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GUIDE TO PUBLIC VITAL STATISTICS RECORDS IN NEW MEXICO

Prepared by

The New Mexico Historical Records Survey
Division of Community Service Programs
Work Projects Administration

Sponsored

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Albuquerque, New Mexico
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To bring together the records of the past and to house them in buildings where they will be preserved for the use of men living in the future, a nation must believe in three things. It must believe in the past. It must believe in the future. It must, above all, believe in the capacity of its people so to learn from the past that they can gain in judgment for the creation of the future.

Franklin Delano Roosevelt.

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FOREWORD

We are at war. Evaluations of all things, both tangible and intangible, are constantly changing. A second-hand tire used to be considered "just a second-hand tire". Now one is indeed fortunate if he can procure one at any price.

Likewise, a birth certificate used to be considered as a nuisance, more or less, by the average person. Today a birth certificate assumes a place of vital importance to all citizens.

When the Historical Records Project of the W.P.A. started the work on this Guide to Public Vital Statistics in New Mexico in 1940, I am sure no one realized how important it would become in two years time. The project was originally started to furnish useful employment for needy, unemployed persons. The value of this Guide is inestimable to people born in New Mexico but who do not have a birth certificate in their possession. It is estimated that 300,000 people born in this state do not have birth certificates on record. If all of these are to be recorded, it is a tremendous undertaking for the State Division of Vital Statistics.

We are willing to do our part and we are ready insofar as possible. Our office is now running from 8:30 A.M. to 12 o'clock midnight with two shifts. Crowded office and vault space and insufficient filing facilities are two of our biggest handicaps.

Our requirements for filing a delayed certificate of birth are not as strict as some states and not as simple as others. We have tried to maintain an unbiased, conservative attitude on delayed certificates of birth at all times.

As State Registrar of Vital Statistics of the New Mexico Department of Public Health, I wish to congratulate the Historical Records Project, the sponsors and all individuals connected with the preparation of the Guide for this excellent piece of work. So far as I know, it is the first attempt in this state to correlate information pertaining to vital statistics and the result is to be commended. The work has been well done and should be of great service to the people of this state and to this Department.

Billy Tober
State Registrar of Vital Statistics
New Mexico Department of Public Health

Santa Fé, New Mexico
March 3, 1942

PREFACE

The Historical Records Survey began its work as a Nation-wide undertaking in January 1936 as part of the Federal Project No. 1 of the Works Progress Administration. In New Mexico the Survey became an independent unit in March of the same year. The Survey is now a unit of the Research and Records Division of the Division of Community Service Programs of the Work Projects Administration.

In the fall of 1940 the Survey was requested to undertake a survey of Vital Statistics records, to aid in the National Defense Program, at the request of the National Defense Commission and the United States Bureau of the Census. Realizing the value of this survey it was decided to publish this data in the form of a guide in each state. This Guide to Public Vital Statistics Records in New Mexico is based on the data secured in this survey.

This guide is arranged by the type of vital statistics record, further segregated into county and State records. A discussion of the evolution of laws for the keeping of each type of vital statistics record precedes each set of entries. These essays are documented with citations to the Laws of New Mexico, etc. Copies of the pertinent portions of the laws and opinions of the Attorney General are included in the appendix of this Guide for the convenience of the user. The entries show inclusive dates, nature of the record, number of volumes or containers, method of arrangement, indexing, and the custodian.

A complete subject index is included in this Guide and may be found following the appendix. A handy ready reference index by counties for births, deaths, and marriages will be found immediately preceding the subject index. A group of sample forms furnished through the courtesy of the State Registrar of Vital Statistics will be found in the back of this book.

No attempt has been made to tabulate records in the custody of religious bodies, except for records kept by Old Catholic Missions. Since the records themselves were unavailable to our workers a complete breakdown of the contents could not be made. These records were included because of their antiquity, some records dating as far back as 1691.

This Guide was assembled by John B. Hover. Legal material was compiled by James B. Gilmour. Mimeotyping was done by Melle F. Brown. The index was compiled by Martin H. Quirk.

Our grateful appreciation is extended to Miss Billy Tober, State Registrar of Vital Statistics, Department of Public Health, and to the numerous county officials throughout the State for their cooperation and assistance in collecting the data for this Guide.

In addition to this Guide the Survey has published inventories of county and Federal archives and a directory of Churches in New Mexico. For a complete list of publications, see page 135.

Address all requests for information concerning the Survey and its activities in New Mexico to the State Supervisor, Historical Records Survey, Box 90, University of New Mexico, Albuquerque, New Mexico.

G. ROBERT MASSEY
State Supervisor
The Historical Records Survey

March 1942

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ABBREVIATIONS AND SYMBOLS

alph.	alphabetically
arr.	arranged
bdl.	bundle
cert.	certificates
ch.	chapter
chron.	chronologically
dup.	duplicates
f. b.	file box
f. d.	file drawer
H. B.	House Bill
ibid.	Ibidem (in this same place)
L.N.M.	Laws of New Mexico
misc.	miscellaneous
N.M.S.A.	New Mexico Statutes Annotated
numer.	numerically
orig.	originals
p. pp.	page, pages
sec.	section
S. B.	Senate Bill
trip.	triplicates
U.S. Stat.	U. S. Statutes
va.	vault
vol(s)	volume(s)
vs.	versus
--	placed after a year date means from that year to the present time.

INTRODUCTION

VITAL STATISTICS RECORDS
IN
NEW MEXICO

VITAL STATISTICS RECORDS IN NEW MEXICO

Recent legislation pertaining to social security, child labor, emergency relief, and particularly selective service, has focused public attention upon the importance of maintaining accurate records of vital statistics in a form readily available for reference. This is particularly true of birth records which are invaluable in determining questions of parentage, heredity, and legitimacy; in establishing rights to property, inheritances, and citizenship; as well as claims to old-age assistance, workmen's compensation benefits, and widows' or mothers' pensions. Proof of age is becoming increasingly important in seeking employment, for passports, for the right to practice in the professions, and to hold public office.

Although what is now New Mexico was the earliest continuously inhabited civilized territory in the present United States, during Spanish and Mexican control there were no legal requirements whatever for the keeping of records of vital statistics, and even at the time of American occupation in 1846, and for a considerable time thereafter, no provision was made for the entering or preservation of such records.

The early Catholic missions dating back to the earliest occupancy of the territory by the Spanish, kept records of vital statistics, especially of marriages and births. These are probably not entirely accurate and cannot be complete, as on numerous occasions, by Indian uprisings, the missionaries were slain and the missions and records destroyed.

In the archives of the Archdiocese of Santa Fé are records of marriages, births, and deaths from various missions dating back as early as 1691. The more recent records are kept under the supervision of the Archbishop, but are still held by the pastors of the various parishes for their use and reference. These records are not, of course, public records and it is difficult to state definitely to what extent they are complete, although in the majority of instances they were carefully and accurately kept.[1]

Legislation in reference to marriage came years before any legal action was taken requiring the recording of births or deaths. The first legislative act on marriage was in 1860, when provision was made that any ordained clergyman of any sect, as well as any civil magistrate, could perform a valid and binding marriage.[2]

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1. Letter from Reverend C. C. Schoeppner, Chancellor, Archdiocese of Santa Fé, June 1, 1941, on file with the New Mexico Historical Records Survey.
2. L.N.M., 1859-60, sec. 2, p. 120.

Vital Statistics Records in New Mexico

The first requirements for the recording of marriages came in 1863, when it was specifically required that anyone who officiated at marriage ceremonies was required to report all marriages performed by him to the probate clerk of the county at least twice each year. The probate clerk was required to prepare a register of marriages and to record therein all marriages reported to him as above required. Serious penalties were prescribed for failure to furnish the reports, or for failure to properly record them when reported.[1]

But very little change in the legal requirements for marriage or marriage records was made from that time until 1905, when it was required that a marriage license be obtained from the probate clerk before the ceremony could be performed. The party performing the ceremony was required to certify the marriage to the probate clerk within 90 days from the date of the ceremony. Immediately upon receipt of the certificate, the clerk was required to have it properly recorded and indexed in a record book kept for that purpose as a part of the permanent county records. In order to insure a uniform system of marriage records the same act very clearly outlined the form of application, license, and certificate to be used thereafter.[2]

Upon the creation of the State Board of Health in 1919, it was made the duty of everyone solemnizing a marriage to report the same to that board within 30 days after performing the ceremony, and for the county clerk in each county to report once a month to the State Board of Health, all marriages reported to him during the previous month.[3] This law was, however, amended 2 years later, and the provision for thus reporting marriages to the State Department was omitted from the amending act.[4] As a consequence, there is not now nor has there been (except for the period from 1919 to 1921) any requirement for the keeping of marriage records by any central agency under State control.

It appears that the importance of registration of births and deaths did not occur to the legislative bodies, not only in New Mexico but throughout the United States, for on February 11, 1903 a Congressional resolution was passed asking the cooperation of all states in compiling uniform and complete records of vital statistics.[5]

This resolution very plainly declared that the registration of births and deaths containing given information was essential to the progress of medical and sanitary science in preventing and correcting disease. The few laws in effect at the time differed widely in their

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1. L.N.M., 1862-63, secs. 4-10, p. 64.
2. Ibid., 1905, ch. 65, secs. 1, 4, 7-8, p. 120.
3. Ibid., 1919, ch. 85, sec. 17, p. 166.
4. Ibid., 1921, ch. 145, sec. 9, 17, p. 318.
5. 32 U.S. Stat. 1231.

requirements, whereas it was declared to be most important that registration should be conducted under laws that would insure a practical uniformity in the character and amount of information available from the records. The American Public Health Association and the United States Census Office cooperated to extend and promote the efficiency of registration by indicating the essential requirements for legislative enactments designed to secure accurate vital statistics, and appealed to the legislative bodies of the various states to enact legislation which would provide a uniform and complete system of registration of births and deaths.[1]

It is difficult to determine whether or not the first requirements for registration of births and deaths in New Mexico was in response to this appeal, but in 1907, the Legislature passed an act requiring the recording of all births and deaths.[2]

By this act every physician or attendant at a birth or a death was required to report to the probate clerk, within 30 days, full details of such birth or death giving very definitely specified information. The clerk was required to keep a book entitled "Register of Births" and another entitled "Register of Deaths" which books were to be made up of prescribed printed forms and in them entry was to be made of each birth and death. The clerk was further required to keep an index to each of the above books. A penalty was prescribed for failure to report any birth or death, or for failure to properly record the same.[3]

The 1907 act was amended 2 years later by adding the requirement that in addition to the "Registers" required to be kept, the clerk must also keep the certificate filed by the attendant at any birth or death and file the same numerically.[4] This was the first requirement for filing and keeping original certificates.

In later years, as people became more conscious of the importance of records of vital statistics, copies of church records and certificates verified in various ways were presented for registration. Naturally the necessity arose for a definite ruling as to what requirements had to be fulfilled in order to qualify a certificate for registration. Upon request the Attorney General ruled, April 12, 1910, that under the acts of 1907 and 1909, the clerk was not required to register and index certificates issued prior to April 1907, and those of later date only when executed by an attendant at the birth or death. He further held that the clerk had no authority to accept for record or file any certificate of which he obtained information from any other source.[5]

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1. U.S. Stat. 1231.
2. L.N.M., 1907, ch. 91, secs. 1-7, p. 214.
3. Ibid.
4. Ibid., 1909, ch. 39, sec. 1, p. 103.
5. New Mexico (terr.) Attorney General, Reports and Opinions, 1909-12, p. 125.

Vital Statistics Records in New Mexico

Through requirement of an act of 1919, physicians, midwives, or other attendants at any birth or death were required to report the same to the State Board of Health,[1] but in 1921 that act was amended and the individual reports to the State Board discontinued; as a matter of fact, the 1921 statute changed considerably the manner of reporting births and deaths. By that act the attendants at a birth or death were required to certify the same to the county health officer, who in turn was required to forward the original certificate to the State Director of Public Health and deliver a copy to the county clerk. Both the State Director of Public Health and the county clerk were to receive, file, bind, and index all certificates presented to them and keep the same as permanent State and county records.[2]

Although several laws were passed and changes made in the existing laws for the recording of births and deaths after that time, little progress was made in providing a satisfactory record of these statistics, principally because there was no centralized agency authorized to demand reports and insist on the records being kept. The legislative session of 1919 took the first constructive step toward perfecting a system of recording by the creation of a State Department of Health and requiring that every person performing a marriage ceremony and every attendant at a birth or a death report the same under penalty of fine, or imprisonment, or both, to the State Department at once. A report once a month to the State Department from each county clerk, of all marriages, births, and deaths, received by him during the previous month was also required.[3]

The United States Government was, in the meantime, placing more and more stress upon the necessity of establishing in each state a more uniform and more highly perfected system of compiling and keeping records of vital statistics. The Census Bureau had been made a permanent bureau,[4] and had tried in every way to impress on the various states the importance of bringing their records on vital statistics to a point of sufficient completeness and accuracy to justify their being admitted as a United States registration area. From these registration areas, the statistics were to be compiled each year from the records themselves,[5] instead of from reports of enumerators. Before any given region was accepted as a registration area, the Census Bureau had to be satisfied that the records kept in that region were sufficiently complete, sufficiently accurate, and contained the required information to

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1. L.N.M., 1919, ch. 85, sec. 17, p. 166.
2. Ibid., 1921, ch. 145, secs. 3-9, pp. 315-319.
3. Ibid., 1919, ch. 85, sec. 17, p. 166.
4. 32 U.S. Stat. 51.
5. 33 U.S. Stat. 362.

an extent that would justify their records as being accepted as a correct indication of existing conditions.[1]

The collecting and preserving of records of vital statistics was only one of many obligations delegated to the State Health Department at the time of its creation, and as the maximum allowance for salaries was $10,000 per year,[2] the department was sadly hampered in its efforts by lack of finances, and the statistical department was forced to depend almost entirely upon outside aid for financial support.[3]

During the first years following the establishment of the State Health Department it was indeed a task to make much progress in the compiling of death and birth certificates for various easily understood reasons. Many districts in New Mexico are so isolated and the financial status of the residents such, that the services of a physician at a birth or even a death is practically impossible. Hence at the majority of the births in these sections, the only attendant is a midwife who, in most cases, has had no training whatever. The health department, through a nurse loaned to the department by the United States Children's Bureau, undertook a course of instructions for all midwives who could be located, and impressed upon them, among other things, the necessity of reporting all births.[4]

Congress in 1921 passed the Sheppard-Towner Act providing for financial aid of the states in promoting the welfare and hygiene of mothers and children. In order to be eligible for an allotment under this act, the State Legislature had to accept the conditions of the Congressional Act and make an appropriation of a like amount.[5] Through the efforts of the State Health Department, the State Legislature accepted the provisions of the act, and provided the required appropriation.[6]

The American Public Health Association, for a considerable period, furnished a well trained and thoroughly capable nurse to work on vital statistics, who did much to improve conditions, particularly by arousing the county health officers to a realization of the importance of improving the recording of births and deaths.[7] Funds from the Rockefeller Foundation permitted the hiring of two clerks, one to index,

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1. United States Bureau of the Census, Twelfth Census of the United States, 1900, Population, III, xii-xv; United States Bureau of the Census, Vital Statistics of the United States, 1938, p. 1.
2. L.N.M., 1919, ch. 85, sec. 1, p. 162.
3. New Mexico Bureau of Public Health, Fourth Biennial Report, 1925-26, p. 6, f.
4. Ibid., p. 30.
5. 42 U.S. Stat. 224.
6. L.N.M., 1921, ch. 117, sec. 9, p. 208.
7. New Mexico Bureau of Public Health, Fifth Biennial Report, 1927-28, p. 18.

and the other to tabulate births and deaths, and Sheppard-Towner funds permitted another clerk who, among other things, prepared certificates of registration.[1] As of June 30, 1929, all allotments under the Sheppard-Towner Act ceased.[2]

A comprehensive campaign to obtain complete registration of births and deaths was evolved in 1928, wherein the Census Bureau, the United States Childrens' Bureau, the American Public Health Association, and the Rockefeller Foundation all cooperated with the State Health Department.[3] As the result of this campaign, as well as 10 years of untiring effort on the part of the forces in charge of this work for the State Health Department, on November 9, 1929, the Census Bureau notified the New Mexico Bureau of Health that New Mexico was admitted to the registration areas of the United States.[4]

The Legislature in 1929, established a special fund to be known as "The Health Protection Fund," which was to be used in helping the counties of the State to maintain improved health service. Before any of the fund could be used, however, an equal sum had to be provided from some other source. The amount of the fund for each of the years 1929 and 1930, was $10,000,[5] which amount was at once matched by the Federal Government, the Rockefeller Foundation, the Commonwealth Fund, local organizations, and individuals.[6] This was the first State aid the department had received.

