

within said county, then in a newspaper published at the capital of this state for a period of three successive weeks.

§ 4. TIME ALLOWED.] Such vendee or purchaser, or his assigns, shall have thirty (30) days after the service of such notice upon him in which to perform the conditions or comply with the provisions upon which the default shall have occurred; and upon such performance, and upon making such payment, together with the costs of service of such notice, such contract or other instrument shall be reinstated, and shall remain in force and effect, the same as if no default had occurred therein. No provision in any contract for the purchase of land, or an interest in land, shall be construed to obviate the necessity of giving the aforesaid notice, and no contract shall terminate until such notice is given, any provision in such contract to the contrary notwithstanding.

§ 5. EMERGENCY.] Whereas, an emergency exists, inasmuch as there is no adequate law regulating the proceedings to be had before the rights of vendee or purchaser shall terminate, this act shall take effect and be in force from and after its passage and approval.

Approved March 9, 1903.

VITAL STATISTICS.

CHAPTER 205.

[S. B. No. 145—Taylor.]

COLLECTION OF VITAL STATISTICS.

AN ACT to Amend and Re-enact Sections 274a, 274b, 274c, 274d, 274e, 274f, 274g, of Chapter 4 of the Political Code of 1899, Relating to the Collection and Reporting of Vital Statistics, Prescribing the Duties of Officers Who Collect and Report Such Statistics, Defining the Duties of County Auditors in Relation Thereto, and Fixing Compensation and Method of Paying the Same, and Providing Penalties for the Violation of this Act.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That sections 274a, 274b, 274c, 274d, 274e, 274f, and 274g, of chapter 4 of the political code of 1899, be amended and re-enacted so as to read as follows:

§ 274a. VITAL STATISTICS, COLLECTION OF.] The health officer of each city, the clerk of each civil township, and in counties not organized into civil townships, the county commissioner of such county for the district for which he was elected, and the superintendent of the county board of health of each county in the state, shall obtain and register the following facts concerning the births, deaths,

and contagious and infectious diseases occurring therein, separately numbering and recording the same in the order in which he obtains them, designating in separate columns, viz: In the registry of births, the date of birth, the name of the child, (if it have any), the sex and color of the child, names and places of birth of parents and numbering and recording the same in the order in which he obtains date of death, the name of deceased, the sex and color, and the condition, whether single, widowed or married, the age and place of birth, the names and places of birth of parents, the disease or cause of death, and the date of the record; in the registry of infectious and contagious diseases, the name of the person affected, the sex, color and age of the person, the nature of the disease, and the date of record.

The county auditor of each county shall furnish each officer within his county, charged with the duties herein provided, at the expense of the county, a book in which to register the facts concerning the births, deaths and infectious and contagious diseases as herein provided.

The superintendent of each county board of health shall keep his records in the office of the county judge of said county.

§ 274b. NOTICE TO PROPER OFFICERS.] Where no physician is employed, it shall be the duty of the parents to give notice to the proper officer within whose jurisdiction they reside, of the births and deaths of their children, or of the presence of any infectious or contagious disease occurring within their household, within twenty-four hours, or three days if outside of incorporated limits of cities, towns and villages as to births and deaths only, of such occurrence and the oldest person next of kin, the keeper or other proper officer of every workhouse, poorhouse, reform school, jail, prison, hospital, asylum, or other public or charitable institution, shall give like notice of any birth, death, infectious or contagious disease occurring among the persons under his charge. Whoever neglects or refuses to give such notice within the period of twenty-four hours, or three days if outside of incorporated limits of cities, towns and villages as to births and deaths only, after the occurrence of such birth, death or infectious or contagious disease, shall upon conviction forfeit a sum not to exceed twenty dollars, to be collected as other fines are collected by law.

