed upon him by law and by the rules of the state department and local board.

Sec. 66. Temporary isolation hospitals. When no detention hospital has been established by the county, the local board shall provide a suitable place, when necessary, for the isolation of persons infected with communicable diseases dangerous to the public health, and the expense incident thereto shall be paid by the county in the same manner as other expenses incurred under the provisions

of this chapter.

Sec. 67. Forcible removal for isolation. The forcible removal and isolation of any infected person shall be accomplished by an application to any civil magistrate in the manner provided in section fifty-one (51) for the removal and abatement of nuisances; and such magistrate shall issue the warrant, as directed in such cases, to remove such person to the place designated by the local board and to take possession of the infected house, lodging room, premises, or effects until the same have been properly fumigated or disinfected.

Sec. 68. Fees for removing for isolation. The officers designated by the magistrate shall be entitled to receive for their services such reasonable compensation as shall be determined by the local board. The amount so determined shall be certified and paid in the same manner as other expenses incurred under the provisions of this chapter.

Sec. 69. Removal to another jurisdiction. No person known to be infected with any communicable disease dangerous to the public health shall move or be removed from the jurisdiction of one (1) local board to the jurisdiction of another local board without the written permission of the local board from whose jurisdiction the infected person is to be removed, and if the removal is to another county, then the written permission of the local board into whose jurisdiction the infected person is to be removed shall also be secured.

Sec. 70. Removal to residence. When the infected person resides not more than fifteen (15) miles from the place at which it is determined that he is infected with a communicable disease dangerous to the public health and said person requests that he be removed to his place of residence, the local board shall grant permission for his immediate removal, unless in its judgment such removal would involve great danger to the infected person or the public health.

Sec. 71. Method of removal to residence. All removals of infected persons as provided in the two (2) preceding sections shall be by private conveyance along the least frequented highways, under escort of the health officer or sanitation officer, and as thoroughly isolated as possible.

Sec. 72. Payment of expenses in removal to residence. All expenses of removal under the preceding section shall be paid by the county in which the infected person has a legal settlement and all bills for said expenses shall be presented, allowed, and paid in the same manner as bills for quarantine and isolation.

Sec. 73. Jurisdiction over detention hospitals. The local board of the city or town which is allowed to maintain a detention hospital for patients infected with communicable diseases, outside the limits of said municipality, shall have exclusive jurisdiction and control of such detention hospital and grounds for the enforcement of all sanitary and health regulations.

Sec. 74. Controversies concerning location of detention hospitals. All controversies arising between local authorities respecting the location of detention hospitals and grounds for the treatment of communicable diseases, shall be referred to the state department, which shall give two (2) days' notice to the parties interested, and after investigating the matter make such order as the facts warrant, which action shall be final.

Sec. 75. Termination of quarantines and isolations. The quarantine or isolation authorized by this chapter may be terminated by the mayor or the township clerk, as the case may be, acting under the rules or directions of the local board.

Sec. 76. Report of termination. The termination of all quarantinable and placard diseases shall be reported by the local board to the state department as prescribed by the rules of the state department.

Sec. 77. Disinfection on termination of quarantinable disease. In case of death from or the termination of any quarantinable disease, the person who was infected and the place of quarantine or isolation, with all persons, furniture, bedding, clothing, and all other articles contained therein, shall be fumigated or disinfected in accordance with the rules of the state department, and under the direction of the local board, which shall require the attending physician to superintend or perform the work. In case there be no attending physician, or in case the attending physician refuses to perform this duty, then the local board shall employ some other suitable person to perform such work.

Sec. 78. Disinfection from other communicable diseases. The undertaker or person in charge of the funeral of any person dying from any communicable disease which is not quarantinable shall within forty-eight (48) hours after the death of such person report to one (1) of the officers of the local board the name and residence of the deceased person, together with the cause of death. Upon receipt of said notice the officer receiving the same shall cause said premises to be disinfected in accordance with the rules of the state department.

Sec. 79. Medical attendance and supplies for quarantined persons. In case any person under quarantine or the persons liable for the support of such person shall, in the opinion of the local board, be financially unable to secure the proper care, provisions, or medical attendance, the local board shall furnish such supplies and services during the period of quarantine and may delegate such duty by its rules to one (1) of its officers or to the health officer.

Sec. 80. Medical attendance and supplies for isolated persons. The local board shall provide the proper care, provisions and medical attendance for every person removed and isolated in a separate house or hospital for detention and treatment, and the same shall be paid for by the county in which the infected person has a legal settlement if patient or legal guardian is unable to pay same.

Sec. 81. Rights of isolated persons. Any person removed and isolated in a separate house or hospital may employ, at his own expense, the physician or nurse of his choice, and may provide such supplies and commodities as he may require.

Sec. 82. Authorization of supplies and services. All services and supplies furnished to individuals or families under the provision of this chapter must be authorized by the local board or by one (1) of its officers acting under the rules of said board, and a written order therefor designating the person or persons employed to furnish such services or supplies, issued before said services or supplies were actually furnished, shall be attached to the bill when the same is presented for audit and payment.

Sec. 83. Filing of bills - approval by local board. All bills incurred in carrying out the provisions of this chapter in establishing, maintaining, and terminating quarantine and isolation, in providing a necessary house or

hospital for isolation, and in making fumigations or disinfections, shall be filed with the clerk of the local board. Said board at its next regular meeting or special meeting called for the purpose shall examine and audit the same and, if found correct, approve and certify the same to the county board of supervisors for payment.

Sec. 84. Rules for allowing claims. All bills for supplies furnished and services rendered for persons removed and isolated in a separate house or hospital, or for persons financially unable to provide their own sustenance and care during quarantine, shall be allowed and paid for only on a basis of the local market price for such provisions, services, and supplies in the locality in which the same shall have been furnished. No bill for disinfecting or fumigating premises or effects shall be allowed unless it shall be found that the infected person or those liable for his support are financially unable to pay the same.

Sec. 85. Approval and payment of claims by supervisors. The board of supervisors shall not be bound by the action of the local board in approving such bills but shall allow the same from the poor fund for a reasonable amount and within a reasonable time.

Sec. 86. Reimbursement from county of legal settlement. If any person receives services or supplies under this chapter who does not have a legal settlement in the county in which such bills were incurred and paid, the amount so paid shall be certified to the board of supervisors of the county in which said person claims settlement or owns property and the board of supervisors of such county shall reimburse the county from which such claim is certified, in the full amount originally paid by it.

Sec. 87. Penalty for exposing to contagious disease. Any person who knowingly exposes another to infection from any communicable disease, or knowingly subjects another to the danger of contracting such disease from a child or other irresponsible person, shall be liable for all damages resulting therefrom, and be punished as provided in this chapter.

Sec. 88. Penalty. Any person who knowingly violates any provision of this chapter, or of the rules of the state department or the local board, or any lawful order, written or oral, of said department or board, or of their officers or authorized agents, shall be guilty of a misdemeanor.

CHAPTER 5

VENEREAL DISEASES

Sec. 89. Venereal disease defined. For the purposes of this chapter "venereal disease" shall mean syphilis, gonorrhoea, or chancroid.

Sec. 90. Physicians to report to local board. Immediately after the first examination or treatment of any person infected with any venereal disease, the physician giving the same shall mail to the local board having jurisdiction over the place in which the examination or treatment was given a report stating the case number, age, sex, color, marital condition, and occupation of said person and the nature, probable origin, and previous duration of such disease.