In 1937, a midwife consultant was added to the Division of Public Health Nursing who visits the various health districts and instructs midwives either individually or in small groups, impressing upon them, among other things, the necessity of the proper filing of birth certificates.[7]

By legislative act of 1935, the State Health Department and the set-up throughout the State was changed by dividing the State into ten health districts, and instead of having county health officials, the powers and obligations formerly vested in these officials were transferred to district health officers. The former laws regarding recording of births and deaths were practically all repealed, but the same

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1. New Mexico Bureau of Public Health, Fifth Biennial Report, 1927-28, p. 19.
2. 44 U.S. Stat. 1024.
3. New Mexico Bureau of Public Health, Fifth Biennial Report, 1927-28, p. 2.
4. Ibid., Sixth Biennial Report, 1929-30, p. 23.
5. L.N.M., 1929, ch. 70, sec. 1, 5, p. 102.
6. New Mexico Bureau of Public Health, Sixth Biennial Report, 1929-30, p. 11.
7. Ibid., Tenth Biennial Report, 1937-38, p. 47.

provisions were reenacted in the new law, so that there was very little, if any, change in the requirements for keeping said records.[1]

Again in 1937, practically all previous laws referring to the recording of births and deaths were repealed, but the same provisions were again reenacted in the repealing act. By this act the State Department of Public Health was created as a public corporation with all the powers incident thereto. The same act provided that all original birth and death certificates filed with the various county clerks prior to January 1, 1920, should be transmitted to the State Director, who was to receive, file, bind, and index all such certificates and preserve them in a fireproof vault as a permanent State record. A further provision was that certified copies of birth and death certificates could be made only from the original certificates and not from copies. As this act placed all original certificates in the custody of the State Health Department, it therefore follows that certified copies of birth and death certificates can issue only from that source. For issuing a certified copy of an original certificate of a birth or death, the Director of Public Health receives, from the party for whom issued, the sum of 50 cents, for which he accounts to the State Health Department. In this act it was required that all original birth certificates filed with the county clerks prior to January 1, 1920 should be forwarded to the State director before July 1, 1937, and that the district health officer forward each month to the State director all original certificates received by him. Thus all original certificates were to be held by the State Health Department. Provision was made in the 1937 act for the validation of births which had occurred more than one year previous to being filed for record.[2] The district court was vested with power to validate these certificates, but the Attorney General held that this provision was unconstitutional inasmuch as it delegated powers to the court which were not judicial in their nature.[3]

New Mexico was admitted to the United States Registration Area for both births and deaths in 1929.[4]

Certificates of births and deaths are not open to general inspection of the public except in the presence of the legal custodian of the records, and under such restrictions as the State Board of Public Health may by regulation prescribe. This precaution is taken to prevent

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1. L.N.M., 1935, ch. 131, sec. 11, p. 319.
2. Ibid., 1937, ch. 39, secs. 1, 2, 4, 11, p. 109.
3. New Mexico Attorney General, Reports and Opinions, 1937-38, p. 122.
4. United States Bureau of the Census, Vital Statistics of the United States, 1938, table A, p. 2.

mutilation, alteration, or injury thereof, as well as to avoid the wrongful or improper use of the information therein contained.[1]

Records of births and deaths herein listed have been divided into three general groups:

1. County Records. Includes all birth and death records now preserved in the offices of the county clerks and county health officers.

2. State Records, Old Series. Birth and death certificates in custody of the Director of Public Health, Santa Fé, New Mexico, forwarded to that office by the various county clerks when the Department of Public Health was established in 1919.

3. State Records, New Series. Original birth and death certificates in custody of the Director of Public Health, Santa Fé, New Mexico, which are forwarded from the district health offices under provision of the statutes.

* * * *

Certified copies of birth or death certificates may be obtained from the Registrar of Vital Statistics, Santa Fé, New Mexico, at a cost of $.50 to state residents; $1.00 per copy to non-residents; no charge for State or Federal use.

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1. L.N.M., 1937, ch. 39, sec. 11, p. 110.

BIRTH RECORDS

BIRTH RECORDS

The first law in New Mexico requiring the recording of birth certificates was passed by the Legislature of 1907. By that act every physician, midwife, or other attendant who had professional charge of the mother at the birth of any child was required to furnish a certificate of such birth to the probate clerk of the county in which the birth took place, within 30 days after such birth. The said certificate was required to show the name of the child (if named), the number of this child born to this mother, the maiden name of the mother, the name, age, color, and nationality of each parent, the occupation of the father, the place of birth of father and mother, and the signature and address of the medical attendant. By the same act it was further required that the probate clerk keep a book styled "Register of Births" in which he was required to register and index all births reported as above required. Penalties were prescribed for failure to file the required certificates, and for failure to properly record them when filed.[1]

The above act was amended 2 years later by requiring that the probate clerk prepare a complete record of all births from April 21, 1907, and record and index these births as provided by law; also that in addition he certify and seal all original certificates filed with him and preserve the same in numerical order as permanent records in his office.[2] This was the first requirement for the preservation of original birth certificates.

From that time until 1919, when the State Department of Public Health was created, there were no changes in the requirements for recording births. With the creation of the State Health Department provision was made that the physician, midwife, or attendant at any birth should report the same to the State Health Department, direct, as well as to the county clerk, and required, moreover, that the clerk also report to the State Health Department each month all births reported to him during the previous month.[3] These provisions were amended in 1921, abolishing the requirement that reports be made by the attendant or physician direct to the State Health Department. Instead, provisions were made for the appointment, by the county health officer, of sub-registrars for the purpose of receiving birth certificates for registration. Such certificates, when completed were delivered to the county health officer who was required to make a copy of the same and deliver it to the county clerk, who in turn was required to receive, file, bind, and index all said certificates and preserve them as permanent records in his office. The county health officer was required to forward all original birth certificates by United States mail to the State Director of Public Health, who was to receive, file, bind, and index these original certificates for the permanent State records. Further provision was made

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1. L.N.M., 1907, ch. 91, sec. 1, p. 214.
2. Ibid., 1909, ch. 39, sec. 1, p. 103.
3. Ibid., 1919, ch. 85, sec. 17, p. 166.

Births

that certified copies of any birth certificate could be made only from the original and not from copies,[1] which means that certified copies can be made only by the office of the State Director of Public Health.

The above mentioned act also provided that birth certificates were not to be open to the general inspection of the public, except in the presence of the legal custodian of such records and under such restrictions as the State Board of Public Welfare may, by regulation prescribe, in order to prevent mutilation, alteration, or injury.[2]

In 1925,[3] and again in 1927, the above act was amended but only with regard to the payment of subregistrars, although the 1927 law specifically repealed the law passed in 1907.[4]

County health officers were abolished by an act of 1935, which divided the State into ten health districts. All powers and duties formerly delegated to the county health officer were transferred to the district officer, including the requirements for handling and recording birth certificates.[5]

In 1937 there was created, as a public corporation, the State Department of Public Health, which replaced the former Bureau of Public Health and the State Department of Public Welfare. No change was made in the requirements for recording of births or issuance of birth certificates. By this act, however, it was required that the county clerk of each county transmit to the State Director of Public Health, before July 1, 1937, all original birth certificates filed in his office prior to January 1, 1920.[6] As it had been previously required that all original certificates after 1919 be forwarded to the State Department,[7] this made the State Department sole custodian of all original birth certificates. The 1937 act again required that certified copies could only be made from the original certificates and not from copies, and therefore only the State Department can issue certified copies of these certificates. For issuing a certified copy of a certificate the director of public health is authorized to charge a fee of 50 cents, for which he accounts to the State Treasurer.[8]

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1. L.N.M., 1921, ch. 145, sec. 9, p. 319.
2. Ibid.
3. Ibid., 1925, ch 15, sec. 1, p. 23.
4. Ibid., 1927, ch. 52, sec. 1, p. 216.
5. Ibid., 1935, ch. 131, secs. all, p. 319.
6. Ibid., 1937, ch. 39, sec. 11, p. 111.
7. Ibid., 1919, ch. 85, sec. 17, p. 166.
8. Ibid., 1937, ch. 39, sec. 11, p. 110.

Births

In this 1937 act the first provision for the certifying of births occurring more than 1 year before filing for record was attempted. By the act the district judge was required to certify these delayed certificates upon presentation before the court of satisfactory proof of the birth having occurred at the time and place, and under the conditions represented. Upon this certification by the court the birth certificate was to be accepted for record.[1]

The Attorney General upon being asked for an opinion as to the validity of this provision, held that that portion of the act was invalid and void as it conferred nonjudicial powers upon the judiciary.[2]

This decision did not, however, in any way hamper the registration of delayed birth certificates, for in the act which created the State Health Department, the duty to collect, compile, and tabulate the reports of vital statistics was delegated to that department, and provision made that it was empowered "to require the submission of such information as may be required for such purposes."[3] Accordingly, the State Health Board outlined a form requiring the following information before accepting delayed birth certificates for record: Place of birth; full name of child; sex; twin or triplet; date of birth; full name of father; residence at time of this birth; race; age at time of this birth; birthplace; occupation; full maiden name of mother; residence at time of this birth; race; age at time of this birth; birthplace; occupation; number of children born to this mother including this birth, (a) born alive and now living, (b) born alive and now dead, (c) born dead. This statement must be certified by the attending physician, midwife, parent, or relative who was present at the birth. The certificate as outlined above must bear the affidavit of the party signing the above statement and an affidavit by a non-relative having knowledge of the birth in question. In addition to this, documentary evidence is now required to further substantiate birthdates, such as baptismal certificates, employment records of father, family Bible records, newspaper clippings, etc. Upon this form being filled out and verified to the satisfaction of the department, the certificate will be accepted for registration.

In the last session of the Legislature, an act was approved providing for the issuance of birth certificates to abandoned persons when information regarding their parentage or witnesses to their birth are unavailable, and satisfactory evidence being presented before a district judge, who shall certify to said certificate. The information contained in such certificates shall be filed in the same manner as now

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1. L.N.M., 1937, ch. 39, sec. 11, p. 110.
2. New Mexico Attorney General, Reports and Opinions, 1937-38, p. 122.
3. L.N.M., 1937, ch. 39, sec. 4 (9), p. 106.

Births

provided or as may be hereafter provided by law for the filing of other types of delayed birth certificates.[1] The Attorney General held, as he did in 1937, that this act was invalid and void as it conferred non-judicial powers on the judiciary.[2]

* * * *

The following charges are made for certified copies of birth certificates obtainable from the Registrar of Vital Statistics, Santa Fé, New Mexico: To state residents, $0.50 per copy; to non-residents, $1.00 per copy; no charge for State or Federal requests.

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1. L.N.M., 1941, ch. 136, secs. 1-2, p. 235.
2. New Mexico Attorney General Opinion No. 3884.

BIRTHS

COUNTY RECORDS

BERNALILLO COUNTY

1901--	Statistics (dup.), 4 vol. Chron. by date of birth; no index. Health officer, Albuquerque.
1907-20	Spanish record of births (orig.), 1 vol. Chron.; indexed by surname of child. (Discontinued as a separate record.) County clerk, Albuquerque.
1907-21	Certificates (orig.), 9 f. d. Chron. by date of birth; no index. (Discontinued in this form.) County clerk, Albuquerque.
1907-40	Register (dup.), 29 vols. Chron.; 1907-21, indexed alph. by surname of child; 1922--, chron. and by alph. subdivisions. County clerk, Albuquerque.
1920-24	Certificates (orig.), 1 f. d. Numer. by certificate number; no index. County clerk, Albuquerque.
1921-40	Certificates (dup.), 23 vols. Chron. by date of birth; indexed by surname of child. Health officer, Albuquerque.

CATRON COUNTY

1894-1939	Certificates, "Delayed" (dup.), 1 vol. Chron. by date of birth; no index. Health officer, Reserve.
1921--	Certificates (dup.), 20 vols. Chron. by date of birth; no index. County clerk, Reserve.
1934--	Certificates (trip.), 4 vols. Chron. by date of birth; partially indexed alph. Health officer, Reserve.

CHAVES COUNTY

1907-28	Register (orig.), 1 vol. Numer. by register number; indexed alph. by surname of child. County clerk, Roswell.
1907--	"Index to Births" (dup.), 3 vols. Alph. by surname of child. County clerk, Roswell.

Births - County Records

CHAVES COUNTY (continued)

1920	Certificates (dup.), 3 vols. and 12 f. b. Vols. 1934--, numer. by register number; file boxes alph. by surname of child; indexed alph. by surname of child. County clerk, Roswell.

COLFAX COUNTY

1907--	Register (dup.), 5 vols. Numer. by certificate number; indexed alph. by surname of child. County clerk, Raton.
1928, 1932--	Certificates (dup.), 7 folders. Chron.; no index. (1929-31 missing.) Health officer, Raton.

CURRY COUNTY

1909-40	Register (orig.), 1 vol. Chron. by date of birth; indexed alph. by surname of child. (Discontinued in this form.) County clerk, Clovis.
1920--	Certificates (trip.), 18 vols. Chron. by date of birth; indexed alph. County Clerk, Clovis.

DE BACA COUNTY

1917--	Register (dup.), 1 vol. Numer. by certificate number; indexed alph. by surname of child. County clerk, Fort Summer.
1917-40	Register (dup.), 1 vol. Chron.; indexed alph. by surname of child. County clerk, Fort Summer.
1935--	Certificates (dup.), 1 vol. Numer. by certificate number; indexed alph. by surname of child. Health officer, Fort Summer.

DOÑA ANA COUNTY

1907-41	Register (dup.), 2 vols. Chron.; indexed by surname of child. Health officer, Las Cruces.
1907--	Certificates (dup.), 25 loose-leaf binders. Numer. by register number; indexed alph. by surname of child. County clerk, Las Cruces.

Births - County Records

DOÑA ANA COUNTY (continued)

1919--	Certificates, "Delayed" (dup.), 1 f. d. Alph. by surname of child; no index. (Delayed registration of births by certified letters from parents and countersigned by nonrelative.) Health officer, Las Cruces.

EDDY COUNTY

1905--	Register (orig.), 2 vols. Numer. by certificate number; indexed alph. by surname of child. Health officer, Carlsbad.
1907-27	Register (orig.), 1 vol. Numer. by entry number; indexed alph. by surname of child. (Record discontinued in this form.) County clerk, Carlsbad.
1919--	Certificates (dup.), 4 vols. and 2 f. d. Numer. by certificate number; indexed alph. by name of child. (No index for 1919-26.) County clerk, Carlsbad.

GRANT COUNTY

1905	Certificates (dup.), recorded in "Miscellaneous Record", 9 vols. Chron.; indexed alph. County clerk, Silver City.
1907--	Register (dup.), 2 vols. Numer. by certificate number; indexed alph. by surname of child. County clerk, Silver City.
1914--	Certificates (dup.), 11 vols. and 3 f. d. Numer. by certificate number; indexed alph. by surname of child. County clerk, Silver City.
1934--	Certificates (dup.), 2 f. d. Chron. under subject headings; no index. (Filed in "Miscellaneous Files" with incomplete and delayed notarized testaments.) Health officer, Silver City.

GUADALUPE COUNTY

1907-20	Register (orig.), 1 vol. Numer.; indexed alph. by surname of child. County clerk, Santa Rosa.

Births - County Records

GUADALUPE COUNTY (continued)

1907-41	Register (orig.), 2 vols. Numer. by filing date; indexed alph. by surname of child. Health officer, Santa Rosa.
1916--	Certificates (trip.), 6 loose-leaf binders. Numer. by certificate number; indexed alph. by surname of child. County clerk, Santa Rosa.
1916--	Certificates (dup.), 8 loose-leaf binders. Numer. by certificate number; indexed alph. by surname of child. Health officer, Santa Rosa.

HARDING COUNTY

1921--	Certificates (dup.), 3 vols. Numer. by certificate number; indexed alph. by surname of child. County clerk, Mosquero.
1921--	Certificates (dup.), 1 vol. Numer. by certificate number; indexed alph. by surname of child. (1921-36, "delayed" certificates; 1936--, complete file of certificates). Health officer, Mosquero.

HIDALGO COUNTY

1920--	Register (orig.), 1 vol. Numer. by certificate number; alph. by surname of child. County clerk, Lordsburg.
1920--	Certificates (dup.), 4 vols. Numer. by certificate number; indexed alph. by surname of child. County clerk, Lordsburg.
1935--	Certificates (dup.), 5 vols. Chron.; indexed alph. by surname of child. Health officer, Lordsburg.

LEA COUNTY

1917-40	Register (orig.), 1 vol. Numer. by certificate number; indexed alph. by surname of child. County clerk, Lovington.

Births - County Records

LEA COUNTY (continued)

1935-40	Certificates (dup.), 3 vols. Chron. by date of birth; no index. Health officer, Lovington.
1939--	"Index to Births and Deaths" (orig.), 1 vol. Arr. by surnames. Health officer, Lovington.

LINCOLN COUNTY

1907--	Certificates (dup.), 8 vols. Numer. by certificate number; indexed alph. by surname of child. County clerk, Carrizozo.
1907-37 1937-40	Index (orig.), 2 vols. Arr. alph. by surname of child. County clerk, Carrizozo.
1907--	Certificates (dup.), 7 vols. Numer. by certificate number; indexed alph. Health officer, Carrizozo.