§ 274c. PHYSICIAN'S CERTIFICATE.] Any physician having last attended a deceased person during his illness, shall within twenty-four hours after decease of such person, furnish for registration to the proper officer within whose jurisdiction such death occurs, a certificate of the duration of the last illness, the name of the deceased, sex, color and age, place of birth, names of parents, the disease of which the person died and the date of decease. Any physician having attended a case of confinement shall within twenty-four hours, or three days if outside of incorporated limits of cities, towns and villages, as to births and deaths only, thereafter furnish for registration

to the proper officer within whose jurisdiction such event occurred, a certificate of the date of birth, name of child, (if it have any), sex and color, with the names, dates and places of birth of the parents. Any physician attending a case of infectious or contagious disease shall immediately notify the health officer within whose jurisdiction such disease exists, giving the name of the patient, place of residence, and the character of the disease, and shall in addition thereto, for the purpose of keeping the record of vital statistics complete, certify the facts to the clerk of the civil township within whose district such disease occurred, or in counties not organized into civil townships, then to the county commissioner having the proper jurisdiction, giving name of patient, place of residence and character of disease. Except as to infectious or contagious diseases, it shall be sufficient within the meaning of this section, to send the certificates of births and deaths to the proper officers, by mail; and it is hereby made the duty of the county auditor to furnish, after each election, the name of the clerk of each organized civil township, with his postoffice address, and in counties or districts having no organized civil townships, the name of the county commissioner having jurisdiction, with his postoffice address, to every physician duly registered within his county. Any physician neglecting to perform the duties herein prescribed, shall forfeit a sum not exceeding fifty dollars for each offense, to be collected as other fines are collected.

§ 274d. OFFICERS SHALL TRANSMIT CERTIFIED COPY. COMPENSATION.] It shall be the duty of the health officer of each city and the clerk of each organized civil township of each county in this state, and in counties not organized into civil townships, the county commissioner of such county for the district for which he was elected, to make and send a copy of the registry of births, deaths and infectious and contagious diseases to the superintendent of the county board of health of each county in the state, not later than the tenth of each month, a certified copy of the registry of births, deaths and infectious or contagious diseases occurring within preceding month; and the superintendent of the county board of health of each county in this state, shall make and send to the state superintendent of health on or before the fifteenth day of each month, a copy of the records showing all births, deaths and infectious or contagious diseases reported to him for the preceding month within his county. The county auditor shall furnish the proper blank for this purpose at the expense of the county. The health officer of each city shall receive for the making of such record and reporting the same, the sum of ten cents for each separate record of births, deaths and diseases so made and reported as herein provided, to be paid out of the general fund of such city in the same manner as other bills and accounts against such city are allowed and paid. The clerk of each organized civil township of any county in this state shall receive for the making of such record and reporting the same the sum of ten cents for each

separate record of births, deaths and diseases so made and reported as herein provided, to be paid out of the general fund of such township in the same manner as other bills and accounts against such township are allowed and paid. In counties not organized into civil townships the county commissioner of such county for the district for which he was elected shall receive for the making of such record and reporting the same, the sum of ten cents for each separate record of births, deaths and diseases so made and reported as herein provided, to be paid out of the general fund of said county in the same manner as other bills and accounts against said city [county] are allowed and paid. Any officer charged with making and keeping the record of vital statistics, may upon application of any interested party, prepare a certified copy of any individual and separate record as required, for which he shall be entitled to collect a fee of twenty-five cents, to be paid by the person receiving the same. For neglecting to perform such duties as are herein prescribed, the officer shall forfeit the sum of ten dollars for each offense, to be collected as other fines are collected by law.

§ 274e. REGISTRY OF BIRTHS, DEATHS, INFECTIOUS AND CONTAGIOUS DISEASES BY COUNTY SUPERINTENDENT OF HEALTH.] The superintendent of each county board of health shall, on or before the fifteenth day of each month, transmit to the superintendent of the state board of health upon blanks furnished him by the state board of health, a certified copy of the registry of births, deaths and infectious and contagious diseases which have occurred in said county within the calendar month immediately preceding, as reported to him by the officers charged with the collection of vital statistics for the districts within his county. For obtaining, registering and returning the facts herein required, the county superintendent of health shall receive the sum of ten cents for each separate record of births, deaths, infectious and contagious diseases so made and reported as herein provided, to be paid out of the general fund of such county in the same manner as other bills and accounts against said county are allowed and paid. For neglect to perform such duties as are herein required, the county superintendent of health shall forfeit a sum not exceeding fifty dollars for each offense, to be collected as other fines are collected by law.

§ 274f. COUNTY AUDITOR SHALL PUBLISH.] It shall be the duty of the county auditor to have published once a week for four consecutive weeks during the month of January of each year, in at least one official paper within his county, under the heading of "Vital Statistics," a copy of section 274b of this act.

§ 274g. REPEAL.] That section 274g be, and the same is hereby repealed.

Approved March 10, 1903.