Sec. 91. Distribution of information. Every physician who examines or treats a person infected with any venereal disease shall give said person at the time of the first examination or treatment a circular of information con-

cerning venereal disease and a copy of the provisions of this chapter, and he shall include in the report required by the preceding section a statement that the requirements of this section have been complied with.

Sec. 92. Notification of former physician. When a person applies for treatment of any venereal disease, the physician shall ascertain whether such person has previously consulted or employed some other physician for the same purpose, and if so, to immediately notify the physician last consulted or employed that the infected person is now under his care and treatment.

Sec. 93. Penalty for false information. Any person infected with a venereal disease who shall refuse to give or who falsely gives to a physician any information concerning prior treatment for the same, or relative to the name and address of the physician last consulted or employed, shall be punished as provided in this chapter.

Sec. 94. Conditions under which name is to be reported. After a person infected with any venereal disease has consulted or employed a physician and fails to report to said physician for treatment during a period of ten (10) days, the physician shall report the name and address of said person to the local board unless he shall receive during said period of time a report from some other physician that the infected person is now under his care and treatment.

Sec. 95. Circulars of information, laws, and forms. All reports to the local board or by one (1) physician to another concerning persons infected with venereal disease shall be made upon forms to be prescribed by the state department of health, and all circulars of information, copies of the venereal disease law, and forms for reports, which are required to be used or distributed by this chapter, shall be supplied by the department to the proper persons.

Sec. 96. Power of local board in certain cases. When it shall appear to the local board that any person infected with any venereal disease is not under the care and treatment of a physician or has not reported to said physician for a period of ten (10) days, or is not taking recognized precautionary measures to prevent the infection of others, said board shall take such measures as it is authorized to take to protect the public health in the case of other communicable diseases dangerous to the public health, except as otherwise provided in this chapter.

Sec. 97. Isolation in detention hospital. When in the judgment of the local board it is necessary for the protection of the public health that any person infected with any venereal disease be isolated, the mayor or township clerk shall isolate such person in the detention hospital provided for in this chapter and shall cause to be administered to said person a proper course of treatment.

Sec. 98. Establishment of detention hospitals. When in the judgment of the board of supervisors of any county, or when advised by the state department acting with the United States public health service, that it is necessary to provide a detention hospital in the county for the isolation of persons infected with venereal diseases, said board of supervisors may provide such hospital and shall have power to construct, purchase, or rent a suitable place for such purposes and to equip and maintain the same in accordance with plans and specifications provided in advance by the state department.

Sec. 99. Tax levy for detention hospital. For the purposes of the preceding section, including the purchase of real estate for hospital purposes, the board of

supervisors shall have power to levy a special tax for a period not to exceed fifty (50) years, but such levy shall not exceed two (2) mills on the dollar in any one (1) year.

Sec. 100. Bond issue for detention hospital. Any county may anticipate the collection of the tax herein provided and may issue interest-bearing bonds at a rate of interest not to exceed five per cent (5%) per annum, to be denominated hospital bonds. Said bonds and the interest thereon shall be secured by said tax, and shall be payable only out of the hospital fund provided for in the preceding section. No bonds shall be issued in excess of taxes authorized to be levied.

Sec. 101. Conditions of bonds. Such bonds shall be issued and sold in accordance with the provisions of existing statutes relating to the issuance and sale of bonds by counties. In issuing such bonds the board of supervisors may cause portions of the same to become due at different definite periods, but no bonds so issued shall be due and payable in less than three (3) or more than fifty (50) years from date of issue.

Sec. 102. Physician and attendants. The board of supervisors shall appoint and fix the compensation of a physician and such nurses and other attendants as may be necessary to provide proper treatment and care for persons isolated in such detention hospital. In case the board of supervisors shall fail to make such provision the chairman of the local board shall name a physician to render the necessary medical and surgical service and shall provide such other attendants as may be required.

Sec. 103. State department to prescribe rules for detention hospitals. The state department shall prescribe the rules for the maintenance and operation of the detention hospitals provided for in this chapter.

Sec. 104. Termination of isolation. In case of isolation the local board shall not terminate said isolation until the case has become noninfectious or until permission has been given by the state department.

Sec. 105. Test for determining infectiousness. In order to determine whether a venereal disease has become noninfectious an examination shall be made. Gonorrhea shall be deemed to be infectious until at least two (2) successive smears, taken not less than forty-eight (48) hours apart, fail to show gonococci upon a microscopic examination of the same.

Sec. 106. Examination by physicians other than health officer. Any person, subjected to examination under this chapter, may demand that some other physician than the health officer or physician representing the local board shall also make an examination; said physician shall be appointed by the chairman of the local board. In case the health officer or physician representing the local board and said physician cannot agree upon the diagnosis they shall select a third physician to make an examination, and the decision of two (2) of said physicians shall determine the diagnosis.

Sec. 107. Examination of women. In making examinations of women for the purpose of ascertaining the existence of any venereal disease, women physicians shall be appointed for said purpose, if practicable, when requested by the person to be examined.

Sec. 108. Fee for making examination. The compensation of physicians, other than health officers and those representing the local board, for making examinations under this chapter, shall be five dollars (\$5.00) for each exam-

ination.

Sec. 109. Payment of expenses incident to isolation. The expenses incident to isolation under this chapter, including examinations, medical and surgical services, nursing and care, shall be paid as in cases of isolation for other diseases.

Sec. 110. Release on bond. Any person, except a prostitute, infected with any venereal disease may be released from isolation upon bond. Written application for such release shall be made to the local board, under oath, and must state that the applicant is not a prostitute; and such written application shall be accompanied by a certificate to that effect signed by some peace officer, magistrate, township clerk or trustee of the city, town, or township wherein the case occurs.

Sec. 111. Form, amount, and conditions of bond. If the application is approved the applicant shall file with the county auditor a bond in the penal sum of one thousand dollars (\$1,000.00) conditioned that the applicant will not permit or perform any act which might expose to infection any other person, and will continue treatment until cured, and will faithfully observe the rules, and other requirements of the state department, local board, and health officer. Said bond shall run to and for the benefit of the county wherein the venereal disease occurs, and shall be signed by one (1) or more freeholders as sureties, to be approved by the county auditor; but a cash guaranty in a like amount may be accepted in lieu of such bond.

Sec. 112. Examination before release from bond. Before any person is released from any such bond as cured, an examination shall be made in the manner provided in this chapter, and permission secured from the state department.

Sec. 113. Parents responsible for minors. The parents of minors acquiring venereal diseases, and living with said parents shall be legally responsible for the compliance of such minors with the provisions of this chapter.

Sec. 114. Information and reports confidential. The identity of persons infected with venereal disease shall be kept secret and all information, records and reports concerning the same shall be confidential and shall be inaccessible to the public, but said records and reports shall be open to inspection by law-enforcing officers and to persons who have contracted venereal diseases from infected persons.

Sec. 115. Druggists to keep record of remedies sold. Every pharmacist or person who sells any proprietary drug, preparation, or article of any kind used for the cure or treatment of any venereal disease shall keep a record of the name, address, and sex of each purchaser. A copy of said record shall be mailed each week to the health officer of the city, town, or township wherein the sale was made.

Sec. 116. Suppression of prostitution - certificates. The local board, health officer, sanitation officer, and all other officers enforcing the provisions of this chapter shall use all proper means of suppressing prostitution, and no certificate or other evidence of freedom from venereal disease shall be issued by said officers.