LUNA COUNTY

1907-37	Register (dup.), 1 vol. Numer. by registration number; indexed alph. by surname of child. County clerk, Deming.
1920--	Certificates (trip.), 4 loose-leaf binders and 1 f. d. Chron. by date of birth; 1930-35, indexed alph. by surname of child. County clerk, Deming.
1928-38	Certificates (dup.), 1 vol. Chron.; no index. Health officer, Deming.
1935--	Certificates (dup.), 3 f. d. Chron by date filed; no index. (In "Miscellaneous Files".) Health officer, Deming.
1940--	"Birth Register Number 2" (dup.), 1 vol. Chron.; indexed by surname of child. County clerk, Deming.

MCKINLEY COUNTY

1907-29	Register (orig.), 1 vol. Numer. by entry number; indexed alph. by surname of child. County clerk, Gallup.

Births - County Records

MCKINLEY COUNTY (continued)

1919--	Certificates (dup.), 5 drawers. Chron. by date of birth; indexed alph. by surnames of parents. Health officer, Gallup.
1930-40	Register (orig.), 1 vol. Numer. by registration number; indexed alph. by surname of child. County clerk, Gallup.
1933--	Certificates (dup.), 1 loose-leaf binder. Numer. by certificate number; indexed alph. by surname of child. County clerk, Gallup.

MORA COUNTY

1898, 1918--	Certificates (dup.), 20 vols. Chron.; no index. County clerk, Mora.
1907-27	Register (orig.), 1 vol. Alph. by surname of child; indexed alph. County clerk, Mora.
1911-27	Certificates (dup.), 1 f. d. No obvious arr.; no index. County clerk, Mora.
1920--	Certificates (dup.), 1 box. Alph. by surname of child; indexed alph. (In nurse's office: "Index to Birth Record".) Health officer, Mora.
1928--	Certificates (dup.), 4 f. d. Alph. by surname of child; indexed alph. (In nurse's office: "Maternity Service Record".) Health officer, Mora.
1935--	Certificates (dup.), 3 cardboard drawers and 2 steel files. Alph. by district and surname of parents; indexed by surname of child. (In nurse's office; "Maternity Service Record".) Health officer, Mora.

OTERO COUNTY

1907--	Certificates (dup.), 10 vols. Numer. by certificate number; indexed alph. by surname of child. County clerk; Alamogordo.
1907-37	Register (orig.), 1 vol. Chron. by date of entry; indexed alph. by surname of child. County clerk, Alamogordo.

Births - County Records

OTERO COUNTY (continued)

1935--	Record (dup.), 1 f. d. Chron. by date of birth; indexed alph. by surname of child. Health officer, Alamogordo.

QUAY COUNTY

1907-30	Register (orig.), 3 vols. Numer. by certificate number; indexed alph. by surname of child. Health officer, Tucumcari.
1930--	Register, Birth and Death (dup.), 2 vols. Chron.; indexed alph. by surname of child. County clerk, Tucumcari.
1935--	Certificates (dup.), 5 vols. Alph. by surname of child; indexed alph. Health officer, Tucumcari.

RIO ARRIBA COUNTY

1912-39	Certificates (dup.), 41 vols. Chron. by date of birth; no index. County clerk, Tierra Amarilla.
1935--	Certificates (dup.), 46 folders. Chron. by date of birth; no index. Health officer, Tierra Amarilla.

ROOSEVELT COUNTY

1908-40	Register (orig.), 2 vols. Numer. by certificate number; indexed alph. by surname of child. County Clerk, Portales.
1936--	Certificates (dup.), 1 vol. Chron. by date of birth; no index. Health officer, Portales.

SANDOVAL COUNTY

1926-40	Certificates (trip.), 4 vols. Numer. by certificate number; indexed alph. by surname of child. County clerk, Bernalillo.
1926--	Index to births and deaths (dup.), 1 vol. Chron.; indexed alph. by surname of child. County clerk, Bernalillo.

Births - County Records

SANDOVAL COUNTY (continued)

1933, 1935--	Certificates (dup.), 1 vol. Chron. by date of birth; no index. Health officer, Bernalillo.

SAN JUAN COUNTY

1907-27	Register (orig.), 1 vol. Chron. by date of birth; indexed alph. by surname of family. (Discontinued in this form.) County clerk, Aztec.

SAN MIGUEL COUNTY

1884-1919	Register (orig.), 1 vol. Chron. by date registered; indexed alph. by surname of child. County clerk, Las Vegas.
1887, 1893-94, 1897, 1900-1901, 1904-7, 1909, 1912-16, 1918--	Index (dup.), 1 f. d. Alph. by surname of child. Health officer, Las Vegas.
1899-1929	Index to births and deaths number 1 (orig.), 1 vol. Arr. alph. Health officer, Las Vegas.
1919--	Certificates (dup.), 9 vols. and 2 bundles. Chron. by date of recording; indexed alph. by surname of child. County clerk, Las Vegas.
1921-29	Index (dup.), 1 vol. Alph. by surname of child. County clerk, Las Vegas.
1930--	Certificates (dup.), 10 binders. Chron. by date of birth; indexed alph. by surname of child. Health officer, Las Vegas.

SANTA FÉ COUNTY

1879-82	Certificates (dup.), 14. Chron. by date of birth; no index. County clerk, Santa Fé.
1895-1930	Certificates (trip.), 5 f. d. Numer. by certificate number; no index. County clerk, Santa Fé.

Births - County Records

SANTA FÉ COUNTY (continued)

1900--	Certificates (dup.), 50 folders. Chron. by date of birth; indexed alph. by surname of child. Health officer, Santa Fé.
1907-28	Register (orig.), 2 vols. Alph. by surname of child; no index. Health officer, Santa Fé.
1907-40	Register (orig.), 1 vol. Alph. by surname of child; no index. Health officer, Santa Fé.

SIERRA COUNTY

1900-1902, 1904, 1920--	Certificates (dup.), 1 f. d., 1 carton, and 1 loose-leaf binder. Numer. by certificate number; indexed alph. by surname of child. County clerk, Hot Springs.
1901-2	Register (orig.), 1 vol. Chron. by year and numer. thereunder by certificate number; indexed alph. by surname of child. (Discontinued in this form.) County clerk, Hot Springs.
1932--	List of births (orig.), 1 vol. Alph. by surname of child; no index. Health officer (nurse's office), Hot Springs.
1933--	Certificates (orig. and dup.), 2 f. b. Alph. by surname of child; no index. Health officer (misc. file, nurse's office), Hot Springs.

SOCORRO COUNTY

1907-40	Register (orig.), 1 vol. Numer. by certificate number; no index. County clerk, Socorro.
1867-1931, 1931--	Certificates (dup.), 11 vols. and 3 envelopes. Chron. by date of birth; indexed alph. by surname of child. Health officer, Socorro.

TAOS COUNTY

1907-8 1932--	Certificates (dup.), 22 vols. and 2 folders. Numer. by certificate number; indexed alph. by surname of child. (Missing records possibly destroyed by fire of 1931 or 1932.) County clerk, Taos.

Births - County Records

TAOS COUNTY (continued)

1907-31	Register (orig.), 1 vol. Numer. by certificate number; indexed alph. by surname of child. County clerk, Taos.
1921-34	Certificates (dup.), 1 f. b. Chron. by date of birth; no index. County clerk, Taos.
1936-39	Certificates (dup.), 1 envelope. No obvious arr.; no index. County clerk, Taos.

TORRANCE COUNTY

1910-19	Register (orig.), 1 vol. Chron. by date of recording; indexed alph. by surname of child. (Discontinued in this form.) County clerk, Estancia.
1910--	Certificates (dup.), 2 vols. and 3 binders. Chron. by date of birth; indexed alph. by surname of child. Health officer, Estancia.
1919-37	Index to births and deaths (orig.), 1 vol. Alph. by surname of child; no index. Health officer, Estancia.
1920--	Register (dup.), 1 vol. Alph. by surname of child; no index. (In "Miscellaneous Record".) County clerk, Estancia.
1921--	Certificate (trip.), 1 box and 22 bundles. Box chron. by years, bundles alph. by surname of child; indexed alph. by surname of child. County clerk, Estancia.
1933-34	Certificates (dup.), 3 vols. Numer. by registration number; no index. Health officer, Estancia.

UNION COUNTY

1895--	Certificate (dup.), 12 vols. Numer. by certificate number; indexed alph. County clerk, Clayton.
1895-1940	Birth and death register (orig.), 1 vol. Chron.; indexed alph. by surname of child. County clerk, Clayton.

Births - County Records

UNION COUNTY (continued)

1895--	Certificates (dup.), 6 vols. Chron. by date of birth; indexed alph. by surname of child. Health officer, Clayton.
1937--	Certificates (orig.), 1 f. d. Alph. by subject; no index. (Affidavits filed under Vital Statistics, Communicable Disease Control.) Health officer, Clayton.

VALENCIA COUNTY

1907-28	Register (orig.), 1 vol. Chron. by date of recording; indexed by surname of child. County clerk, Los Lunas.
1922--	Register (trip.), 7 vols. Chron. by date of birth; no index. Health officer, Los Lunas.
1928--	Certificates (dup.), 7 vols. and 5 f. d. Chron. by date of birth; indexed alph. by surname of child. (File drawers county clerk's vault, vols. county commissioner's room.) County clerk, Los Lunas.

BIRTHS

STATE RECORDS

Old Series

BERNALILLO COUNTY

1901-19	Certificates (orig.), 17 vols. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

CATRON COUNTY

No records reported as county was created in 1921.

CHAVES COUNTY

1901, 1906-21, 1924, 1926	Certificates (orig.), 2204 and 1 affidavit. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

COLFAX COUNTY

1884-1904 1907-19	Certificates (orig.), 3261. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

CURRY COUNTY

1909-19	Certificates (orig.), 2 vols. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

DE BACA COUNTY

1917-19	Certificates (orig.), 83. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

DOÑA ANA COUNTY

1901-19	Certificates (orig.), 6 vols. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

Births - State Records - Old Series

EDDY COUNTY

1897-1905, 1908-19	Certificates (orig.), 612. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

GRANT COUNTY

1890-1919	Certificates (orig.), 1174. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

GUADALUPE COUNTY

No records reported.

HARDING COUNTY

No records reported as county was created in 1921.

HIDALGO COUNTY

No records reported as county was created in 1919.

LEA COUNTY

1917-19	Certificates (orig.), 38. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

LINCOLN COUNTY

1909-11, 1913-19	Certificates (orig.), 296. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

LUNA COUNTY

1892 1907-19	Certificates (orig.), 960. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

Births - State Records - Old Series

MCKINLEY COUNTY

1906-20	Certificates (orig.), 831. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

MORA COUNTY

1902-3, 1915, 1917-19	Certificates (orig.), 66, 3 certificates undated. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

OTERO COUNTY

1906-19	Certificates (orig.), 885, 1 certificate undated. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

QUAY COUNTY

1907-20	Certificates (orig.), 1142. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

RIO ARRIBA COUNTY

1889-1928	Certificates (dup.), 4 vols. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

ROOSEVELT COUNTY

1907-19	Certificates (orig.), 835. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

SANDOVAL COUNTY

No records reported.

Births - State Records - Old Series

SAN JUAN COUNTY

1907-19	Certificates (orig.), 703. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

SAN MIGUEL COUNTY

No records reported.

SANTA FÉ COUNTY

1907-8, 1910-19	Certificates (orig.), 799. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

SIERRA COUNTY

1911-20	Certificates (orig.), 227. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

SOCORRO COUNTY

1895, 1906-19	Certificates (orig.), 344. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

TAOS COUNTY

No records reported.

TORRANCE COUNTY

1896-1916, 1919-20	Certificates (orig.), 27. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

UNION COUNTY

1907-8, 1911-13, 1915-21	Certificates (orig.), 112. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

Births - State Records - Old Series

VALENCIA COUNTY

1888, 1890, 1894, 1909-20	Certificates (orig.), 429. Arr. by counties and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

BIRTHS

STATE RECORDS

New Series

BERNALILLO COUNTY

1920-- Certificates (orig.), 49 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

CATRON COUNTY

1921-- Certificates (orig.), 18 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

CHAVES COUNTY

1920 Certificates (orig.), 22 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

COLFAX COUNTY

1920-- Certificates (orig.), 28 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

CURRY COUNTY

1920-- Certificates (orig.), 20 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

DE BACA COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

Births - State Records - New Series

DOÑA ANA COUNTY

1920-- Certificates (orig.), 37 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

EDDY COUNTY

1920-- Certificates (orig.), 21 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

GRANT COUNTY

1920-- Certificates (orig.), 37 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

GUADALUPE COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

HARDING COUNTY

1921-- Certificates (orig.), 19 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

HIDALGO COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

Births - State Records - New Series

LEA COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

LINCOLN COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

LUNA COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

MCKINLEY COUNTY

1920-- Certificates (orig.), 20 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

MORA COUNTY

1920-- Certificates (orig.), 22 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statastics, Santa Fé.

OTERO COUNTY

1920-- Certificates (orig.), 20 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

Births - State Records - New Series

QUAY COUNTY

1920-- Certificates (orig.), 22 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

RIO ARRIBA COUNTY

1920-- Certificates (orig.), 26 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

ROOSEVELT COUNTY

1920-- Certificates (orig.), 20 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

SANDOVAL COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

SAN JUAN COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

SAN MIGUEL COUNTY

1920-- Certificates (orig.), 23 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

Births - State Records - New Series

SANTA FÉ COUNTY

1920-- Certificates (orig.), 23 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

SIERRA COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

SOCORRO COUNTY

1920-- Certificates (orig.), 20 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

TAOS COUNTY

1920-- Certificates (orig.), 20 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

TORRANCE COUNTY

1920-- Certificates (orig.), 20 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

UNION COUNTY

1920-- Certificates (orig.), 21 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

Births - State Records - New Series

VALENCIA COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. chron. by date of birth; indexed alph. by name of child. State Registrar of Vital Statistics, Santa Fé.

DEATH RECORDS

DEATH RECORDS

With regard to the filing and preservation of the records of death, all the provisions outlined for the handling of births (except the special legal requirements covering "delayed" or "abandoned" certificates) apply equally to deaths, and it is therefore unnecessary to repeat these provisions.

DEATHS

COUNTY RECORDS

BERNALILLO COUNTY

1907-21	Certificates (orig.), 9 f. d. Chron. by date of death; no index. County Clerk, Albuquerque.
1907--	Register (orig.), 20 vols. Chron. by date of death; indexed alph. by surname of deceased. County clerk, Albuquerque
1920--	Certificates (dup.), 2 vol. Chron. indexed by surname of deceased. Health officer, Albuquerque.
1921--	Register (dup.), 16 vols. Numer. by certificate number; indexed alph. by name of deceased. Health officer, Albuquerque.
1921--	Index (orig.), 7 f. d. Alph. by name of deceased. Health officer, Albuquerque.
1923--	Certificate (orig.), 1 vol. Chron.; indexed alph. County clerk, Albuquerque.

CATRON COUNTY

1921--	Certificate (dup.), 20 vols. Chron. by date of death; no index. County clerk, Reserve.
1935--	Certificates (trip.), 4 vols. Chron. by date of death; indexed alph. (partial). Health officer,

CHAVES COUNTY

1907-28	Register (orig.), 1 vol. Chron. by date of death; indexed alph. by name of deceased. (Discontinued in this form.) County clerk, Roswell.
1908--	Index (dup.), 1 vol. Alph. by name of deceased. County clerk, Roswell.
1920--	Certificates (dup.), 2 vols. and 8 f. d. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Roswell.

Deaths - County Records

CHAVES COUNTY (continued)

1940-- Register (dup.), 1 vol. Numer. by register number; indexed alph. by name of deceased. Health officer, Roswell.

COLFAX COUNTY

1907-- Register (orig.), 3 vols. Chron.; indexed alph. by surname of deceased. County clerk, Raton.

1928, 1932--- Certificates (dup.), 7 folders. Chron.; no index. Health officer, Raton.

CURRY COUNTY

1909-20 Register (orig.), 1 vol. Chron. by date of death and alph. thereunder by name of deceased; indexed alph. by name of deceased. County clerk, Clovis.

1909-- Index (orig.), 1 vol. Chron. by date of death and by alph. subdivisions thereunder. (Serves as index to death register and death certificate.) County clerk, Clovis.

1920--- Certificates (trip.), 20 vols. Numer. by date of death; indexed alph. by name of deceased. County clerk, Clovis.

1936-- Certificates (dup.), 3 vols. Chron. by date of death; no index. Health officer, Clovis.

DE BACA COUNTY

1917-- Register (dup.), 1 vol. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Fort Sumner.

1935--- Certificates (dup.), 2 vol. Chron. by date of death; indexed alph. by name of deceased Health officer, Fort Sumner.

Deaths - County Records

DOÑA ANA COUNTY

1907-19	Register (orig.), 1 vol. Numer. by registration number; indexed alph. by name of deceased. County clerk, Las Cruces.
1907--	Certificates (dup.), 10 loose-leaf binders. Numer. by certificate number; indexed alph. by name of deceased. Health officer, Las Cruces.
1907--	Index (orig.), 1 vol. Alph. by name of deceased. County clerk, Las Cruces.

EDDY COUNTY

1907-27	Register (orig.), 1 vol. Numer. by registry number; indexed alph. by surname of deceased. County clerk, Carlsbad.
1919--	Certificates (dup.), 3 vols. and 1 f. d. Numer. by certificate number; no index. County clerk, Carlsbad.
1926--	Register (dup.), 5 vols. Numer. by certificate number; indexed alph. by name of deceased. Health officer, Carlsbad.
1926--	Index (orig.), 1 vol. Alph. by name of deceased. Health officer, Carlsbad.
1927--	Index (orig.), 8 card files. Alph. by name of deceased. County clerk, Carlsbad.

GRANT COUNTY

1907--	Register (dup.), 1 vol. Chron. by register number; indexed alph. by name of deceased. County clerk, Silver City.
1912--	Certificates (dup.), 7 vols. and 2 f. d. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Silver City.
1931--	Certificates (trip.), 11 envelopes and 1 bundle. Numer. by certificate number; no index. Health officer, Silver City.

Deaths - County Records

GUADALUPE COUNTY

1907--	Register (orig.), 1 vol. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Santa Rosa.
1907-41	Register (orig.), 1 vol. Chron.; indexed alph. by name of deceased. Health officer, Santa Rosa.
1916--	Certificates (trip.), 4 vols. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Santa Rosa.
1916--	Certificates (dup.), 4 vols. Numer. by certificate number; indexed alph. by name of deceased. Health officer, Santa Rosa.

HARDING COUNTY

1921--	Certificates (dup.), 1 vol. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Mosquero.
1936--	Certificates (trip.), 1 vol. Numer. by certificate number; indexed alph. by name of deceased. Health officer, Mosquero.

HIDALGO COUNTY

1920--	Certificates (dup.), 2 vols. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Lordsburg.
1920--	Register (orig.), 1 vol. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Lordsburg.
1935--	Certificates (dup.), 5 vols. Chron. by date of death; no index. Health officer, Lordsburg.

LEA COUNTY

1918--	Register (dup.), 2 vols. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Lovington.

Deaths - County Records

LEA COUNTY (continued)

1935-- Certificates (trip.), 3 vols. Chron. by date of death; no index. Health officer, Lovington.

LINCOLN COUNTY

1907-- Certificates (trip.), 4 vols. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Carrizozo.

1907-- Certificate (dup.), 3 vols. Numer. by certificate number; indexed alph. Health officer, Carrizozo.

LUNA COUNTY

1907-- Register (dup.), 1 vol. Numer. by registration number; indexed alph. by name of deceased. County clerk, Deming.

1920-- Certificates (trip.), 2 vols. and 1 f. d. Chron. by date filed; indexed alph. by name of deceased. County clerk, Deming.

1928-38 Death journal (orig.), 1 vol. Chron. by date recorded; no index. Health officer, Deming.

1930-- Index (orig.), 2 vols. Chron. by date of death; indexed alph. Health officer, Deming.

1935-- Certificates (dup.), 3 f. d. Chron. by date filed; no index. (Miscellaneous file.) Health officer, Deming.

MCKINLEY COUNTY

1907-- Register (orig.), 2 vols. Numer. by registration number; indexed alph. by name of deceased. County clerk, Gallup.

1919-- Certificates (dup.), 3 f. d. Alph. by name of deceased; indexed alph. by name of deceased. Health officer, Gallup.

Deaths - County Records

MCKINLEY COUNTY (continued)

1919-- Index (dup.), 4 f. d. Alph. by name of deceased. Health officer, Gallup.

1937-- Certificates (dup.), 1 vol. Numer. by registration number; indexed alph. by name of deceased. County clerk, Gallup.

MORA COUNTY

1907-25 Register (orig.), 1 vol. Chron. by date of death; indexed alph. by name of deceased. County clerk, Mora.

1919-- Certificates (dup.), 22 vols. Chron. by date recorded; no index. Health officer, Mora.

1923-- Index (orig.), 4 bundles. Alph. by name of deceased. Health officer, Mora.

OTERO COUNTY

1907-- Certificates (dup.), 5 vols. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Alamogordo.

1907-- Register (orig.), 1 vol. Chron. by date of entry; indexed alph. by name of deceased. County clerk, Alamogordo.

1907-- Index (orig.), 2 vols. Alph. by name of deceased. County clerk, Alamogordo.

1935-- Register (orig.), 1 f. d. Chron. by date of death; indexed alph. by name of deceased. Health officer, Alamogordo.

1935-- Index (orig.), 1 f. d. Alph. by name of deceased. Health officer, Alamogordo.

QUAY COUNTY

1907-30 Register (dup.), 2 vols. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Tucumcari.

Deaths - County Records

QUAY COUNTY (continued)

1930--	Certificates (dup.), 2 vols. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Tucumcari.
1935--	Certificates (dup.), 5 vols. Chron. by month and year; indexed alph. by name of deceased. Health officer, Tucumcari.

RIO ARRIBA COUNTY

1935--	Certificate (dup.), 41 folders. Chron. by date of death; no index. Health officer, Tierra Amarilla.

ROOSEVELT COUNTY

1911--	Register (dup.), 2 vol. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Portales.
1936--	Certificates (dup.), 1 vol. Chron. by date of death; no index. Health officer, Portales.

SANDOVAL COUNTY

1926--	Index (dup.), 1 vol. Alph. by name of deceased. (Birth and death index combined.) County clerk, Bernalillo.
1926-40	Certificates (dup.), 2 vols. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Bernalillo.
1930--	Death lists (orig.), 2 f. d. Arr. by subject (in "Miscellaneous" file); no index. Health officer, Bernalillo.
1931--	Certificates (dup.), 1 vol. Chron. by date of death; no index. Health officer, Bernalillo.

SAN JUAN COUNTY

1907-27	Register (orig.), 1 vol. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Aztec.

Deaths - County Records

SAN MIGUEL COUNTY

1878--	Certificate (dup.), 8 vols. and 2 bundles. Chron. by date recorded; indexed alph. by name of deceased. County clerk, Las Vegas.
1878--	Index (orig.), 1 vol. Alph. by name of deceased. County clerk, Las Vegas.
1907-19	Register (orig.), 1 vol. Numer. by register number; indexed alph. by name of deceased. County clerk, Las Vegas.
1930--	Certificates (dup.), 10 vols. Chron. by date of death; indexed alph. Health officer, Las Vegas.
1930--	Index (dup.), 10 f. b. Alph. by name of deceased. Health officer, Las Vegas.

SANTA FÉ COUNTY

1907-36	Register (orig.), 2 vols. Alph. by name of deceased. (Serves as index to death certificates.) Health officer, Santa Fé.
1907--	Certificates (dup.), 50 folders. Numer. by registration number; indexed alph. (Partly recorded in Spanish.) County clerk, Santa Fé.
1907--	Certificates (dup.), 3 f. d. Chron. by date recorded; indexed alph. by name of deceased. Health officer, Santa Fé.

SIERRA COUNTY

1907-27	Register (dup.), 1 vol. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Hot Springs.
1923--	Certificates (dup.), 2 f. b. and 1 f. d. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Hot Springs.
1923--	Index (orig.), 2 f. d. Alph. by name of deceased. County clerk, Hot Springs.
1933--	Certificates (dup.), 4 f. d. Numer. by certificate number; indexed by subject in "Miscellaneous" file. Health officer, Hot Springs.

Deaths - County Records

SOCORRO COUNTY

1907--	Register (dup.), 3 vols. Numer. by certificate number; no index. County clerk, Socorro.
1931---	Certificate (dup.), 3 vols. and 1 folder. Chron. by date of death; indexed alph. by name of deceased. Health officer, Socorro.

TAOS COUNTY

1907-33	Register (orig.), 1 vol. Numer. by certificate number; indexed alph. by name of deceased. County clerk, Taos.
1908-19 1934--	Certificates (dup.), 7 vols. and 2 folders. Numer. by certificate number; no index. (Missing records possibly destroyed by fire of 1931 or 1932.). County clerk, Taos.

TORRANCE COUNTY

1910-19	Register (orig.), 1 vol. Chron. by date of recording; indexed alph. by name of deceased. County clerk, Estancia.
1920--	Register (orig.), 1 vol. Alph. by name of deceased; no index. (In "Miscellaneous" Records.) County clerk, Estancia.
1921--	Certificates (trip.), 1 box and 12 bundles. Box, chron. by years; bundles, alph. by name of deceased; indexed alph. by name of deceased. County clerk, Estancia.
1921--	Index (orig.), 1 vol. Alph. by name of deceased. County clerk, Estancia.
1931-32	Register (orig.), 1 vol. Numer. by registration number; no index. Health officer, Estancia.
1932--	Certificates (dup.), 1 vol. and 1 binder. Numer. by registration number; indexed by name of deceased. Health officer, Estancia.
1932	Index (orig.), 1 box. Numer. by certificate number, Health officer, Estancia.

Deaths - County Records

UNION COUNTY

1895--	Index (orig.), 1 vol. Chron. by date of recording, County clerk, Clayton.
1907--	Register (orig.), 1 vol. Numer. by registration number; indexed alph. by name of deceased. County clerk, Clayton.
1910--	Certificates (trip.), 4 vols. Numer. by registration number; indexed alph. Health officer, Clayton.
1918	Index (orig.), 2 f. b. Alph. by name of deceased. Health officer, Clayton.
1923--	Certificates (dup.), 3 vols. Chron. by date of death; indexed alph. by name of deceased. Health officer, Clayton.

VALENCIA COUNTY

1907-28	Register (orig.), 1 vol. Chron. by date of recording; indexed alph. by name of deceased, County clerk, Los Lunas.
1922--	Register (trip.), 7 vols. Chron. by date of death; no index. Health officer, Los Lunas.
1926-28	Index (orig.), 1 f. d. Alph. by name of deceased. County clerk, Los Lunas.
1928--	Certificates (dup.), 4 vols, and 4 f. d. Numer. by certificate number; indexed alph. by name of deceased. (Vols. in county commissioners' room; drawers in county clerk's va.) County clerk, Los Lunas.

ARMY MEDICAL LIBRARY
WASHINGTON, D. C. U. S. A.

DEATHS

STATE RECORDS

Old Series

BERNALILLO COUNTY

1902-19 Certificates (orig.), 19 vols. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

CATRON COUNTY

No records reported as county was not created until 1921.

CHAVES COUNTY

1907-19 Certificates (orig.), 683. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

COLFAX COUNTY

1907-19 Certificates (orig.), 1726. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

CURRY COUNTY

1909-19 Certificates (orig.), 1 vol. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

DE BACA COUNTY

1917 Certificates (orig.), 1 vol. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

DOÑA ANA COUNTY

1907-19 Certificates (orig.), 1 vol. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

Deaths - State Records - Old Series

EDDY COUNTY

1908-19	Certificates (orig.), 214. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

GRANT COUNTY

1907-19	Certificates (orig.), 984. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

GUADALUPE COUNTY

No records reported.

HARDING COUNTY

No records reported as county was not created until 1921.

HIDALGO COUNTY

No records reported as county was not created until 1919.

LEA COUNTY

No records reported.

LINCOLN COUNTY

1910, 1913-19	Certificates (orig.), 65. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

LUNA COUNTY

1907-19	Certificates (orig.), 839. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

Deaths - State Records - Old Series

MCKINLEY COUNTY

1910, 1917-19	Certificates (orig.), 170. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

MORA COUNTY

1907-11, 1918-19	Certificates (orig.), 93. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

OTERO COUNTY

1907-19	Certificates (orig.), 514. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

QUAY COUNTY

1907-19	Certificates (orig.), 393. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

RIO ARRIBA COUNTY

No records reported.

ROOSEVELT COUNTY

1901, 1909-19	Certificates (orig.), 199. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

SANDOVAL COUNTY

No records reported.

Deaths - State Records - Old Series

SAN JUAN COUNTY

1907-19	Certificates (orig.), 225. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

SAN MIGUEL COUNTY

1915	Certificates (orig.), 1. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

SANTA FÉ COUNTY

No records reported.

SIERRA COUNTY

1901-2, 1907-19	Certificates (orig.), 150. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

SOCORRO COUNTY

1913, 1918	Certificates (orig.), 89. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

TAOS COUNTY

No records reported.

TORRANCE COUNTY

1908, 1913 1919	Certificates (orig.), 5. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

UNION COUNTY

1913-18	Certificates (orig.), 19. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

Deaths - State Records - Old Series

VALENCIA COUNTY

1908-19 Certificates (orig.), 369. Arr. by county and chron. thereunder; no index. State Registrar of Vital Statistics, Santa Fé.

DEATHS

STATE RECORDS

New Series

BERNALILLO COUNTY

1920-- Certificates (orig.), 38 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

CATRON COUNTY

1921-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

CHAVES COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

COLFAX COUNTY

1920-- Certificates (orig.), 21 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

CURRY COUNTY

1920-- Certificates (orig.), 20 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

DE BACA COUNTY

1920-- Certificates (orig.), 21 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

Deaths - State Records - New Series

DOÑA ANA COUNTY

1920-- Certificates (orig.), 21 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

EDDY COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

GRANT COUNTY

1920-- Certificates (orig.), 20 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

GUADALUPE COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

HARDING COUNTY

1921-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

HIDALGO COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

Deaths - State Records - New Series

LEA COUNTY

1920--- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

LINCOLN COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

LUNA COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

MCKINLEY COUNTY

1920--- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

MORA COUNTY

1920--- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

OTERO COUNTY

1920--- Certificates (orig.), 20 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

Deaths - State Records - New Series

QUAY COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

RIO ARRIBA COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

ROOSEVELT COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

SANDOVAL COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

SAN JUAN COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

SAN MIGUEL COUNTY

1920-- Certificates (orig.), 22 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

Deaths - State Records - New Series

SANTA FÉ COUNTY

1920-- Certificates (orig.), 23 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

SIERRA COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

SOCORRO COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

TAOS COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

TORRANCE COUNTY

1920 Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

UNION COUNTY

1920-- Certificates (orig.), 20 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

Deaths - State Records - New Series

VALENCIA COUNTY

1920-- Certificates (orig.), 19 vols. and 24 folders. Arr. by county and chron. thereunder; indexed alph. by surname of deceased. State Registrar of Vital Statistics, Santa Fé.

MARRIAGE RECORDS

MARRIAGE RECORDS

The first provisions for regulating marriages in New Mexico appeared in an act of the Legislature in 1860 entitled "An Act to incorporate the Mesilla Mining Company." This provided that it should be "lawful, valid, and binding, to all intents and purposes, for those who may so desire, to solemnize the contract of matrimony by means of any ordained clergyman whatsoever, without regard to the sect to which he may belong, or by means of any civil magistrate."[1] The term "civil magistrate" was held by the Supreme Court to include probate judges as well as justices of the peace and district judges in solemnizing the contract of matrimony.[2]

The Supreme Court has ruled that common law marriages are not valid in New Mexico.[3]

An act of the Legislature in 1863 required that all persons authorized to solemnize marriages should keep a register of all marriages celebrated before them, and that it should be their duty, on the first day of January and of July of each year, or at every regular term of the probate court in each county, to transmit a certificate containing the names in full of all persons united in marriage before them, setting forth the dates on which said marriages were celebrated, which report was to be addressed to the clerk of the probate court.[4] Any of the foregoing persons who neglected, refused, or failed to make the required report of all the marriages solemnized before him within the time specified, was to be held an infractor of the law, and on conviction to be fined in any sum not less than $25 nor more than $50, which together with other costs accrued, were to be recovered by the prosecutor as an action of debt before any court having jurisdiction in the case.[5]

Furthermore it was the duty of the clerks of the various probate courts to prepare books of registry, wherein they recorded all the reports made to them of marriages celebrated. In any case a clerk of the probate court refused or failed to comply with the above provisions he was to be deemed guilty of a misdemeanor and upon conviction was to be fined not less than $50 nor more than $100.[6]

The same act further provided that it should be lawful for any religious society to celebrate marriage conformably with the rites and customs thereof, and that the secretary of said society or the person presiding over the same should make and transmit a transcript to the probate

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1. L.N.M., 1859-60, sec. 2, p. 120.
2. Golden vs. Golden, 41 N. M. 356.
3. Gabaldon vs. Gabaldon, 38 N. M. 392.
4. L.N.M., 1862-63, sec. 4, p. 66.
5. Ibid., sec. 5.
6. Ibid., sec. 6.