Sec. 117. Penalty for transmitting disease. Any person infected with any venereal disease who shall transmit the same to another person, or expose another to infection by intercourse, shall be punished as provided in this chapter, and in addition thereto shall be liable to the party injured for all damages sustained by reason of said injury.

Sec. 118. Penalty for failing to report. Any physician who fails to make or falsely makes any of the reports required by this chapter concerning persons infected with any venereal disease, or who discloses the identity of such person, except as herein provided, shall be punished as provided in this chapter.

Sec. 119. Inspection of suspected cases. In all suspected cases of venereal disease in the infectious stages, the local board shall immediately use every available means to determine whether the person suspected is infected with said disease and if so, to ascertain the sources of such infection.

Sec. 120. Health officer to make examination. The health officer in each city, town, or township shall examine every person reasonably suspected of having any venereal disease in the infectious stages to ascertain if such person is so infected, but no person shall be subjected to such examination who is under the care and treatment of a physician and is taking recognized precautionary measures to prevent the infection of others.

Sec. 121. Temporary isolation of suspects. Persons reasonably suspected of being infected with any venereal disease may be temporarily isolated in the detention hospital provided for in this chapter by the local board until an examination can be made.

Sec. 122. Prophylactic treatment of eyes of new born. Every physician shall immediately, upon the birth of an infant, instill into the eyes of such newly born infant a prophylactic solution approved by the state department.

Sec. 123. Detection of eye infection after birth. Every physician who shall detect any inflammation, swelling, or redness in the eyes of any infant, or any unnatural discharge therefrom, within six (6) months after its birth, shall immediately treat such child with the prophylactic solution prescribed in the preceding section. Any other person having the care of such child who shall discover any such condition of the eyes, within said time, shall immediately report the same and the location of such infant to the local board.

Sec. 124. Certain children exempted. Nothing in the two (2) preceding sections shall be construed to require medical treatment for the minor child of any person who is a member of a well recognized church or religious denomination, and whose religious convictions in accordance with the tenets or principles of his church or religious denomination are against medical treatment for disease.

Sec. 125. Penalty. Any person violating any of the provisions of this chapter shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment in the county jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

CHAPTER 6

DISPOSAL OF DEAD BODIES

Sec. 126. Definitions. For the purpose of this chapter:

1. "Local registrar" shall mean the local registrar of vital statistics
2. "State registrar" shall mean the state registrar of vital statistics
3. "Registration district" or "district" shall mean the district established by law for the registration of vital statistics.
4. "Person" shall include firm and corporation.
5. "Dead body" shall mean the dead body of a human being.

Sec. 127. Death certificate and burial or removal permit required. No person

without securing a proper death certificate and a burial or removal permit, shall:

1. Keep a dead body for more than seventy-two (72) hours after death or discovery of the same.
2. Remove such body from or into any registration district in this state.
3. Bury or make other final disposition of such body in this state.

Sec. 128. Execution and filing of death certificates. The undertaker or other person in charge of the funeral or disposition of the body of every person dying in this state shall be responsible for the proper execution of a death certificate, which shall be filled out in durable black ink, in a legible manner, and filed with the local registrar of the registration district in which the death occurred or the body was found.

Sec. 129. Contents of death certificate. The certificate of death shall be executed on the United States standard form, approved by the bureau of the census, and shall contain the following items:

PART I

CERTIFICATION OF PERSONAL PARTICULARS

1. Place of death, including state, county, township, town, city, or industrial camp. If in a city, the street, and house number; if in a hospital or other institution, the name of the same shall be given in place of the street and house number.
2. Full name. If an unnamed child, the surname preceded by "unnamed".
- 2-a. Residence. Length of residence in city or town where death occurred, and in the United States, if of foreign birth.
3. Sex.
4. Color or race, as white, black, mulatto (or other Negro descent), Indian, Chinese, Japanese, or other race.
5. Conjugal condition, as single, married, widowed, or divorced.
6. Date of birth, including the year, month, and day.
7. Age, in years, months, and days. If less than one day, the hours or minutes.
8. Occupation. The occupation of every person, male or female, who had any remunerative employment, shall be reported stating:
 - a. Trade, profession, or particular kind of work.
 - b. General nature of industry, business, or establishment in which employed (or employer).
9. Birthplace; at least state or foreign country, if known.
10. Name of father.
11. Birthplace of father; at least state or foreign country, if known.
12. Maiden name of mother.
13. Birthplace of mother; at least state or foreign country, if known.
14. Name and address of informant.

PART II

CERTIFICATION OF DEATH AND LAST SICKNESS PARTICULARS

15. Date of death, year, month, day, and hour. Time last seen alive.
17. Period of medical attendance.
18. Cause of death, showing the course of disease or sequence of causes resulting in the death, giving first the name of the disease causing death (primary cause) and the contributory (secondary) cause, if any, and the duration

of each, and whether attributable to dangerous or insanitary conditions of employment.

Causes of death which may be the result of either disease or violence shall be carefully defined; and if from violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, or homicidal.

Indefinite and unsatisfactory terms, denoting only symptoms or disease or conditions resulting from disease, will not be sufficient.

19. For deaths in hospitals, institutions, or of nonresidents, the length of residence at place of death and in the state, together with the place where disease was contracted, if not at place of death, and former or usual residence shall be given.

20. Signature and address of physician or official making the certification of death and last sickness particulars.

PART III

CERTIFICATION OF BURIAL PARTICULARS

21. Place of burial or removal.

22. Date of burial or removal.

23. Signature and address of undertaker or person acting as such.

PART IV

ATTESTATION

24. Official signature of registrar, with the date when certificate was filed, and registration number.

Sec. 130. Duty to furnish particulars. In the execution of a death certificate, the personal particulars shall be obtained from the person best qualified to supply them. The death and last sickness particulars shall be furnished by the attending physician, or in the absence of such person, or if there be no such person, by the health officer or coroner. The burial particulars shall be supplied by the undertaker or person acting as such. Each informant shall certify to the particulars supplied by him by signing his name below the list of items furnished.

Sec. 131. Deaths without medical attendance. In case of any death occurring without medical attendance, the undertaker, or person acting as such, shall notify the local registrar of such death, and when so notified such registrar shall inform the local health officer and refer the case to him for immediate investigation. If the local registrar has reason to believe that the death may have been due to unlawful act or neglect, he shall report the case to the coroner. In such cases the coroner shall furnish such information as may be required by the state registrar in order to classify the death.

Sec. 132. Stillbirths. A certificate of death and a burial or removal permit shall be required for every stillborn child which has advanced to the fifth month of uterogestation. The cause of death in such certificate shall be stated as "stillborn", with the cause of the stillbirth, if known. If a premature birth, such fact shall be stated and the period of uterogestation, in months, if known. Stillbirth occurring without the attendance of a physician shall be treated as deaths without medical attendance as provided in the preceding section.

Sec. 133. Issuance of burial permit - correction of certificate. Upon receipt of a death certificate the local registrar shall:

1. If the certificate is properly executed and complete, issue a burial or removal permit, as may be desired, to the undertaker or other person filing the same.

2. If the certificate is incomplete or improperly executed, return such certificate to the undertaker or other person filing the same for immediate correction.

Any person supplying any of the particulars in such certificate shall complete or correct the same in accordance with the directions of the local registrar.

Sec. 134. No fee for burial or removal permit. No fee shall be charged by a local registrar for the issuance of a burial or removal permit.

Sec. 135. Completeness of certificate of death. No certificate of death shall be held complete and correct that does not supply all of the particulars called for in the United States standard form certificate, detailed in accordance with the rules of the state department of health, or satisfactorily account for their omission.