Marriage Records

court certifying to the marriages so solemnized. The probate clerk was to record these marriages in the manner heretofore prescribed for those performed by civil magistrates. In case the society or the secretary or president thereof failed to comply with these provisions they were to incur the same penalty provided for civil magistrates.[1]

The copy of a certificate of any recorded marriage, as provided above, authenticated by the probate court as recorder, was to be competent evidence in all the courts to establish that such marriage was celebrated in conformity to law.[2]

If any person authorized to solemnize marriage voluntarily united any parties in matrimony in contravention of the provisions of this act, or voluntarily made a false return of any marriage or pretended marriage to the recorder, or if such recorder voluntarily made a false record of any marriage return, the same was to be punished by any court having jurisdiction in the case, by a fine of not less than $100, or a sentence to hard labor, being confined in the jail of the county wherein the offense was committed, for a term of not less than three months, or both, at the discretion of the court.[3]

An act of 1864 required that it should be the duty of the persons authorized to perform marriages to collect, from the contracting parties of the marriage, $0.50 and to transmit the same together with the transcript, according to the act of 1863.[4]

In 1905 it was provided that all persons desiring to enter into the marriage relation should obtain a license from the probate clerk in the county wherein they desire the marriage to occur.[5]

With the adoption of the Constitution in 1912 all duties relating to marriages heretofore performed by the probate clerk were transferred to the county clerk.[6]

In 1915 the 1905 act was amended so that whenever the contracting parties reside more than 10 miles from the county seat of any county they may, if they desire, make application for such license to any person authorized to perform marriages or to administer oaths, under the laws of the State, who is to interrogate them in the manner prescribed by the laws of the State, certifying the result thereof to the county clerk in

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1. L.N.M., 1862-63, sec. 7, p. 66.
2. Ibid., sec. 8.
3. Ibid., sec. 10, p. 68.
4. Ibid., 1863-64, sec. 2, p. 114.
5. Ibid., 1905, ch. 65, sec. 1, p. 121.
6. Const., art. VI, sec. 22.

Marriage Records

writing, without expense to the applicants. Upon satisfactory proof being produced that the parties are legally qualified to marry, the county clerk is to thereupon issue a license authorizing said parties to contract marriage.[1]

This act also required that all persons authorized to solemnize marriage shall require the parties contemplating marriage to produce a license signed and sealed by the clerk authorizing said marriage. Nothing in this act was to be construed as excusing any person from exercising the same care in satisfying himself as to the legal qualifications of any parties desiring him to perform the marriage ceremony, now required of him by law, in addition to the authority conferred by the license aforesaid.[2]

The act of 1905 further provided that it shall be the duty of all persons performing the marriage ceremony to certify said marriage to the clerk within 90 days from the date of marriage. The clerk shall immediately upon receipt of said certificate, cause the same to be properly recorded and indexed in a permanent record book kept for that purpose as a part of the county records. A uniform system of records and certificates was also provided for.[3]

All marriages celebrated or contracted in the Territory of New Mexico during the year 1905 without the persons entering into the marriage relation having first obtained a license from the probate clerk of the proper county, but which marriages were valid according to the law as it existed prior to April 13, 1905 were validated and legalized by an act of the Legislature in 1909, the same being in the same force and effect as if such marriage had been celebrated or contracted after a proper license had been obtained.[4]

In 1919 an act was passed requiring that everyone solemnizing marriages must report the same to the State Board of Health within 30 days after the date of performing same. The county clerk was also to report all marriages recorded by him to the State Board of Health by the tenth of each month for the month last past.[5] The provisions of this act relating to marriages was repealed in 1921.[6]

** * * *

County clerks will furnish certified copies of marriage licenses and certificates combined for a fee of $1.00 each.

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1. L.N.M., 1915, ch. 31, sec. 1, p. 42.
2. Ibid.
3. Ibid., 1905, ch. 95, sec. 4, p. 121
4. Ibid., 1909, ch. 91, sec. 1, p. 245.
5. Ibid., 1919, ch. 85, sec. 17, p. 166.
6. Ibid., 1921, ch. 145, sec. 9, p. 318.

MARRIAGES

COUNTY RECORDS

BERNALILLO COUNTY

1866-1919	Record (orig.), 1 vol. Chron.; indexed alph. by name of groom. Discontinued. Reports from outlying districts; mostly written in Spanish. County clerk, Albuquerque.
1888--	Record (orig.), 26 vols. Chron.; cross-indexed alph. County clerk, Albuquerque.
1888--	Index (orig.), 3 vols. Chron. under alph. subdivisions. County clerk, Albuquerque.
1894-96, 1903-5	Certificates (orig.), 4 f. b. No arr.; no index. Filed with "Old Deeds" and "Deeds and Miscellaneous Papers." County clerk, Albuquerque.
1901-23, 1927--	Licenses and certificates (orig.), 5 f. b. Chron. by date of license; no index. Filed with "Old Marriage Licenses." County clerk, Albuquerque.

CATRON COUNTY

1921--	License record (orig.), 2 vols. Chron. by date of application; indexed alph. by names of bride and groom. (Marriage certificate on reverse side.) County clerk, Reserve.
1921--	General index (orig.), 1 vol. Alph. cross-indexed by names of bride and groom. County clerk, Reserve.

CHAVES COUNTY

1893, 1895, 1899-1909, 1912--	Licenses (orig.), 2 f. d. and 1 box. No arr.; no index. County clerk, Roswell.
1905--	Licenses and certificate stubs (dup.), 19 vols. Numer. by cert. number; indexed alph. by surname of bride and groom. County clerk, Roswell.

Marriages - County Records

COLFAX COUNTY

1869--	Record (orig.), 23 vols. Chron.; cross-indexed alph. County clerk, Raton.
1919--	License stubs (orig.), 29 vols. Chron.; indexed alph. County clerk, Raton.

CURRY COUNTY

1905--	Record (orig.), 24 vols. Numer. by certificate number; cross-indexed alph. by names of bride and groom. County clerk, Clovis.
1905--	Index (orig.), 1 vol. Chron. under alph. subdivisions. County clerk, Clovis.
1905-15, 1926, 1929	Certificate stubs (orig.), 3 vols. Chron. by date of licenses; no index. County clerk, Clovis.

DE BACA COUNTY

1905--	Record (3 vols. dup.; 1 vol. orig.) Chron. by date of marriage; indexed alph. County clerk, Fort Sumner.

DOÑA ANA COUNTY

1869--	Record (orig.), 35 vols. Numer. by application number; cross-indexed alph. by names of bride and groom. County clerk, Las Cruces.
1879--	License applications (orig.), 4 f. d. Chron. by date of filing; no index. County clerk, Las Cruces.
1891--	Index (orig.), 3 vols. Alph. cross-indexed by names of bride and groom. County clerk, Las Cruces.
1905-10, 1912-14, 1919-32, 1935--	License stubs (orig.), 30 vols. Numer. by certificate number; no index. County clerk, Las Cruces.

Marriages - County Records

EDDY COUNTY

1891--	Certificate (orig.), 25 vols. Numer. by certificate number; no index. On reverse side of license. 1891-1912, 1937--, county clerk, Carlsbad; 1912-37, Historical Society of New Mexico, University of New Mexico, Albuquerque.
1891--	Record (orig.), 14 vols. 1891-1904, chron. by date of entry; 1915--, numer. by certificate number; no index. County clerk, Carlsbad.
1893-1921	Record (orig.), 10 f. d., 3 f. b., and 1 bdl. No obvious arr.; no index. With "Miscellaneous Papers"; includes applications, licenses, certificates, and reports. Board of county commissioners, Carlsbad.
1895-99	Register (orig.), 1 vol. Chron. by date of marriage; no index. County clerk, Carlsbad.
1895--	License application stubs (orig.), 24 vols. Numer. by application number; no index. County clerk, Carlsbad.

GRANT COUNTY

1868-81	Reports (orig.), 1 box. No obvious arr.; no index. County clerk, Silver City.
1871--	Record (orig.), 9 f. d. Chron. by date issued; 1871-98, no index; 1899--, alph. cross-indexed. County clerk, Silver City.
1882-93	Register (orig.), 1 vol. Chron. by date entered; no index. County clerk, Silver City.
1888-99	Certificates (orig.), 1 f. d. Chron. by date issued; no index. County clerk, Silver City.
1892-99, 1907-23, 1937--	License application stubs (orig.), 18 vols. Numer. by certificate number; indexed alph. County clerk, Silver City.
1899--	Index (orig.), 11 vols. Alph. cross-indexed by names of bride and groom. County clerk, Silver City.

Marriages - County Records

GRANT COUNTY (continued)

1902--	Certificates (orig.), 14 vols. Numer. by certificate number; no index. County clerk, Silver City.
1905--	License applications (orig.), 9 f. d. Chron. by date issued; indexed alph. by names of bride and groom. County clerk, Silver City.

GUADALUPE COUNTY

1895--	Record (orig.), 7 vols. Chron. by date of application; indexed alph. by names of bride and groom. County clerk, Santa Rosa.
1930--	License applications (orig.), 2 f. d. Numer. by application number; no index. County clerk, Santa Rosa.
1938--	License stubs (orig.), 1 vol. Numer. by license number; no index. County clerk, Santa Rosa.

HARDING COUNTY

1921--	License (orig.), 1 vol. Chron. by date of marriage; alph. cross-indexed by names of bride and groom. County clerk, Mosquero.
1921--	Record (dup.), 2 vols. Chron. by date of marriage; alph. cross-indexed by names of bride and groom. County clerk, Mosquero.

HIDALGO COUNTY

1895-1919	Record (orig.), 1 vol. Numer. by license number; alph. cross-indexed by names of bride and groom. County clerk, Lordsburg.
1895-1919	Index (orig.), 1 vol. Alph. cross-indexed by names of bride and groom. County clerk, Lordsburg.
1920--	Index (orig.), 3 vols. Alph. cross-indexed by names of bride and groom. County clerk, Lordsburg.

Marriages - County Records

HIDALGO COUNTY (continued)

1920--	License stubs (orig.), 39 vols. Numer. by certificate number; alph. cross-indexed by names of bride and groom. County clerk, Lordsburg.
1920--	Record (orig.), 16 vols. Numer. by license number; alph. cross-indexed by names of bride and groom. County clerk, Lordsburg.
1921--	License applications (orig.), 12 f. d. Numer. by application number; no index. County clerk, Lordsburg.

LEA COUNTY

1917--	Applications (orig.), 3 vols. Alph. cross-indexed by names of bride and groom. County clerk, Lovington.
1917--	Licenses and certificates (orig.), 6 vols. Chron. by date of marriages; alph. cross-indexed by names of bride and groom. County clerk, Lovington.

LINCOLN COUNTY

1882--	Record (orig.), 2 vols. Chron. by date of application; indexed alph. County clerk, Carrizozo.

LUNA COUNTY

1901-18	Index (orig.), 1 vol. Chron. by date of filing. County clerk, Deming.
1901--	Record (orig.), 12 vols. Numer. by application number; alph. cross-indexed by names of bride and groom. County clerk, Deming.
1905--	License applications (orig.), 12 vols. and 1 bdl. Numer. by application number; no index. County clerk, Deming.
1905--	Certificates (orig.), 13 vols. Numer. by certificate number; no index. County clerk, Deming.

Marriages - County Records

MCKINLEY COUNTY

1901--	Record (orig.), 3 vols. Numer. by license number; alph. cross-indexed by names of bride and groom. County clerk, Gallup.
1905--	License and certificate stubs (orig.), 17 vols. Chron. by date issued; no index. County clerk, Gallup.
1935-38	License applications (orig.), 11 vols. Chron. by date of issue; no index. County clerk, Gallup.

MORA COUNTY

1866--	Record (orig.), 10 vols. Chron. by date of recording; alph. cross-indexed by names of bride and groom. County clerk, Mora.
1905--	License applications (orig.), 3 f. d. and 1 f. b. Chron. by date of application; no index. 1915-21, 1926--, county clerk, Mora; 1905-15, 1925, Historical Society of New Mexico at University of New Mexico.
1907--	License stubs (orig.), 10 vols. Numer. by license number; no index. County clerk, Mora.

OTERO COUNTY

1899--	Record (orig.), 10 vols. Numer. by certificate number; indexed alph. by name of bride and groom. County clerk, Alamogordo.
1905--	License applications (orig.), 4 f. b. Chron. by date of application; no index. County clerk, Alamogordo.
1917	Certificates (orig.), 1 f. b. No obvious arr.; no index. Filed with "Recorded Instruments". County clerk, Alamogordo.
1921	Record (orig.), 5 vols. Chron. by date of recording; indexed alph. In "Miscellaneous Record". County clerk, Alamogordo.
1926--	Certificates (orig.), 1 vol. Chron. by date of issue; no index. County clerk, Alamogordo.

Marriages - County Records

QUAY COUNTY

1904-- Record (dup.), 9 vols. Numer. by certificate number; indexed alph. County clerk, Tucumcari.

RIO ARRIBA COUNTY

1884-1905, 1907-- Record (orig.), 9 vols. Numer. by certificate number; indexed alph. (Records for 1906, Vol. 2, lost.) County clerk, Tierra Amarilla.

ROOSEVELT COUNTY

1903-- Record (orig.), 10 vols. Numer. by certificate number; indexed alph. by surname of both parties. County clerk, Portales.

SANDOVAL COUNTY

1900-- License applications (orig.), 6 vols. Numer. by application number; indexed alph. County clerk, Bernalillo.

1926-- Record (orig.), 5 vols. Numer. by application number; indexed alph. by name of groom. County clerk, Bernalillo.

1926-- License (orig.), 1 f. d. No obvious arr.; no index. County clerk, Bernalillo.

1926-- License stubs (orig.), 8 vols. Numer. by license number; no index. (Reverse side shows marriage certificates.) County clerk, Bernalillo.

SAN JUAN COUNTY

1887-- Record (orig.), 8 vols. Chron. by date issued; indexed alph. by names of bride and groom. County clerk, Aztec.

1919-- License applications (orig.), 8 vols. Chron. by date of application; no index. County clerk, Aztec.

Marriages - County Records

SAN MIGUEL COUNTY

1888-1905	Register (orig.), 1 vol. Chron. by date recorded; no index. County clerk, Las Vegas.
1889--	Record (dup.), 18 vols. Numer. by license number; indexed alph. by name of bride and groom. County clerk, Las Vegas.
1891-1905	Record (orig.), 2 f. b. No obvious arr.; no index. County clerk, Las Vegas.
1900, 1907, 1911, 1927--	License applications (orig.), 2 f. b. No obvious arr.; no index. County clerk, Las Vegas.
1907-8, 1911-12, 1916-17, 1920-21, 1930-31, 1933-34, 1936--	License stubs (orig.), 14 vols. Numer. by license numbers; no index. County clerk, Las Vegas.

SANTA FÉ COUNTY

1863--	Record (orig.), 20 vols. Chron. by date of application; alph. cross-indexed by names of bride and groom. Recorded in Spanish and English. County clerk, Santa Fé.
1870-1901, 1903-6, 1926-28, 1930	Record (orig.), 1 f. b. No obvious arr.; no index. Recorded in Spanish and English. County clerk, Santa Fé.
1902-3 1907--	License applications (orig.), 9 f. b. Numer. by application number; no index. County clerk, Santa Fé.
1905-15 1917--	License stubs (orig.), 22 vols. Numer. by certificate number; no index. County clerk, Santa Fé.

SIERRA COUNTY

1905--	License applications (orig.), 3 boxes and 1 f. d. Numer. by application number; no index. County clerk, Hot Springs.

Marriages - County Records

SIERRA COUNTY (continued)

1905-- Record (orig.), 4 vols. Chron. by date entered; alph. cross-indexed by names of bride and groom. County clerk, Hot Springs.

1920-- Licenses and certificate stubs (orig.), 9 vols. Numer. by license numbers; no index. County clerk, Hot Springs.

SOCORRO COUNTY

1890-- Register (orig.), 10 vols. Chron. by date of marriage; alph. cross-indexed by names of bride and groom. County clerk, Socorro.

TAOS COUNTY

1863-- Record (dup.), 12 vols. Numer. by license number; alph. by name of groom. County clerk, Taos.

1931-- License applications (dup.), 4 f. b. and 1 f. d. Numer. by license number; no index. County clerk, Taos.

1932-- License stubs (dup.), 8 vols. Numer. by license number; no index. County clerk, Taos.

TORRANCE COUNTY

1910-- License applications (orig.), 5 f. d. Chron. by date of application; no index. County clerk, Estancia.

1910-- License stubs (orig.), 7 vols. Numer. by license number; no index. County clerk, Estancia.

1910-- Record (orig.), 6 vols. Chron. by date of marriage; alph. cross-indexed by names of bride and groom. County clerk, Estancia.

UNION COUNTY

1894-- Record (orig.), 10 vols. Chron. by date of recording; alph. cross-indexed by names of bride and groom. County clerk, Clayton.

Marriages - County Records

UNION COUNTY (continued)

1925--	License stubs (orig.), 9 vols. Numer. by license number; indexed by names of bride and groom. County clerk, Clayton.
1938--	License applications (orig.), 1 envelope. Numer. by application number; alph. cross-indexed by names of bride and groom. County clerk, Clayton.

VALENCIA COUNTY

1905--	License applications (orig.), 5 f. d. Chron. by date of application; no index. County clerk, Los Lunas.
1905--	Record (orig.), 13 vols. Numer. by certificate number; alph. cross-indexed by names of bride and groom. County clerk, Los Lunas.
1918-21	Index (orig.), 1 vol. Alph. by names of bride and groom. County clerk, Los Lunas.
1937--	License applications (orig.), 2 vols. Numer. by certificate numbers; no index. County clerk, Los Lunas.

DIVORCE RECORDS

DIVORCE RECORDS

No attempt has been made in this volume to tabulate records of divorces as the law makes no provision for the keeping of separate divorce records in the State of New Mexico. All records of such cases are to be found in the case files and records of the various district courts. Previous to 1912, divorce records are to be found in the case files and records of the Territorial district courts. Such cases are indexed along with the regular district court indices and are not in any way distinct from the regular record of civil cases.

The customary fee for furnishing certified copies of divorce judgments is $0.50 each and transcripts of hearings and decrees will be furnished by the clerk of the district court at a cost of $0.10 per hundred words.

DIVORCE RECORDS

No attempt has been made in this volume to tabulate records of divorces as the law makes no provision for recording of separate divorce records in the Bureau of Vital Statistics. All records of such cases are to be found in the case files and records of the various district courts. Previous to 1919, divorce records are to be found in the case files and records of the territorial district courts. Such cases are indexed along with the regular District Court indices and are not in any way distinct from the regular record of civil cases.

The customary fee for furnishing certified copies of divorce judgments is $0.50 each and transcripts of hearings and decrees will be furnished by the clerk of the District Court at a cost of $0.10 per hundred words.

CHURCH RECORDS

VITAL STATISTICS RECORDS AVAILABLE IN OLD SPANISH MISSIONS IN NEW MEXICO UNDER THE SUPERVISION OF THE ARCHDIOCESE OF SANTA FÉ (NOT OPEN TO PUBLIC INSPECTION.)[1]

All requests for information concerning these records should be directed to the Archdiocese of Santa Fé, P. O. Box 707, Santa Fé, New Mexico.

BAPTISMAL

Abiquiu	1832 to 1847
Ácoma	1725 to 1777
Albuquerque	1706 to 1835
Belén	1810 to 1861
Bernalillo	1700 to 1712
Cochití	1736 to 1829
Galisteo	1711 to 1727
Isleta	1730 to 1842
Jémez	1720 to 1776
Nambé	1771 to 1837
Pecos	1775 to 1829
Picuríz	1776 to 1830
Pojuaque	1779 to 1839
Sandía	1776 to 1846
San Felipe	1705 to 1825
San Ildefonso	1725 to 1834
San Juan	1726 to 1839
Santa Ana	1771 to 1844
Santa Clara	1728 to 1845
Santa Cruz	1710 to 1854
Santo Domingo	1721 to 1836
Santa Fé	1747 to 1841
Socorro	1821 to 1829
Taos	1701 to 1859
Tesuque	1694 to 1726
Tomé	1793 to 1844
Zía	1691 to 1773

MATRIMONIALS

Abiquiu	1777 to 1826
Ácoma	1726 to 1770
Albuquerque	1726 to 1856
Belén	1826 to 1856
Cochití	1776 to 1873
Galisteo	1776 to 1888
Isleta	1726 to 1776
Laguna	1720 to 1777

MATRIMONIALS (continued)

Mora	1858 to 1908
Nambé	1707 to 1728
Pecos	1699 to 1763
Picuríz	1776 to 1837
Pojuaque	1779 to 1830
Sandía	1772 to 1864
San Felipe	1726 to 1814
San Ildefonso	1703 to 1880
San Juan	1726 to 1776
San Lorenzo	1726 to 1775
Santa Cruz	1726 to 1862
Santa Fé	1728 to 1857
Santo Domingo	1846 to 1852
Socorro	1821 to 1844
Taos	1720 to 1877
Tomé	1810 to 1855
Zía	1697 to 1707
Zuñi	1810 to 1855

BURIALS

Ácoma	1726 to 1777
Albuquerque	1726 to 1859
Arroyo Hondo	1852 to 1869
Belén	1838 to 1884
Cochití	1776 to 1845
Galisteo	1778 to 1827
Isleta	1726 to 1866
Jémez	1720 to 1776
Laguna	1727 to 1776
Mora	1856 to 1876
Nambé	1726 to 1869
Pecos	1727 to 1772
Picuríz	1728 to 1858
Pojuaque	1779 to 1852
Sandía	1771 to 1858
San Ildefonso	1836 to 1856
San Felipe	1726 to 1869

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1. Letter from Reverend C. C. Schoeppner, Chancellor of Archdiocese of Santa Fé, June 1, 1941, on file with the New Mexico Historical Records Survey.

Vital Statistics Records

BURIALS (Continued)

San Juan	1726 to 1869
Santa Clara	1726 to 1865
Santa Cruz	1726 to 1857
Santa Fé	1726 to 1852
Santo Domingo	1771 to 1869
Socorro	1821 to 1844
Taos	1727 to 1855
Trampas	1840 to 1858
Zía	1727 to 1776
Zuñi	1707 to 1719

APPENDIX

ACTS OF THE LEGISLATURE

AND

REPORTS & OPINIONS OF THE ATTORNEY GENERAL

RELATING TO VITAL STATISTICS

APPENDIX

ACTS OF THE LEGISLATURE

AN ACT TO INCORPORATE THE MESILLA MINING COMPANY.* L.N.M. 1859-60 p. 120

Sec. 2. Be it further enacted: That it shall be lawful valid and binding, to all intents and purposes, for those who may so desire to solemnize the contract of matrimony by means of any ordained clergyman whatsoever, without regard to the sect to which he may belong, or by means of any civil magistrate. Ministers and magistrates may marry.

*Incorrectly titled in old statute books.

AN ACT

REGULATING MARRIAGES L.N.M. 1862-63 p. 64

Be it enacted by the Legislative Assembly of the Territory of New Mexico:

Section 4. That all persons authorized to celebrate the marriages herein designated shall keep a register of all marriages before them celebrated, and it shall be their duty, on the first days of January and July of each year, or at every regular term of the Probate Courts of each county, to transmit a certificate containing the names in full of all persons united in marriages before them, setting forth the dates on which said marriages were celebrated, which report shall be addressed to the clerk of the Probate Court of the county wherein said marriages were solemnized. Marriages to be reported and registered. p. 66.

Section 5. That any person among those contemplated by the foregoing section who shall neglect, refuse or fail to make the required report of all marriages solemnized before him within the time specified, shall be held to be an infractor of the law, and on conviction shall be fined in any sum not less than twenty-five nor more than fifty dollars, which, together with other costs accrued, shall be recovered by the prosecutor as an action of debt before any court having jurisdiction in the case. Failure to report. Penalty

Section 6. That it shall be the duty of the clerks of the Probate Court of each county in this Territory to prepare books of registry, wherein they shall record all the reports made to them of marriages celebrated by Clerks of Probate Court, duty of.

Appendix

the several persons authorized by law to solemnize the same, and in case any clerk of the different Probate Courts refuse or fail to comply with his duty as prescribed in this section, he shall, on conviction before any court having jurisdiction in the case, pay a fine of not less than fifty nor more than one hundred dollars, which, together with the other costs accrued, shall be recovered by the prosecutor as an action of debt.

Neglect of duty, penalty.

Religious societies may solemnize marriages. Probate clerks to report. Penalty.

Section 7. That it shall be lawful for any religious society to celebrate marriage conformably with the rites and customs thereof, and that the secretary of said society or the person presiding over the same, shall make and transmit a transcript to the Probate Court certifying to the marriages by the same solemnized, and it shall be the duty of said clerk to record said marriages in the same manner as provided for in the foregoing section, and in case said society or the secretary or the person president thereof fail to comply with the provisions hereof, the same shall incur the penalty provided in the fifth section of this act, which shall be recovered in the same manner as is prescribed in said section.

Marriage, certificates of

Section 8. That the copy of a certificate of any recorded marriage, as hereinbefore provided, authenticated by the Probate Court as recorder, shall be competent evidence in all the courts to establish that such marriage was celebrated in conformity to law.

Legal foreign marriages legal in this Territory.

Section 9. That all marriages celebrated beyond the limits of this Territory which are valid according to the laws of the country wherein they were celebrated or contracted, shall be likewise valid in this Territory, and shall therefore have the same force as if they had been celebrated in accordance with the laws in force in this Territory.

Misdemeanor, what constitutes

Section 10. That if any person authorized to solemnize marriage voluntarily unite any parties in matrimony in contravention of the provisions of this act, or voluntarily make a false return of any marriage or pretended marriage to the recorder, of if such recorder voluntarily make a false record of any marriage return, the same shall, on conviction, be guilty of a misdemeanor, and shall be punished by any court having jurisdiction in the case by fine of not less than one hundred dollars, or sentenced to hard labor, being confined in the jail of the county wherein the offence was committed, for a term of not three months, or both, at the discretion of the court.

Appendix

AN ACT

AMENDING AN ACT APPROVED JANUARY 28TH, 1863. L.N.M. 1863-64 p. 114

Be it enacted by the Legislative Assembly of the Territory of New Mexico:

Section 2. That it shall be the duty of the persons authorized to perform marriages, from the contracting parties of the marriage, said compensation mentioned in the first section, and to transmit the same together with the transcript, according as provided in section seven, of an act regulating marriages, approved January 29, 1863. Duty of persons performing marriages.

Approved, February 4, 1864.—Translation.

CHAPTER 65.

AN ACT REGARDING MARRIAGES, PROVIDING FOR UNIFORM SYSTEM OF RECORDS THEREOF AND FOR OTHER PURPOSES. L.N.M. 1905 p. 120

Be it enacted by the Legislative Assembly of the Territory of New Mexico:

Section 1. Marriage license obtained from probate clerk. That hereafter all persons desiring to enter into the marriage relation in the Territory of New Mexico, shall obtain a license from the probate clerk in the county wherein they desire the marriage to occur. p. 121

Section 4. Marriage certificate to be sent to probate clerk. Duty of probate clerk to record certificate. It shall be the duty of all persons performing the marriage ceremony in this territory as herein provided, to certify said marriage to the probate clerk within ninety days from the date of marriage. The probate clerk shall immediately upon receipt of said certificate cause the same to be properly recorded and indexed in a permanent record book kept for that purpose as a part of the county records.

Section 7. Specific form to be used. To insure a uniform system of records of all marriages hereafter contracted, and the better preservation of said record for future reference, the form of application, license and certificate provided herein shall be substantially as follows, each blank to be numbered consecutively corresponding with page number of the record book in the

Appendix

clerk's office; all such blanks to be provided free of cost by the county for public use. A copy of this act to be
p. 122 posted by the clerk in at least three conspicuous places in each precinct for twelve months after its passage.

Section 8.

NO.....

APPLICATION FOR MARRIAGE LICENSE.

TERRITORY OF NEW MEXICO, COUNTY OF.....

To the Probate clerk: I hereby make application for a license to unite in marriage with..... whose age is...... I certify I was born at..... ....., on the.....day of.....1...... That I am now a resident of.....; that we are not related within the degree prohibited by the laws of this territory; that neither of us are bound by marriage to another; that there exists no legal impediment to said marriage.

.....

Subscribed and sworn to before me this.....day of..... .....A. D., 19.....

.....

(Use same form for second party).

CONSENT OF PARENT OR GUARDIAN (where either party is under age).

I, the parent (or guardian) of..... hereby consent to the granting of a license to marry, waiving the question of minority.

.....

p. 122 MARRIAGE LICENSE.

Territory of New Mexico,)
) ss.
County of.....)

TO ANY PERSON AUTHORIZED BY LAW TO PERFORM THE MARRIAGE CEREMONY: GREETING:

You are hereby authorized to join in marriage..... .....of.....and..... of.....and of this license you will make due return to my office within the time prescribed by law.

Witness my hand and the seal of said court at..... .....this.....day of.....19.....

.....

Probate Clerk

Recorded.....19.....at.....M.

In marriage record book No....., page.....

.....

Probate Clerk and ex-Officio County Recorder

Appendix

MARRIAGE CERTIFICATE. p. 123

Territory of New Mexico,)
) ss.
County of.....)

I hereby certify that on the.....day of.....
A. D., 19....., at.....in said county and territory, I, the undersigned, a....., did join the HOLY BONDS OF MATRIMONY in accordance with the laws of the Territory of New Mexico and the authorization of the foregoing license.....of.....
and.....of.....

Witness my hand and seal the day and year last above written.

.....
(Official Title).....

WITNESSES:

.....

.....

Signed.....Groom. Signed.....Bride.
Recorded this.....day of....., A. D., 19.....at
.....M. Marriage Record Book No.....Page No.....

Probate Clerk and Ex-Officio County Recorder.

H. B. No. 129; Approved March 14, 1905.

CHAPTER 91

AN ACT PROVIDING FOR REGISTRATION OF BIRTHS AND DEATHS, AND FOR OTHER PURPOSES. L.N.M. 1907 p. 214

Be it enacted by the Legislative Assembly of the Territory of New Mexico:

Section 1. Physician or other to furnish certificate relative to births. Every physician or midwife who shall have professional charge of the mother at the birth of any child, and every attendant who may act as midwife at p. 215
such time, where no physician or midwife is employed, shall, within thirty days after such birth, furnish the probate clerk of the county in which such birth may have taken place a certificate signed by such physician, midwife or attendant, stating, from the best information which can be obtained, the name (if such child have a name), the number; the maiden name of the mother; the name, age, color and nationality of the parents; the occupation of the father; and the name and address of the medical attendant.

Appendix

Section 2. Physician or other to furnish certificate relative to deaths. Any physician or other person who shall attend a person in his or her last illness shall transmit to the probate clerk of the county wherein such person died, a certificate of such death, which certificate shall state, from the best information which can be obtained, the date of such death; the name, age, sex, race, nationality and occupation of the deceased, and the place where such death occured.

Section 3. Register of births; form of certificate. It shall be the duty of the probate clerk to keep a book, to be styled Register of Births, in which he shall register and index all births reported to him, and such probate clerk shall have printed at the expense of the county, blank certificates of birth, which may be in the following form:

TERRITORY OF NEW MEXICO,)
County of.....)

THIS IS TO CERTIFY, That on the.....day of..... the Territory aforesaid,....., whose maiden name was....., gave birth to a.....child, which has been named....., said child being the.....child of said mother; That the name of the father (Number) of said child is.....; That he was born in the year 18....., in the state of....., and his occupation is.....; That the mother,..... was born in the year 18....., in the state of....., and that such parents reside.....

That.....,a (physician) (midwife) (attendant) was present at such birth.

Section 4. Register of deaths; form of certificate. It shall also be the duty of the probate clerk to keep a book, styled Register of Deaths, in which he shall register and index all deaths reported to him, and said Probate
p. 215 clerk shall have printed at the expense of the county, blank certificates of death, which may be in the following form:

TERRITORY OF NEW MEXICO,
County of.....

THIS IS TO CERTIFY, That on the.....day of....., A. D. 190....., at....., in precinct number....., in the county of....., in the Territory aforesaid....., a.....person, of the age of.....years, died of.....;

That such person was a native of ....., and of the ..... race; and that the occupation of said person was .....

Section 5. Fees of probate clerks for filing. The probate clerk shall receive from the county, the account to be audited and paid by the board of county commissioners as other bills of the county, ten (10¢) cents for recording and indexing each certificate of birth or certificate of death.

Section 6. Penalties for failure to comply with provisions. Any person whose duty it is made by this act to furnish and transmit a certificate of birth or death and who shall fail to do so, shall upon conviction thereof be fined not more than twenty ($20.00) dollars for each failure to comply with the provisions of this act.

Section 7. This act shall be in full force and effect from and after thirty days from the date of its passage, and all acts and parts of acts in conflict herewith are hereby repealed.

H. S. H. B. No. 116; Approved March 21, 1907.

CHAPTER 39

AN ACT AMENDING CHAPTER 91 OF THE SESSION LAWS OF 1907. L.N.M. 1909 p. 103

Contents.

Sec. 1. Amends Section 5, Chapter 91, Laws 1907.

Be it enacted by the Legislative Assembly of the Territory of New Mexico:

Section 1. Section 5 of Chapter 91, of the Acts of the Thirty-seventh Legislative Assembly of the Territory of New Mexico, be and the same is hereby amended so as to read as follows: "It shall be the duty of the probate clerk to prepare a complete record of all births and deaths from the 21st day of April, A. D., 1907, within his county and record and index the said reports as herein provided, and he shall in addition to recording and indexing attach his certificate and seal thereto and preserve the same in numerical order in his office, for future reference, he shall receive from the county the account to be audited and paid by the Board of County Commissioners as other bills of the county, the sum of ten cents for recording and indexing the said report and the

amount now provided by law for certificate and seal: Provided, That each birth and each death shall be recorded but once.

Section 2. All acts and parts of acts in conflict with this act are hereby repealed and this act shall be in force and take effect from and after its passage.

H. B. No. 177; Approved March 16, 1909.

CHAPTER 91

L.N.M. 1909 Sec. 1 p. 245

AN ACT TO VALIDATE AND LEGALIZE ALL MARRIAGES CELEBRATED DURING THE YEAR A. D. 1905, IN THE TERRITORY OF NEW MEXICO WITHOUT HAVING OBTAINED A LICENSE FROM THE PROBATE CLERK OF THE COUNTY WHEREIN THE MARRIAGE OCCURRED.

Contents.

Sec. 1. Legalizing marriages contracted during 1905.