Sec. 136. Deaths from communicable diseases. In case a death occurs from some communicable disease, as defined in the chapter on contagious and infectious diseases, no permit for the removal or other disposition of the body shall be issued by the local registrar, except under such rules as may be prescribed by the state department.

Sec. 137. Contents of burial permit. The burial or removal permit shall be issued upon a form prescribed by the state department and shall state:

1. The name, age, sex, cause of death, and other necessary details required by the state department.

2. That a satisfactory certificate of death has been filed as required by law.

3. That permission is granted to inter, remove, or otherwise dispose of the body.

Sec. 138. Burial in district other than place of death. No burial permit shall be required from the local registrar of the district in which a burial is to be made, when a body is removed from one district to another district in this state, for purpose of final disposition.

Sec. 139. Transportation of bodies - papers to be attached to box. No person or common carrier shall ship or receive for shipment within this state or to any point outside the state, by any public conveyance, a dead body unless the box containing the corpse shall have attached thereto an embalmer's certificate showing the name and official number of the embalmer by whom the body was prepared, and the method of preparation employed.

Sec. 140. Shipping papers to be carried by escort. In addition to the requirements of the preceding section, the person accompanying the body shall have in his possession:

1. A copy of the physician's or coroner's certificate of cause of death.

2. A transit permit issued by the local board or local registrar.

Sec. 141. Shipment of bodies by express. When the body is shipped by express a copy of the certificate of cause of death and the transit permit shall be attached to the waybill and delivered with the body at destination.

Sec. 142. Issuance of shipping permit. All transit permits shall be issued

by the local board or local registrar upon application of an embalmer and shall be signed by the local health officer or local registrar. No transit permit shall be issued to any embalmer who is not in good standing as shown by the records of the state department.

Sec. 144. Importation of dead bodies. A body imported from outside the state shall be subject to the same rules as to transportation as bodies shipped from within the state.

Sec. 145. Burial permit for imported bodies. When a dead body is transported from outside this state into the state for final disposition, the transit or removal permit, issued in accordance with the law and health regulations of the place where the death occurred, shall be accepted by the local registrar of the district into which the body is transported, as a basis upon which to issue a local burial permit. The fact that such body was shipped into this state for burial, and the actual place of death shall be noted on the face of the burial permit by the local registrar.

Sec. 146. Shipments for scientific purposes. The provisions of this chapter relating to the transportation and importation of dead bodies, shall not be applicable to the shipment within this state of dead bodies intended for use for scientific purposes when the same are so designated by the shipper. Such bodies shall be prepared and shipped under special rules provided for that purpose by the state department.

Sec. 147. Disinterment for reburial. No person shall disinter the dead body of a human being for removal from one grave to another in the same cemetery or for removal to another cemetery without obtaining from the state department a permit for that purpose, and the department may by rule entirely prohibit disinterments for such purpose of the bodies of persons who have died of extremely contagious diseases. A dead body, properly prepared by an embalmer and deposited in a receiving vault, however, shall not be considered as a buried body within the meaning of this section.

Sec. 147-a1. Disinterment for autopsy. No person shall disinter the dead body of a human being for the purpose of holding an autopsy thereon in order to determine the cause of death without obtaining for that purpose either:

1. An order of the district court of the county in which the body is buried, or
2. A special permit from the state department of health.

Sec. 147-a2. Application for disinterment. An application to the state department for a disinterment permit either for the purpose of reburial or for holding an autopsy shall be upon a form furnished by the department and shall state:

1. Name of person whose body is to be disinterred.
2. Date of death.
3. Age at death.
4. Cause of death.
5. Name and location of the cemetery (county and township) from which the body is to be removed, and the same items concerning the cemetery in which the body is to be reinterred.
6. Relation of the applicant to the deceased person.
7. Name of the embalmer who is to perform the disinterment.
8. Such other information as the department may require.

Sec. 147-a3. Application for court order. An application for a court order

for a disinterment for the purpose of holding an autopsy may be made by the county attorney, coroner, or any attorney representing any party in any criminal or civil proceedings. Such application shall contain substantially the items required in an application for a permit made to the state department of health, and such other information as the court may direct.

Sec. 147-a4. Granting of application. No application for a permit to disinter for the purpose of holding an autopsy shall be granted by the court or state department except under circumstances such as to cause the belief that someone is criminally or civilly liable for such death. A proper showing shall be made in every case and due consideration shall be given to the public health, the dead, and the feelings of relatives and friends. The limitations of this section shall not apply when the application is made by the surviving spouse or next of kin.

Sec. 147-a5. Authority under permit. No person who is granted a permit to disinter the dead body of a human being for the purpose of reburial shall open the casket containing such body or permit an autopsy thereon. Such acts may only be performed under a special permit granted by the state department or under an order of court as provided in this chapter.

Sec. 147-a6. Method of making disinterment. Every disinterment shall be made by an embalmer and shall be performed in accordance with the rules of the state department governing the same.

Sec. 148. Delivery of burial permit. The undertaker, or person acting as such, shall deliver the burial, removal, or disinterment permit to the person in charge of the cemetery before interring, disposing of, or disinterring any body therein.

Sec. 149. Duty of sexton. The person in charge of every cemetery shall see that all the requirements of this chapter relative to burial, removal, and disinterment permits have been complied with before any burial, disposal, or disinterment is made in said cemetery.

Sec. 150. Indorsement and return of burial permit. Such person shall indorse upon said permit the date of burial, disposal, or disinterment, over his signature, and shall return the same to the local registrar of the district in which the cemetery is located within ten (10) days from the date of burial, or within the time fixed by the state department. In case reburial is made in another cemetery after disinterment, the disinterment permit shall accompany the body and shall be dealt with as an original burial permit.

Sec. 151. Record of burials to be kept. The record-keeping officer of every cemetery shall make and keep a permanent record of all burials, disposals, disinterments, or reburials made in such cemetery, which record shall at all times be open to public inspection. This record shall, in each case, state the name of each deceased person, place of death, date of burial, disposal, disinterment, or reburial and name and address of the undertaker.

Sec. 152. Procedure when no person in charge of cemetery. In case there is no person in charge of the cemetery, the undertaker, or person acting as such, shall sign said permit, giving the date of burial, disposal, or disinterment, and shall write across the face of said permit the words "No person in charge", and file the same, within ten (10) days, with the local registrar of the district in which the cemetery is located.

Sec. 153. Issuance of forged papers. Any person who shall issue a forged death certificate, burial, removal, disinterment, or transit permit, or who

shall certify falsely as to the cause of death or the preparation of a dead body, shall be guilty of forgery and punished accordingly.

Sec. 154. Penalty. Any person who shall violate any provision of this chapter shall be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00), or be imprisoned not more than thirty (30) days in the county jail, or be punished by both such fine and imprisonment.

CHAPTER 7

DEAD BODIES FOR SCIENTIFIC PURPOSES

Sec. 153. Delivery of bodies for scientific purposes. The body of every person dying in a public asylum, hospital, county home, penitentiary, or reformatory in this state, or found dead within the state, and which is suitable for scientific purposes, shall be delivered to the medical college of the state university, or some osteopathic or chiropractic college or school located in this state, which has been approved under the law regulating the practice of osteopathy or chiropractic, but no such body shall be delivered to any such college or school if the deceased person expressed a desire during his last illness that his body should be buried or cremated, nor if such is the desire of his relatives or friends. Such bodies shall be equitably distributed among said colleges and schools in accordance with such rules as may be adopted by the state department of health, but the number so distributed shall be in proportion to the number of students matriculated at each college or school. The expense of transporting said bodies to such college or school shall be paid by the college or school receiving the same.

Sec. 156. Bodies furnished to physicians. When there are more dead bodies available for use under the preceding section than are desired by said colleges or schools, the same may be delivered to physicians in the state for scientific study under such rules as may be adopted by the state department.

Sec. 157. Notification of state department - instructions. Every coroner, undertaker, and the managing officer of every public asylum, hospital, county home, penitentiary or reformatory, as soon as any dead body shall come into his custody which may be used for scientific purposes as provided in the two (2) preceding sections, shall at once notify the nearest relative or friend of the deceased, if known, and the state department by telegram, and hold such body unburied for forty-eight (48) hours. Upon receipt of such telegram the department shall telegraph instructions relative to the disposition to be made of said body.

Sec. 158. Surrender of bodies to relatives. When any dead body which has been delivered under this chapter for scientific purposes is subsequently claimed by any relative or friend, it shall be at once surrendered to such relative or friend for burial without public expense; and all bodies received under this chapter shall be held for a period of sixty (60) days before being used.

Sec. 159. Disposal after dissection. The remains of every body received for scientific purposes under this chapter shall be decently buried or cremated after it has been used for said purposes, and a failure to do so shall be a misdemeanor.

Sec. 160. Record of receipt of dead bodies. Any college, school, or physician receiving the dead body of any human being for scientific purposes shall keep a record showing:

1. The name of the person from whom, and the time and place, such body was received.

2. The description of the receptacle in which the body was received, including the shipping direction attached to the same.

3. The description of the body, including the length, weight, and sex, apparent age at time of death, color of hair and beard, if any, and all marks or scars which might be used to indentify the same.

4. The condition of the body and whether mutilated so as to prevent identification.

Sec. 161. Record and bodies subject to inspection. The record required by the preceding section and the dead body of every human being recieved under this chapter shall be subject to inspection by any peace officer, or relative of the deceased.

Sec. 162. Purpose for which dead body may be used. The dead bodies delivered under this chapter shall be used only within the limits of this state for the purpose of scientific, medical, and surgical study, and no person shall remove the same beyond the limits of this state or in any manner traffic therein. Any person who shall violate this section shall be punished by imprisonment for a term not exceeding one (1) year in the county jail.

Sec. 163. Failure to deliver dead body - penalty. Any person having the custody of the dead body of any human being which is required to be delivered for scientific purposes by this chapter, who shall fail to notify the state department of the existence of such body, or fail to deliver the same in accordance with the instructions of the department, shall be punished by a fine not exceeding fifty dollars (\$50.00).

Sec. 164. Use of dead body without proper record - penalty. Any physician or member of the instructional staff of any college or school who uses, or permits others under his charge to use the dead body of a human being for the purpose of medical or surgical study without the record required in the fourth preceding section having been made, or who shall refuse to allow any peace officer or relative of the deceased to inspect said record or body, shall be punished by imprisonment in the county jail not exceeding one (1) year, or by a fine not exceeding one thousand dollars (\$1,000.00), or by both.

Sec. 165. Penalty. Any person who shall receive or deliver any dead body of a human being knowing that any of the provisions of this chapter have been violated, shall be imprisoned in the penitentiary not more than two (2) years, or fined not exceeding twenty-five hundred dollars (\$2,500.00), or both.

CHAPTER 8

PUBLIC HEALTH NURSES

Sec. 166. Authority to employ public health nurses. The board of supervisors of any county, the council of any city or town, or the school board of any school district may employ public health nurses at such periods each year and in such numbers as may be deemed advisable. The compensation and expenses thereof shall be paid out of the general fund of the political subdivision employing said nurses.

Sec. 167. Cooperation of political subdivisions. The said boards and councils within any county may cooperate in the employment of public health nurses and may apportion the expenses therefor to the various political subdivisions represented by said authorities.

Sec. 168. Duties of public health nurses. The authorities employing

any public health nurses shall prescribe their duties which in a general way shall be for the promotion and conservation of the public health.

CHAPTER 9

MATERNITY HOSPITALS

Sec. 169. Maternity hospital defined. For the purposes of this chapter "maternity hospital" shall mean any place maintained for the reception, care, and treatment of women during pregnancy, or maintained for adopting or aiding in the adoption or disposal of any child born therein.

Sec. 170. General hospitals exempted. This chapter shall not apply to any general hospital for the treatment of diseases or for the care of obstetrical and surgical cases.

Sec. 171. License required. No person shall operate a maternity hospital without obtaining a license from the state department of health.

Sec. 172. Certain locations prohibited. No maternity hospital shall be operated within two hundred (200) feet of any church building, school, educational institution, public park, or in a building situated within seventy-five (75) feet of premises owned by another.

Sec. 173. Applications for license. Every application for a license to operate a maternity hospital shall be made in writing to the state department, accompanied by the legal inspection fee, and said application shall contain the name and address of the person to whom the license is to be issued, and a description of the location of the place to be used.

Sec. 174. Affidavit to accompany application. The application shall be accompanied by the affidavit of two (2) physicians stating that the person named in said application is personally known to each of said physicians and that he is of good character and reputation; that said physicians have personally examined the place named in the application and that the same is properly equipped for a maternity hospital; and that the operation of such a maternity hospital will be for the public convenience.

Sec. 175. Examination of proposed hospital. Before issuing a license to operate a maternity hospital the state department shall cause the place described in said application to be inspected, and shall satisfy itself as to the correctness of the matters set forth therein and in the accompanying affidavit.

Sec. 176. Form of license. Each license shall name the person to whom authority is given to operate a maternity hospital and shall describe the place in which said hospital is to be operated. Not more than one (1) license shall be issued for the operation of a maternity hospital upon the same premises.

Sec. 177. Fees - expiration of license - renewals. The initial inspection fee for a proposed maternity hospital shall be five dollars (\$5.00), and the license fee for operating such a hospital shall be twenty-five dollars (\$25.00). Each license shall expire one (1) year from the date of issue. The state department may renew any license upon payment of a renewal fee of five dollars (\$5.00). No fee provided in this section shall be required of any religious or charitable institution operating a maternity hospital.

Sec. 178. Revocation of license. Any license issued under this chapter may be revoked after reasonable notice by the state department, and a conviction for any violation of this chapter or any rule of the department shall operate as a revocation of said license.

Sec. 179. Hospital register. The person in charge of every maternity hospital shall keep a register showing the name, age, and sex of each person received or born in said hospital, the date of entry, or birth, the date of removal, or death, and in case of death, the age at which the same occurred, and the disposition of every child, or its body, born in said hospital, and of the names and addresses of the persons who removed said child, or its body. All entries in said register shall be made within twenty-four (24) hours after the occurrence of the event which is required to be recorded.

Sec. 180. Reports to state department. Within twenty-four (24) hours after the birth or death of any person in a maternity hospital the person in charge of the same shall make a report to the state department upon blanks furnished by the department, containing all the items concerning each case which are required to be entered upon the register by the preceding section.

Sec. 181. Use of assumed names and descriptions. In case the name of a mother cannot be ascertained for any record required by this chapter then the assumed name given by her shall be used; and under like circumstances, when a child has no name, a description of the child shall be used.