Be it enacted by the Legislative Assembly of the Territory of New Mexico:

Section 1. All marriages celebrated or contracted in the Territory of New Mexico, during the year A. D. 1905, without the persons entering into the marriage relation, having first obtained a license from the probate clerk of the proper county, but which marriages were valid according to the law as it existed prior to the passage of Chapter 65, of the Acts of the 36th Legislative Assembly, of the Territory of New Mexico, approved March 14, 1905, are hereby validated and legalized and shall have the same force and effect as if such marriages had been celebrated or contracted after the parties contracting such marriage had first obtained a license to marry from the probate clerk of the county wherein such marriage occurred.

C. B. No. 30; Approved March 18, 1909.

CHAPTER 31

L.N.M 1915 Sec. 1 p. 42.

AN ACT TO AMEND SECTION 2, CHAPTER 65, LAWS OF 1905, REGARDING MARRIAGE LICENSES, AND FOR OTHER PURPOSES.

Be it Enacted by the Legislature of the State of New Mexico:

Appendix

Section 1. That Section 2 of the Session Laws of 1905, Chapter 65, [Sec. 3436] be amended so as to read as follows:

"Whenever said parties reside more than ten miles from the county seat of any county they may, if they desire, make application for such license to any person authorized to perform marriages or to administer oaths under the laws of the state, who shall interrogate them in the manner prescribed by this act and the laws of the state, certifying the result thereof to the county clerk in writing, without expense to the applicants. Upon satisfactory proof being produced that the parties are legally qualified to marry, the county clerk shall thereupon issue a license under the seal of the probate court authorizing said parties to contract marriage."

Senate Substitute for H. B. No. 180; Approved March 9, 1915.

CHAPTER 85

AN ACT CONCERNING THE PUBLIC HEALTH; CREATING STATE, COUNTY AND MUNICIPAL HEALTH AUTHORITIES AND PRESCRIBING THEIR POWERS, DUTIES AND COMPENSATION; FIXING PENALTIES FOR VIOLATIONS; PROVIDING FOR THE RAISING OF FUNDS TO MEET EMERGENCIES, UPON THE CREDIT OF THE STATE. L.N.M. 1919 p. 161

Be it Enacted by the Legislature of the State of New Mexico:

Section 1. State Department of Health--Creation. There is hereby created for the State of New Mexico a "State Department of Health," which shall be composed of a state board of health and a commissioner of health.

Section 17. Reporting Vital Statistics. It shall be the duty of every priest, clergyman and magistrate who solemnizes a marriage to report such marriage as now required by law and also to report, under such rules and regulations as the State Board of Health may prescribe, to the said board such marriage within thirty (30) days after the date of performing same; it shall be the duty of every physician, nurse or mid-wife, or of the parents if not attended by a physician, nurse or mid-wife, to report as now required by law, and also to report to the State Board of Health under such rules and regulations as said board may prescribe, all births, at which they are in attendance at confinement, theretofore or thereafter, and of every physician, nurse or other person in attendance, to report in like manner all deaths and conditions of morbidity in their professional care; such reports shall be made within ten days after the condition to be reported shall have arisen. Every county clerk shall make, not later p. 166

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p. 166 than the tenth day of each month for the month last past, a report to the State Board of Health, under such rules and regulations as said board may prescribe, of all births, deaths and marriages reported to such county clerk. Any person who shall fail to make report as herein required shall, upon conviction, be fined not less than five nor more than one hundred dollars in the discretion of the court.

House Substitute for House Bill No. 118 (as amended by the Senate); Approved March 15, 1919.

CHAPTER 117.

L.N.M. 1921 p. 206 AN ACT CREATING A STATE DEPARTMENT OF PUBLIC WELFARE . . .

Be It Enacted by the Legislature of the State of New Mexico:

p. 208 Section 9. The State of New Mexico hereby accepts the provisions of the "Act for the Public Protection of Maternity and Infancy and Providing a Method of Cooperation Between the Government of the United States and the several States," now pending in the Congress of the United States, known as the "Sheppard-Towner Act," or any other Act or Acts that may be passed by the Congress providing for such cooperation or other cooperation in matters relating to child welfare, public health or public welfare, and appropriating money therefor.

The State Board of Public Welfare is hereby designated as the agency for the State of New Mexico with which the Children's Bureau or other agency of the United States authorized by any such Act of Congress shall have all necessary powers to cooperate as provided in any such Act in the administration thereof.

The State Treasurer of New Mexico is hereby appointed as custodian for all moneys that may be allotted to this State for such purposes by the United States and said State Treasurer shall receive and provide for the proper custody of such money and its disbursement on requisition of the State Board of Public Welfare.

C. S. for S. B. No. 163 (As Amended); Approved March 11, 1921.

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CHAPTER 145

AN ACT TO AMEND CHAPTER 85, SESSION LAWS OF 1919, CONCERNING THE PUBLIC HEALTH. L.N.M. 1921 p. 315

Be it Enacted by the Legislature of the State of New Mexico:

Section 9. Section 17 of Chapter 85, Session Laws of 1919, is hereby amended to read as follows: p. 318

"Section 17. Registration of Births and Deaths. Each county health officer shall appoint sub-registrars for the purpose of receiving for registration birth and death certificates, and for issuing burial or removal permits; provided, that not more than one sub-registrar shall be appointed in any school district, or in any one incorporated city, town or village. Such sub-registrars shall hold office at the pleasure of the appointing power, shall have such powers and duties with respect to the registration of births and deaths and the issuance of burial or removal permits as the State Board of Public Welfare shall by regulation prescribe, and shall receive such compensation for services rendered and expenses incurred as is herinafter provided. p. 319

There shall be paid by the County Treasurer, from the General Fund, to all duly appointed and approved sub-registrars, the sum of twenty-five cents for each birth certificate, and the sum of twenty-five cents for each death certificate, which shall be received by him and be by him properly filed in accordance with the regulations of the State Board of Public Welfare. Such payments shall be made quarterly in February, May, August and November, upon certification by the Director of Public Health to the County Treasurer, which certification shall state the names of the persons to whom payment is to be made, the number of certificates properly received and transmitted by him, and the amount to be paid therefor; provided, however, that payment shall be made only for certificates fully and completely made out in accordance with the regulations of the State Board of Public Welfare.

Certified copies of birth and death certificates shall be made only from the original certificates, and not from copies. For issuing a certified copy of an original certificate of birth or death, the Director of Public Health shall be entitled to, and shall receive, from the person to whom the certified copy is issued, the sum of fifty cents, if a resident of this State, and the sum of one dollar, if a non-resident. Fees received for the certification of birth and death certificates shall be accounted for in a special fund

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p. 319 by the Director of Public Health, and the proceeds thereof shall be paid by him to the State Treasurer at the end of each quarter.

Certificates of births, deaths and marriages shall not be open to the general inspection of the public, except in the presence of the legal custodian of such records, and under such restrictions as the State Board of Public Welfare may by regulation prescribe to prevent mutilation, alteration or injury thereof, or wrongful or improper use of the information contained therein.

p. 320 Each County Health Officer shall make a true and correct copy, in unfading ink, of all birth and death certificates filed with him, and shall deliver such copies to the County Clerk. The County Clerk shall receive, file, bind and index for the permanent county record all copies of birth and death certificates delivered to him by the County Health Officer. All original birth and death certificates shall be transmitted by the County Health Officer, by United States Mail, to the Director of Public Health, who shall receive, file, bind and index such original certificates for the permanent state record."

C. S. for H. B. No. 80 (as Amended); Approved March 12, 1921.

CHAPTER 15

L.N.M. 1925 p. 23 AN ACT AMENDING SECTION 9 OF CHAPTER 145, LAWS OF 1921, CONCERNING THE PUBLIC HEALTH.

Be It Enacted by the Legislature of the State of New Mexico:

Section 1. That Section 9 of Chapter 145, Session Laws of 1921, be, and the same is hereby amended to read as follows:

"Sec. 17. Registration of Births and Deaths. Each County Health Officer shall appoint sub-registrars for the purpose of receiving for registration birth and death certificates, and for issuing burial or removal permits; Provided, that not more than one sub-registrar shall be appointed in any school district, or in any one incorporated city, town or village. Such sub-registrars shall hold office at the pleasure of the appointing power, shall have such powers and duties with respect to the registration of births and

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deaths and the issuance of burial or removal permits as the State Board of Public Welfare shall by regulation prescribe, and shall receive such compensation for services rendered and expense incurred as is hereinafter provided. p. 24

There shall be paid to the County Commissioners, from the County Health Fund, to all duly appointed and approved sub-registrars, the sum of twenty-five cents for each birth certificate, and the sum of twenty-five cents for each death certificate, which shall be received by him and be by him properly filed in accordance with the regulations of the State Board of Public Welfare. Such payments shall be made quarterly in February, May, August and November, upon certification by the Director of Public Health to the County Treasurer, which certification shall state the names of the persons to whom payment is to be made, the number of certificates properly received and transmitted by him, and the amount to be paid therefor; Provided, however, that payment shall be made only for certificates fully and completely made out in accordance with the regulations of the State Board of Public Welfare.

Certified copies of birth and death certificates shall be made only from the original certificates, and not from copies. For issuing a certified copy of an original certificate of birth or death, the Director of Public Health shall be entitled to and shall receive, from the person to whom the certified copy is issued, the sum of fifty cents, if a resident of this State, and the sum of one dollar, if a non-resident. Fees received for the certification of birth and death certificates shall be accounted for in a special fund by the Director of Public Health, and the proceeds thereof shall be paid by him to the State Treasurer at the end of each quarter.

The Director of Public Health shall not collect nor account for fees for certified copies of birth and death certificates furnished to veterans of any wars in which the United States may have been engaged, when such certificates are required by such veterans for the making of claims against the Government, nor for such certified copies furnished to the United States Veterans' Bureau, or the United States Bureau of Pensions, nor for such certified copies furnished for official purposes only to any other governmental official, bureau or department. p. 24

Certificates of births and deaths shall not be open to the general inspection of the public, except in the presence of the legal custodian of such records, and under such restrictions as the State Board of Public Welfare may by regulation prescribe to prevent mutilation, alteration

or injury thereof, or wrongful or improper use of the information contained therein.

p. 25 Each County Health Officer shall make a true and correct copy, in unfading ink, of all birth and death certificates filed with him, and shall deliver such copies to the County Clerk. The County Clerk shall receive, file, bind and index for the permanent county record all copies of birth and death certificates delivered to him by the County Health Officer. All original birth and death certificates shall be transmitted by the County Health Officer, by United States Mail, to the Director of Public Health, who shall receive, file, bind and index such original certificates for the permanent state record."

S. B. No. 44; Approved March 9, 1925.

CHAPTER 52.

L.N.M. 1927 p. 216 AN ACT TO AMEND SECTION 17, CHAPTER 145, LAWS OF 1921, AS AMENDED BY CHAPTER 15, LAWS OF 1925, CONCERNING RECORDING OF BIRTHS AND DEATHS.

Be It Enacted by the Legislature of the State of New Mexico:

Section 1. That Section 17, Chapter 145, Laws of 1921, as amended by Section 1, Chapter 15, Laws of 1925, be, and the same is, hereby amended to read as follows:

"Sec. 17. Registration of Births and Deaths. Each County Health Officer shall appoint sub-registrars for the purpose of receiving for registration birth and death certificates, and for issuing burial or removal permits: Provided, that not more than one sub-registrar shall be appointed in any school district, or in any one incorporated city, town, or village. Such sub-registrars shall hold office at the pleasure of the appointing power, shall have such powers and duties with respect to the registration of births and deaths and the issuance of burial or removal permits as the State Board of Public Welfare shall by
p. 217 regulation prescribe, and shall receive such compensation for services rendered and expense incurred as is hereinafter provided.

"There shall be paid by the County Commissioners, from the County Health Fund, to all duly appointed and approved sub-registrars, the sum of twenty-five cents for each birth certificate, and the sum of twenty-five cents for each death certificate, which shall be received by him and be by

him properly filed in accordance with the regulations of the State Board of Public Welfare. Such payments shall be made quarterly in February, May, August and November, upon certification by the Director of Public Health to the County Treasurer, which certification shall state the names of the persons to whom payment is to be made, the number of certificates properly received and transmitted by him, and the amount to be paid therefor; Provided, however, that payment shall be made only for certificates fully and completely made out in accordance with the regulations of the State Board of Public Welfare. p. 217

"Certified copies of birth and death certificates shall be made only from the original certificates, and not from copies. For issuing a certified copy of an original certificate of birth or death, the Director of Public Health shall be entitled to, and shall receive from the person to whom the certified copy is issued, the sum of fifty cents, if a resident of this State, and the sum of one dollar, if a non-resident. Fees received for the certification of birth and death certificates shall be accounted for in a special fund by the Director of Public Health, and the proceeds thereof shall be paid by him to the State Treasurer at the end of each month, to be credited to the Bureau of Public Health.

"The Director of Public Health shall not collect nor account for fees for certified copies of birth and death certificates furnished to veterans of any wars in which the United States may ha ve been engaged, when such certificates are required by such veterans for the making of claims against the Government, nor for such certified copies furnished to United States Veterans' Bureau, or the United States Bureau of Pensions, nor for such certified copies furnished for official purposes only to any other governmental official, bureau or department.

"Certificates of births and deaths shall not be open to the general inspection of the public, except in the presence of the legal custodian of such records, and under such restrictions as the State Board of Public Welfare may by regulation prescribe to prevent mutilation, alteration or injury thereof, or wrongful or improper use of the information contained therein.

"Each County Health Officer shall make a true and correct copy, in unfading ink, of all birth and death certificates filed with him, and shall deliver such copies to the County Clerk. The County Clerk shall receive, file, bind and index for the permanent county record all copies of birth and

p. 217 death certificates delivered to him by the County Health Officer. All original birth and death certificates shall be transmitted by the County Health Officer, by United States Mail, to the Director of Public Health, who shall receive, file, bind and index such original certificates for the permanent state record.

"Chapter XIII of the New Mexico Statutes, Annotated, Codification of 1915, is hereby repealed."

H. B. No. 303; Approved March 11, 1927.

CHAPTER 70

L.N.M. 1929 p. 102 AN ACT CREATING THE HEALTH PROTECTION FUND FOR AID TO COUNTY HEALTH SERVICES, DEFINING ITS PURPOSE, PRESCRIBING THE MANNER IN WHICH IT SHALL BE EXPENDED, AND MAKING AN APPROPRIATION THEREFOR.

Be It Enacted by the Legislature of the State of New Mexico:

Section 1. The State Treasurer shall establish a special fund to be known as "The Health Protection Fund", which fund is hereby created. * * *

Section 5. There is hereby set aside from monies not otherwise appropriated the sum of ten thousand dollars ($10,000) for each of the eighteenth and nineteenth fiscal years to be placed to the credit of The Health Protection Fund for the purposes herein specified and for no other. Provided, that any balance of State monies remaining in said Fund and not allotted to any county shall revert to the general fund of the State at the end of each fiscal year; and Provided Further that no portion of said Ten Thousand Dollars ($10,000) shall be expended for any purpose until an equal sum shall have been received into said Health Protection Fund from the other sources mentioned in Section 2 hereof.

Committee Substitute for S. B. No. 97; Approved March 11, 1929.

CHAPTER 87

MARRIAGES.

N.M.S.A. 1929 p. 1137 87-104. Ceremony by religious society. It shall be lawful for any religious society to celebrate marriage conformably with the rites and customs thereof, and the

secretary of said society or the person presiding over the same, shall make and transmit a transcript to the probate court, certifying to the marriages by the same solemnized. (L. '62-'63, p. 66, Sec. 7; C. L. '65, Ch. 75, Sec. 8; C. L. '97, Sec. 1421, as impliedly amended by L. '05, Ch. 65, Sec. 4; Code '15, Sec. 3428. See Sec. 87-114. N.M.S.A. 1929 p. 1137

87-113. License necessary. All persons authorized to solemnize marriage shall require the parties contemplating marriage to produce a license signed and sealed by the county clerk authorizing said marriage. Nothing in this chapter shall excuse any person from exercising the same care in satisfying himself as to the legal qualifications of any parties desiring him to perform the marriage ceremony, now required of him by law, in addition to the authority conferred by the license aforesaid. (L. '05, Ch. 65, Sec. 3; Code '15, Sec. 3437. p. 1139

87-114. Id.--Filing. It shall be the duty of all persons performing the marriage ceremony in this state as herein provided, to certify said marriage to the county clerk within ninety days from the date of marriage. The county clerk shall immediatley upon receipt of said certificate cause the same to be properly recorded and indexed in a permanent record book kept for that purpose as a part of the county records. (L. '05, Ch. 65, Sec. 4; Code '15, Sec. 3438.

87-120. Application--License--Certificate--Form. To insure a uniform system of records of all marriages hereafter contracted, and the better preservation of said record for future reference, the form of application, license and certificate provided herein shall be substantially as follows, each blank to be numbered consecutively corresponding with the page number of the record book in the clerk's office; all such blanks to be provided free of cost by the county for public use. (L. '05, Ch. 65, Sec. 7; Code '15, Sec. 3441.

87-121. Form.

No. .....

APPLICATION FOR MARRIAGE LICENSE.

State of New Mexico, County of .....