Sec. 182. Reports open to inspection of certain persons. All reports received by the state department under the second preceding section shall be kept of record and shall be accessible to the members of the board of control of state institutions, the attorney general, and any county attorney, but said reports shall not be accessible to any other person except on the order of a court of record.

Sec. 183. Articles of adoption to be procured. The person in charge of any maternity hospital who shall adopt or dispose of by adoption or assist in the adoption of any child born in said hospital, shall have the proper articles of adoption executed and recorded as required by law.

Sec. 184. Access to hospitals to make inspections. The state department or local board or any person designated in writing by either of said agencies shall have full access to a maternity hospital at all times for the purpose of inspecting the same or examining the register required to be kept therein.

Sec. 185. Local board to inspect and report. The local board shall inspect each maternity hospital within its jurisdiction at least once in six (6) months, and shall file an accurate report of such inspection with the state department, and such report shall be preserved as a permanent record.

Sec. 186. Unlawful operation of hospital a nuisance. Any place operated as a maternity hospital in violation of this chapter shall be deemed to be a nuisance, and the same may be abated by injunction proceedings.

Sec. 187. Penalty. Any person violating any of the provisions of this chapter or making any false entry on the register required to be kept by this chapter shall be punished by a fine of not more than two hundred fifty dollars (\$250.00), or by imprisonment in the county jail not more than six (6) months, or by both such fine and imprisonment.

REGISTRATION OF VITAL STATISTICS

Sec. 188. Definitions. For the purpose of this chapter:

1. "Local registrar" shall mean the local registrar of vital statistics.
2. "State registrar" shall mean the state registrar of vital statistics.
3. "Vital statistics" shall mean statistics concerning births, deaths, marriages, and divorces.
4. "Person" shall include firm and corporation.

Sec. 189. Registration districts. For the purpose of this chapter the following areas shall constitute a primary registration district:

1. Each city and town.
2. Each civil township having no city or town within, or partly within, its limits.
3. The portion of each civil township lying outside of any city or town located within, or partly within, such township.

Sec. 190. Consolidation of districts. The state department of health may combine two (2) or more primary registration districts when necessary to facilitate registration.

Sec. 191. State registrar. The commissioner of public health shall be the state registrar.

Sec. 192. Quarters and equipment. Suitable quarters shall be provided by the executive council for the division of vital statistics at the seat of government, which shall be properly equipped with fireproof vault and filing cases for the permanent and safe preservation of all official records made and returned under this chapter.

Sec. 193. Local registrars - appointment - tenure. The board of supervisors in each county shall appoint a local registrar for each registration district in the county. The term of office of each local registrar shall be four (4) years, and he shall serve until his successor has been appointed and has qualified.

Sec. 194. Deputy registrars - appointment. Each local registrar shall, immediately upon his acceptance of appointment as such, appoint a deputy, who shall act in his place in case of absence or disability; and such deputy shall, in writing, accept such appointment.

Sec. 195. Subregistrars - appointment. When it appears necessary for the convenience of the people in any rural district, the local registrar may, with the approval of the state department, appoint one or more suitable persons to act as subregistrars, who shall be authorized to receive birth and death certificates and to issue burial or removal permits in and for such portions of the district as may be designated.

Sec. 196. Removal of registrars. Any local registrar, deputy registrar, or subregistrar, who in the judgment of the state department fails or neglects to make prompt and complete return of births and deaths, and otherwise efficiently discharge the duties of his office, shall be forthwith removed by the department.

Sec. 197. Duties of state registrar. The state registrar shall:

1. Have general supervision of the registration of vital statistics.
2. Have supervisory power over local registrars, deputy registrars, and subregistrars, and clerks of the district court in the enforcement of the law relative to the disposal of dead bodies and the registration of vital statistics.
3. Prepare and issue such detailed instructions as may be required to procure the uniform observance of the provisions of said law and the maintenance of a perfect system of registration.
4. Furnish blank certificates of births, deaths, and other forms and record books required by this chapter to all persons concerned with the administration of the same. No other blanks and records shall be used than those supplied by the state registrar.
5. Carefully examine the certificates received from the local registrars and clerks of the district court, and if any such are incomplete or unsatisfactory he shall require such further information to be supplied as may be necessary to make the record complete and satisfactory.
6. Systematically arrange, bind, and deposit in the state historical building at the seat of government, the original certificates of births, deaths, and marriages for the preceding calendar year.
7. Prepare and maintain a comprehensive and continuous card index of all births, deaths, marriages, and divorces reported. Said index shall be arranged alphabetically:
 - (a) In the case of deaths, by the names of decedents.
 - (b) In the case of births, by the names of fathers, mothers, and children.
 - (c) In the case of marriages and divorces, by the names of both parties.

Sec. 198. Duties of local registrar. The local registrar shall, subject to the direction and supervision of the state registrar:

1. Strictly and thoroughly enforce the law relative to the disposal of dead bodies and the registration of births and deaths in his registration district.
2. Issue instructions to all physicians, undertakers, and the people in general in his district, concerning the registration of births and deaths.
3. Distribute to the proper persons all forms and blanks required for the registration of births and deaths, and for the making of other records incident thereto.
4. Distribute to every physician, undertaker, and retail casket dealer registered in his district, a copy of the law relative to the registration of vital statistics and the disposal of dead bodies, and of the rules of the state department pertaining thereto.
5. Carefully examine each certificate of birth or death when presented for record, in order to ascertain whether it has been made out in accordance with law and the instructions of the state registrar; and if any such certificate is incomplete or unsatisfactory, he shall have the same corrected.
6. Number consecutively the certificates of birth and death, in two separate series, beginning with number one (1) for the first birth and the first death in each calendar year, and sign his name as registrar in attestation of the date of filing in his office.
7. Make a complete and accurate copy of each birth and death certificate registered by him in a record book supplied by the state registrar, to be preserved permanently in his office as the local record.
8. On the tenth day of each month, transmit to the state registrar, in a stamped, return envelope, furnished by the state registrar, all original certificates registered by him for the preceding month. If no births or deaths occur in any month, he shall on the tenth day of the following month report that fact to the state registrar, on a card provided for such purpose.
9. Make a return, within thirty (30) days after the close of each

calendar year, to the state registrar of all physicians, undertakers, or retail casket dealers who have been registered in his district during the whole or any part of the preceding calendar year.

10. Make an immediate report to the state registrar of any violation of the law relative to registration of vital statistics and the disposal of dead bodies of which he has knowledge.

Sec. 199. Duty of subregistrars. Each subregistrar shall note on each certificate, over his signature, the date of filing, and shall forward all certificates to the local registrar of the district within ten (10) days, and in all cases before the third day of the following month.

Sec. 200. Regulation governing deputy and subregistrars. Every provision of this chapter, of the chapter relative to the disposal of dead bodies, and of the rules of the state department applicable to local registrars in the registration of births and deaths, and the issuance of burial permits, shall apply to deputy registrars and subregistrars.

Sec. 201. Birth certificates required. Within ten (10) days after each birth there shall be filed with the local registrar of the district in which the birth occurred a certificate of such birth filled out with durable black ink in a legible manner.

Sec. 202. Contents of birth certificates. The certificate of birth shall be executed on the United States standard form, approved by the bureau of the census, and shall contain the following items:

1. Place of birth, including state, county, township, town, or city. If in the city, the street, and the house number; if in a hospital or other institution, the name of the same shall be given in place of the street and house number.
2. Full name of child. If the child dies without a name, before the certificate is filed, the words "died unnamed" shall be entered. If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" shall be left blank, to be filled out by a supplemental report, as hereinafter provided.
3. Sex of child.
4. Plurality of birth. Whether a twin, triplet, or other plural birth; number of each child in order of birth. A separate certificate shall be required for each child in case of plural births.
5. Legitimacy of birth; whether legitimate or illegitimate.
6. Date of birth, including the year, month and day.
7. Full name of father. If the child is illegitimate, the name of the putative father shall not be entered without his consent, unless the paternity of the child has been determined in a regular legal proceeding instituted for that purpose, but the other particulars relating to the putative father (items nine to twelve, inclusive) shall be entered, if known; otherwise, as "Unknown".
8. Residence of father.
9. Color or race of father.
10. Age of father at last birthday, in years.
11. Birthplace of father; at least state or foreign country, if known.
12. Occupation of father. The occupation shall be reported if engaged in any remunerative employment, stating:
 - a. Trade, profession, or particular kind of work.
 - b. General nature of industry, business, or establishment in which employed (or employer).
13. Maiden name of mother.
14. Residence of mother.

15. Color or race of mother.
16. Age of mother at last birthday, in years.
17. Birthplace of mother; at least, state or foreign country, if known.
18. Occupation of mother. The occupation shall be reported if engaged in any remunerative employment, stating:

- a. Trade, profession, or particular kind of work.
- b. General nature of industry, business, or establishment in which employed (or employer).

19. Number of children born to the mother, including present birth.

20. Number of children of the mother living.

21. Certification of attendance at birth, including:

- a. Statement of year, month, day (as given in item six).

- b. Hour of birth.

- c. Whether the child was born alive or stillborn.

This certification shall be signed by the attending physician with date of signature and address. If there is no physician in attendance, then by the father or mother of the child, householder, owner of the premises, or manager or superintendent of the public or private institution where the birth occurred, or other competent person.

22. Exact date of filing in office of local registrar, attested by his official signature, and registration number of birth.

Sec. 203. Duty of person in attendance at birth. The attending physician, or person acting as midwife, shall be responsible for the proper execution and return of a certificate for each birth, in accordance with the provisions of this chapter.

Sec. 204. Reporting occurrence of birth. In case there is no physician, or person acting as midwife in attendance upon the birth, a report of the same shall be made within ten (10) days thereafter to the local registrar of the district in which the birth occurred. It shall be the duty of the following persons, in the order named, to make such reports:

1. The father or mother of the child.

2. The householder or owner of the premises where the birth occurred.

3. The manager or superintendent of the public or private institution in which the birth occurred.

Sec. 205. Certificate of birth by registrar. When the report of a birth is received under the preceding section, the local registrar shall secure from the person so reporting, or from any other person having the required knowledge, such information as will enable him to prepare the proper certificate of birth.

Sec. 206. Incomplete certificates of birth. No certificate of birth shall be held complete and correct that does not supply all of the items of information called for in the United States standard form certificate, detailed in accordance with the rules of the state department, or satisfactorily account for their omission. If a certificate of birth is incomplete, the local registrar shall immediately notify the informant and require him to supply the missing items of information if they can be obtained, or he may obtain them from any other person having the required knowledge.

Sec. 207. Interrogation of informants. Every person making a return of a birth or reporting the same, or who may be interrogated in relation thereto, shall answer correctly, and to the best of his knowledge, all questions put to him by the local registrar which may be calculated to elicit any information needed to make a complete record of the birth as provided in this chapter, and the informant, as to any statement made in accordance herewith, shall verify such

statement by his signature, when requested to do so by the local registrar.

Sec. 208. Supplemental return of name of child. When any certificate of birth of a living child is presented without the statement of the given name, then the 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 local registrar as soon as the child shall have been named.

Sec. 209. Stillborn children. A stillborn child shall be registered as a birth, and also as a death as provided in the chapter on "Disposal of Dead Bodies". A certificate of both the birth and death shall be filed with the local registrar, in the usual form and manner. The certificate of birth shall contain in place of the name of the child, the word "stillbirth". Such certificates shall not be required for a child that has not advanced to the fifth month of uterogestation.

Sec. 210. Altering birth or death certificates. No certificate of birth or death, after its acceptance for registration by the local registrar and no other record made in pursuance of this chapter, shall be altered or changed in any respect except by amendments properly dated, signed and witnessed.

Sec. 211. Institutional records of personal particulars. Every superintendent in charge of any hospital, county home, jail, reformatory, penitentiary or other institution, public or private, to which persons resort for treatment of diseases or for confinement, or are committed by process of law, shall keep a record, as directed by the state registrar, of all the personal particulars and data relative to each patient, inmate, or prisoner in such institution which are required in the United States standard forms of birth and death certificates.

Sec. 212. Source of information. The personal particulars and data required by the preceding section shall be obtained from the individual himself if practicable to do so; and when not, the same shall be obtained in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts.

Sec. 213. Time of making institutional record. Such record shall be made for each patient, inmate, or prisoner at the time of his admittance; and in case of each person admitted or committed for treatment of disease, the physician in charge shall specify for entry in the record the nature of the disease, and where, in his opinion, it was contracted.

Sec. 214. Registration of physicians, undertakers, and casket dealers. Every physician, undertaker, and retail casket dealer, shall, not later than the first day of January of each year, register his name, address, and occupation with the local registrar of the district in which he resides. Such registration shall also be made immediately upon removing to another registration district.

Sec. 215. Record of casket sales. Every person selling a casket at retail shall keep a record, which shall be open at all times to the state and local registrar for inspection, showing:

1. Name of purchaser.
2. Purchaser's postoffice address.
3. Name of deceased.
4. Date and place of death of deceased.

This section shall not apply to any person selling caskets at wholesale to undertakers or other dealers.

Sec. 216. Report of casket sales. On the first day of each month every person selling caskets at retail shall report to the state registrar each sale for the preceding month, on a blank provided for that purpose. Such reports shall not be required from undertakers when they have direct charge of the disposition of the dead body for which a casket is sold.

Sec. 217. Information to accompany caskets. Every person selling a casket at retail, and not having charge of the disposition of the body, shall inclose within the casket the following:

1. A notice furnished by the state registrar, calling attention to the requirements of the law relative to the disposal of dead bodies and the registration of vital statistics.
2. A blank certificate of death.
3. The rules and regulations of the state department concerning the disposal of dead bodies.

Sec. 218. Duty to furnish information. Upon demand of the state registrar in person, by mail, or through the local registrar, every physician, informant, undertaker, or other person having knowledge of the facts relative to any birth or death, shall supply such information as he may possess, upon a form provided by the state registrar or upon the original birth or death certificate.

Sec. 219. Private genealogy records. If any person, organization, company, society, or association is in possession of any record of births or deaths which may be of value in establishing the genealogy of any resident of this state, such person, company, society, or association may file such record, or a duly authenticated transcript thereof, with the state registrar. The state registrar shall preserve such record or transcript and make an index thereof in such form as to facilitate the finding of any information contained therein. Such record and index shall be open to public inspection, subject to such reasonable conditions as the state registrar may prescribe.

Sec. 220. Certified copies of private records. The state registrar shall, upon request, supply to any applicant for any proper purpose, a certified copy of any record filed under the preceding section. For his services, the state registrar shall charge a fee of fifty cents (50c) for each hour or fractional part of any hour spent in making such copy, and twenty-five cents (25c) for attaching his certificate thereto.

Sec. 221. Fee for registering birth or death. Each local registrar shall be paid twenty-five cents (25c) for each birth or death certificate properly executed, filed, recorded, and returned to the state registrar, as required by law.

Sec. 222. Fee for reporting no registration. In case no birth or death is registered during any month, the local registrar shall be paid the sum of twenty-five cents (25c) for a report to that effect, made within the time prescribed in this chapter.

Sec. 223. No fee for registering physicians and others. No fee or other compensation shall be charged by any local registrar to any physician, undertaker, or casket dealer for registering his name under this chapter or making return thereof to the state registrar.

Sec. 224. Payment of local registrars. All amounts payable to a registrar under the provisions of this chapter shall be paid by the county in which the registration district is located, immediately upon certification

by the state registrar, in the manner in which other claims are paid by the county. The state registrar shall annually, or at such other times as he may deem expedient, certify to the auditor of each county the number of births and deaths properly registered in said county, with the name of each registrar and the amount due him as fees under the provisions of this chapter.

Sec. 225. Record book of marriages and divorces. The clerk of the district court in each county shall keep a record book for marriages and a record book for divorces. The form of said books shall be uniform throughout the state and shall be prescribed by the state department. Said book shall be provided at the expense of the county.

Sec. 226. Contents of record book for marriages. The record book for marriages shall show the same items and personal particulars for each marriage solemnized in the county as are required in the return of a marriage as prescribed by the chapter on "Marriage" in the title on "Domestic Relations."

Sec. 227. Contents of record book for divorces. The record book for divorces shall show the following items for each divorce granted in the county:

1. Full name, color, age, nationality, and number of prior marriages of each of the parties.
2. Date of marriage.
3. Cause of divorce.
4. Date of divorce.
5. Person to whom divorce granted (husband or wife).
6. Such additional data respecting each divorce as the state department may prescribe.

Sec. 228. Source of entries for record books. The items respecting each marriage shall be taken from the return whereof, and the items respecting each divorce shall be taken as far as possible from the court records. The other data necessary to complete the entries in the record book of divorces shall be supplied by the parties to the action or by their attorneys.

Sec. 229. Reporting marriages and divorces to state registrar. The clerk of the district court shall on or before the first day of February of each year transmit to the state registrar:

1. All the original returns of marriages filed in his office during the preceding calendar year.
2. A copy of the entries made in the record book for divorces for every divorce granted in the county during the preceding calendar year.
3. Such other data relative to marriages and divorces as the state registrar may prescribe.

Sec. 230. Certified copies of records - fees. The state registrar shall, upon request, supply to any applicant for any proper purpose, a certified copy of the record of any birth, death, or marriage registered under the provisions of this chapter, for the making and certifying of which he shall charge a fee of fifty cents (50c).

Sec. 231. Search of records - fee. In cases in which search of the files and records is made, but no certified copy is requested, or the requested record is not found, the state registrar shall charge a fee of fifty cents (50c) for each hour or fractional part of an hour spent in search.

Sec. 232. Free certified copies. Upon request of any parent or guardian, the state registrar shall supply, without charge, a certificate limited to a statement as to the date of birth of any child, when the same shall be necessary for admission to school or for the purpose of securing employment.

Sec. 233. United States Census Bureau may obtain records. The United States census bureau shall have the privilege of making, at its own expense and without paying the legal fees, copies of all records and vital statistics provided for in this chapter.

Sec. 234. Accounting for fees. The state registrar shall keep a true and correct account of all fees received by him and turn the same over to the state treasurer as provided by law.

Sec. 235. Certified copies of record as evidence. Any certified copy of the record of a birth, death, or marriage, made under this chapter, shall be presumptive evidence in all courts and places of the facts therein stated.

Sec. 236. System exclusive. No system for the registration of births, deaths, or marriages shall be maintained in the state or any of its political subdivisions other than the one provided for in this chapter.

Sec. 237. Investigation of violations. The state department shall have authority to investigate cases of irregularity or violation of the law relative to the registration of vital statistics and the disposal of dead bodies, and all registrars shall aid the department in such investigation.

Sec. 238. Duty of county attorney. The state department shall report, when deemed necessary, cases of violation of said law to the proper county attorney, with a statement of the facts and circumstances; and when any such case is reported to such county attorney he shall forthwith initiate and promptly follow up the necessary court proceedings against the person responsible for the alleged violation of law.

Sec. 239. Duty of attorney general. Upon request of the state department, the attorney general shall assist in the enforcement of the provisions of this chapter and of the chapter relative to the disposal of dead bodies.

Sec. 240. Penalty. Any person violating any of the provisions of this chapter or of any rule of the state department relative thereto, or falsifying any certificate of birth or any record established by this chapter, shall be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00), or be imprisoned not more than thirty (30) days in the county jail, or be punished by both such fine and imprisonment.

Sec. 241. Second offense - penalty. If any person who has been convicted under the preceding section shall be again convicted of a violation of any of the provisions of this chapter or of any rule of the state department relative thereto, on a similar charge, he shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00), or by imprisonment in the county jail not to exceed sixty (60) days, or by both such fine and imprisonment; and if a physician, he shall, in addition, have his license to practice his profession revoked; but such former conviction shall be referred to in the indictment or information, stating the court, date, and place that judgment was rendered.

CHAPTER 11

TEMPORARY AND SPECIAL PROVISIONS

Sec. 242. Continuation of present board of health. The members of the state board of health as constituted on July first, nineteen hundred twenty-four (1924), shall continue in office, irrespective of their terms of appointment, until this title takes effect, when said board shall cease to exist and shall be superseded by the state department of health provided for in chapter one (1) of this title.

Sec. 242-a1. Secretary of present board of health. The secretary of the state board of health in office at the time this title takes effect shall become the commissioner of public health provided for in chapter one (1) of this title and shall continue in such office until July first, nineteen hundred twenty-five (1925), when he shall be superseded by the commissioner of public health appointed under the provisions of said chapter.

Sec. 242-a2. Civil and sanitary engineer member of present board of health. The civil and sanitary engineer member of the state board of health in office at the time this title takes effect shall become the head of the division of sanitary engineering provided for in chapter one (1) of this title and shall continue in such position until July first, nineteen hundred twenty-five (1925), when he shall be superseded by such person as may be appointed by the commissioner of public health under the provisions of said chapter.

Sec. 242-a3. Plumbing code committee. The commissioner of public health shall, immediately upon the taking effect of this title, appoint a plumbing code committee under the provisions of chapter one (1) of this title. Said committee shall meet as soon as possible after its appointment and shall discharge the duties prescribed for such committee in said chapter. The committee provided for in this section shall cease to exist on July first, nineteen hundred twenty-five (1925) and shall be superseded by the committee appointed under chapter one (1) of this title.

Sec. 242-a4. Plumbing code fund. Immediately upon the taking effect of this title the treasurer of state shall transfer the balance remaining in the plumbing inspection fund under the provisions of chapter three hundred seventy-eight (378), acts of the thirty-eighth general assembly, to the plumbing code fund provided in chapter one (1) of this title and said fund shall become available at once for the payment of the expenses of the committee provided for in the preceding section.

Sec. 243. Amendment of certain statutes. Every statute of this state in which appears the words "state board of health", or any similar expression of the same import, is hereby amended by striking out said words or expression and inserting in lieu thereof the words "state department of health", or some similar expression of the same import. The code editor shall apply this amendment to every section affected in preparing the permanent Code for final publication.

Sec. 244. Omission from permanent Code. The provisions of this chapter are temporary in character and the code editor shall omit the same from the permanent Code when prepared for final publication.

Approved April 23, 1924.