To the County Clerk: I hereby make application for a license to unite in marriage with ..... whose age is ..... I certify I was born at ....., on the ..... day of ....., 1 ..... . That I am now a resident of .....; that we are not related within the degree prohibited by the laws of this state; that neither of us is bound by marriage to another; that there exists no legal impediment to said marriage.

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p. 1140 Subscribed and sworn to before me this.....day of....., A. D. 19.....

.....

(Use same form for second party.)

Consent of parent or guardian (where either party is under age).

I, the parent (or guardian) of.....hereby consent to the granting of a license to marry, waiving the question of minority.

.....

MARRIAGE LICENSE.

State of New Mexico,) ss.
County of.....)

To any Person Authorized by Law to Perform the Marriage Ceremony, Greeting:

You are hereby authorized to join in marriage.....of.....and.....of.....and of this license you will make due return to my office within the time prescribed by law.

Witness my hand and the seal of said court at.....this.....day of....., 19.....

.....
County Clerk.

Recorded....., 19....., at.....M.
In marriage record book No....., page.....

.....
County Clerk.

MARRIAGE CERTIFICATE.

State of New Mexico)
County of.....) ss.

I hereby certify that on the.....day of....., A. D. 19....., at.....in said county and territory, I, the undersigned, a....., did join in the Holy Bonds of Matrimony in accordance with the laws of the State of New Mexico and the authorization of the foregoing license.....of.....and.....of.....

Witness my hand and seal the day and year last above written.

.....
(Official Title).....

WITNESSES:

.....

.....

Signed.....Groom. Signed.....Bride.

Recorded this.....day of....., A. D. 19....., at.....M.

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Marriage Record Book No.....Page No..... p. 1140

.....
County Clerk.

(L. '05, Ch. 65, Sec. 8; Code '15, Sec. 3442.

87-122. Offenses. Any county clerk, or person authorized by law to perform the marriage ceremony, who shall neglect or fail to comply with the provisions of the eight preceding sections, and any person who shall wilfully violate the law by deceiving or attempting to deceive or mislead any officer or person authorized to perform a marriage ceremony in order to obtain a marriage license or to be married, contrary to law, shall be deemed guilty of a misdemeanor and upon conviction be fined in any sum not less than fifty dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than sixty days, or by both fine and imprisonment, in the discretion of the court. (L. '05, Ch. 65, Sec. 9; Code '15, Sec. 3443.

87-123. Marriages--Legalized. All marriages celebrated or contracted in the territory of New Mexico, during the year A. D. 1905, without the persons entering into the marriage relation, having first obtained a license from the probate clerk of the proper county, but which marriages were valid according to the law as it existed prior to April 13, 1905, are hereby validated and legalized and shall have the same force and effect as if such marriages had been celebrated or contracted after the parties contracting such marriage had first obtained a license to marry from the probate clerk of the county wherein such marriage occurred. (L. '09, Ch. 91, Sec. 1; Code '15, Sec. 3444.

CHAPTER 131

AN ACT TO ESTABLISH AND CREATE HEALTH DISTRICTS AND DISTRICT HEALTH BOARDS; PROVIDING FOR APPOINTMENT OF DISTRICT HEALTH OFFICERS AND TRANSFERRING THE DUTIES OF THE COUNTY HEALTH OFFICER AS PROVIDED BY LAW TO THE DISTRICT HEALTH OFFICER; PRESCRIBING COMPENSATION AND QUALIFICATIONS FOR SUCH OFFICERS; PROVIDING PENALTY FOR VIOLATIONS; PROVIDING BOARDS OF COUNTY COMMISSIONERS SHALL MAKE PROVISION FOR FINANCING ENFORCEMENT OF HEALTH LAWS AND REGULATIONS IN THE VARIOUS COUNTIES AND TO FURNISH OFFICES FOR COUNTY HEALTH DEPARTMENT AND THE DISTRICT HEALTH OFFICERS; AND REPEALING SECTIONS 12 AND 14 OF CHAPTER 85 OF THE LAWS OF 1919, AS AMENDED BY SECTIONS 4 AND 6 RESPECTIVELY AS SECTIONS 110-312 AND 110-313 OF THE NEW MEXICO STATUTES ANNOTATED, 1929 COMPILATION

L.N.M. 1935 p. 319

Appendix

p. 319 Senate Steering Committee Substitute for Senate Bill No. 85; Approved February 25, 1935.

Be It Enacted by the Legislature of the State of New Mexico:

Section 1. There are hereby created and established ten health districts, each of which shall be composed of the following counties:

1st Health District--Santa Fe, Rio Arriba and Taos.

2nd Health District--McKinley and San Juan.

3rd Health District--Bernalillo and Sandoval.

4th Health District--Dona Ana, Otero, Lincoln and Sierra.

5th Health District--San Miguel, Mora and Guadalupe.

6th Health District--Chaves, Eddy and Lea.

7th Health District--Grant, Luna and Hidalgo.

8th Health District--Catron, Socorro, Valencia and Torrance.

9th Health District--Colfax, Harding and Union.

10th Health District--Curry, Roosevelt, Quay and Debaca.

Section 2. In each health district there shall be created a District Health Board, consisting of one member appointed biennially by each Board of County Commissioners within the district. The appointed members shall serve terms of four years except that at the creation of the
p. 321 District Health Board each Board of County Commissioners within the district shall appoint two members one each to serve for two years and one each to serve for four years. The members of the District Health Board shall serve without compensation of any kind.

Section 3. Each District Health Board shall appoint and employ one district health officer whose appointment and employment shall be subject to approval by the State Board of Public Welfare.

Section 4. The district health officer shall have one or more of the following qualifications:

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(a) Experience as a full time county or municipal 320
health officer, or as an assistant to such a health officer.

(b) A diploma or certificate setting forth the fact that he has completed a special course of training, in some school of recognized standing, covering instruction in sanitary science and public health administration.

(c) The successful completion of a written examination in sanitary science and public health administration; said examination to be prepared by the State Director of Public Health. The questions and the replies thereto shall be submitted, by the State Director of Public Health, to two physicians, in this state, who have had special training and experience in sanitary science and public health administration. They shall grade the replies independently, on a percentage basis, and submit their findings to the State Director of Public Health. Said Director of Public Health shall then grade the replies independently and shall then combine the three results in an average grade, which shall be considered the final result. Said final average shall be not less than seventy-five (75%) per cent in order to qualify the candidate as having successfully completed the examination, within the meaning of this section; Provided, however, that all health officers shall have been residents of the State of New Mexico at least two years prior to their appointment under the provisions of this Act.

Section 5. Any person who shall unlawfully accept any appointment or employment described herein, or any pay for such services unlawfully rendered, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) or by imprisonment in the county jail for not less than ten (10) days nor more than six (6) months, or by both such fine and imprisonment in the discretion of the court. Any appointment made or accepted in violation of the provisions of this act shall be null and void.

Section 6. Each District Health Officer shall receive 321
a salary of $3,600.00 per annum with actual and necessary travel allowance not to exceed Twelve Hundred Dollars ($1,200.00) per annum. The sum of Forty-Eight Thousand Dollars ($48,000.00) required by the provisions of this act is to be provided as follows: Four Thousand Eight Hundred Dollars ($4,800.00) shall be provided from the county health funds in each of the ten health districts, prorated in each district among the counties composing that district according to the assessed valuation of each county. The funds so required

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p. 321 from each county shall be remitted to the State Treasurer and by him covered into a District Health Officer's Fund and from said fund there is hereby appropriated annually Forty-Eight Thousand Dollars ($48,000.00) or so much thereof as may be necessary for the purposes of this Act. All expenditures from said funds shall be disbursed upon the voucher of the State Board of Public Welfare.

Section 7. The Board of County Commissioners of each county in such health districts shall provide a suitable office for the county health department and the district health officer. Said Boards of County Commissioners shall make proper provision for all office and other expenses incurred in enforcing the health laws and regulations within the counties wherein such expense is incurred.

Section 8. The district health officer when temporarily disabled by illness or accident, or when upon vacation or when for any cause he is physically unable to fulfill all or any of his official duties shall appoint a deputy who without extra expense to the state shall perform the duties of the district health officer in the district for which he is appointed deputy. Provided, that in case there shall be temporarily no district health officer a deputy district health officer may be appointed by the State Director of Public Health and paid out of the appropriation for the district health officer, the deputy to hold office only until a succ ssor to the district health officer shall have been appointed.

Section 9. All powers and duties heretofore conferred and imposed by law upon the county health officers are hereby transferred to and imposed upon the district health officers and after the effective date of this Act, such powers shall be exercised, and the said duties shall be performed by the district health officers in their respective districts and the office of county health officer is hereby abolished; Provided, However, that each Board of County Commissioners within a health district may appoint and employ an assistant district health officer for the respective county whose appointment and employment shall be approved by the State Board of Public Welfare. Such as-
p. 322 sistant district health officer shall receive such compensation for his services as the Board of County Commissioners shall determine, and in addition he shall receive, and the Board of County Commissioners shall provide, all actual and necessary travel, office and other expense incurred in the discharge of his duties within said county.

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Section 10. The jurisdiction and powers of the district health officer shall extend to all incorporated municipalities within the district, as well as to the unincorporated area of the district. He shall possess the same powers with respect to the preservation of the public health and the administration and enforcement of the health laws as those conferred upon the state department of public welfare, except that said powers shall be exercised within his jurisdiction only and in subordination to and with the approval of the state department of public welfare. He shall be charged with the execution within his jurisdiction of the health laws and all rules and regulations promulgated by the state board of public welfare, be under its supervision and control and make such reports to the state department of public welfare as it may direct. p. 322

Section 11. Section 12 of Chapter 85 of the Laws of 1919, as amended by Section 4 of Chapter 145 of the Laws of 1921, now known and designated as Section 110-312 of New Mexico Statutes Annotated, 1929 Compilation, and Section 14 of Chapter 85 of the Laws of 1919 as amended by Section 6 of Chapter 145 of the Laws of 1921, now known and designated as Section 110-313 of the New Mexico Statutes Annotated, 1929 Compilation, and all other laws and parts of laws in conflict herewith are hereby repealed.

Chapter 39

AN ACT RELATING TO THE ADVANCEMENT OF PUBLIC HEALTH; CREATING THE STATE DEPARTMENT OF PUBLIC HEALTH A PUBLIC CORPORATION; PROVIDING FOR THE APPOINTMENT OF A STATE BOARD OF PUBLIC HEALTH AND FOR THE APPOINTMENT OF A DIRECTOR OF THE DEPARTMENT; DEFINING THE POWERS AND DUTIES OF SAID DEPARTMENT AND OF THE BOARD AND DIRECTOR THEREOF; . . . RELATING TO THE REGISTRATION OF BIRTHS AND DEATHS. L.N.M. 1937 p. 104

Be It Enacted by the Legislature of the State of New Mexico:

Section 1. Definitions as used in this Act:

(a) "State Department" means the State Department of Public Health as created by this act.

(b) "State Board" means the State Board of Public Health.

(c) "Director" means the State Director of Public Health.

Section 2. State Department of Public Health. There is hereby created a State Department of Public Health which shall consist of the State Board of Public Health, a Director of

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Public Health, and such other officers and employees as may hereinafter be authorized.

p. 106 Section 4. Activities of State Departments . . .

(9) Collect, compile and tabulate the reports of marriages, births, deaths and morbidity and to require the submission of such information as may be required for such purposes.

p. 109 Section 11. Subregistrars--Birth and Death Certificates. Each district health officer by and with the approval of the State Board shall appoint subregistrars for the purpose of receiving for registration birth and death certificates, and for issuing burial or removal permits. Such subregistrars shall hold office at the pleasure of the appointing power, shall have such powers and duties with respect to
p. 110 the registration of births and deaths and the issuance of burial or removal permits as the State Board shall by regulation prescribe, and shall receive in the manner prescribed by law the sum of twenty-five cents for each birth certificate and the sum of twenty-five cents for each death certificate which shall be received by him and be by him properly filed in accordance with the regulation of the State Board. Provided further that no subregistrar shall receive a birth certificate more than one calendar year from the date of the birth recorded thereon.

Certification of births occuring one year or more before the date of filing shall be made by a district judge upon a form prescribed by regulation of the State Board and after submission of evidence conclusive to the court that the birth took place as stated on the certificate, the judge shall affix his seal and signature to such certificate and order that it be filed with the district health officer of the health district in which the birth took place

Certified copies of birth and death certificates shall be made only from the original certificates, and not from copies. For issuing a certified copy of an original certificate of birth or death, the director of public health shall be entitled to and shall receive from the person to whom the certified copy is issued, the sum of fifty cents. Fees received for the certification of birth and death certificates shall be accounted for in a special fund by the director, and the proceeds thereof shall be paid by him to the state treasurer at the end of each month, to be credited to the State Department.

The Director shall not collect nor account for fees for certified copies of birth and death certificates furnished

to veterans of any wars in which United States may have been engaged, when such certificates are required by such veterans for the making of claims against the government, nor for such certified copies furnished to the United States Veterans' Bureau, or the United States Bureau of Pensions, nor for such certified copies furnished for official purposes only to any other government official, bureau or department. p. 110

Certificates of births and deaths shall not be open to the general inspection of the public, except in the presence of the legal custodian of such records, and under such restrictions as the State Board may by regulation prescribe to prevent mutilation, alteration or injury thereof, or wrongful or improper use of the information contained therein.

Each district health officer shall make a true and correct copy, in unfading ink, of all birth and death certificates filed with him, and shall deliver such copies to the county clerk of the county in which such birth or death occurred. The county clerk shall receive, file, bind and index for the permanent county record all copies of birth and death certificates delivered to him by the district health officer. All original birth and death certificates filed with the county clerks prior to January 1, 1920, shall be transmitted by the county clerks to the director on or before July 1, 1937. All original birth and death certificates filed with the district health officers, for any one month, shall be transmitted, not later than the tenth of the following month, by registered United States mail, by the district health officer to the director who shall receive, file, bind, index, and preserve in a fire proof vault all such original certificates for the permanent state record.

The State Department shall not restrict the making of death certificates to exclude such certificates made by any person licensed under the laws of this state to practice any of the healing arts.

Approved March 1, 1937.

CHAPTER 136

AN ACT PROVIDING FOR THE ISSUANCE OF BIRTH CERTIFICATES TO ABANDONED PERSONS WHEN INFORMATION REGARDING THEIR PARENTAGE OR WITNESSES TO THEIR BIRTH ARE UNAVAILABLE. L.N.M. 1941 p. 235

Be it enacted by the Legislature of the State of New Mexico:

Section 1. The District Judge in any district where a child is abandoned and information regarding parentage and

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p. 235 witnesses to the child's birth are unavailable, may upon satisfactory evidence being presented, even though said evidence be wholly circumstantial, certify to the date and place of birth and parentage of said child as nearly as the same may be ascertained, and the District Judge so certifying shall fix his seal and signature to said certificate.

Section 2. The information contained in such certificate shall be filed in the same manner as now provided or as may be hereafter provided by law for the filing of other types of delayed birth certificates.

S. B. No. 190; approved April 15, 1941.

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REPORTS AND OPINIONS OF ATTORNEY GENERAL

(Repts. and Opins. of Atty. Gen. 1909-1912, p. 125)

Under Chapter 91, Laws of 1907, and Chapter 39, Laws of 1909, probate clerk is authorized to record and index only births and deaths certified to him by persons mentioned in the statute.

April 12, 1910

Hon. C. C. Catron,
Assistant District Attorney,
Santa Fe, New Mexico.

Dear Sir:

I am in receipt of your communication of the 11th inst., asking for the opinion of this office as to whether under Chapter 91 of the Laws of 1907 and Chapter 39 of the Laws of 1909, the probate clerk should register all births and deaths coming to his knowledge or taken from church records, or whether he is only required to register such births and deaths upon the receipt of the certificate of a physician, mid-wife, etc., mentioned in sections 1 and 2 of the Act of 1907.

Section 1 and 2 of Chapter 91 of the Laws of 1907 provide that every physician or mid-wife, and every attendant who may act as mid-wife, or any person who shall attend a person in his or her last illness, shall furnish the clerk of the probate court a certificate of such fact. Sections 3 and 4 of the same act makes it the duty of the probate clerk to register and index all births and deaths "reported to him." In my opinion the words "reported to him" undoubtedly refer to the certificates mentioned in sections 1 and 2, and that it is no part of the duty of the probate clerk to register any births or deaths occurring in his county unless furnished with such certificates. Chapter 39 of the Laws of 1909 is an amendment of section 5 of Chapter 91 of the Laws of 1907, and reads in part as follows:

> "It shall be the duty of the probate clerk to prepare a complete record of all births and deaths from the 21th [sic] day of April, A. D. 1907, within his county and record and index the said reports as herein provided."

The conclusion must be reached that the words "the said reports as herein provided," refer to the certificates mentioned in sections 1 and 2 of the Laws of 1907, Chapter 39 of the Laws of 1909, having become a part of the Act of 1907.

My opinion therefore is, that the probate clerk is only required to record and index births and deaths occurring in his county upon a certificate executed by the persons mentioned in section 1 and 2 of Chapter 91 of the Laws of 1907, and further it is my opinion that the clerk is not authorized to register and index births and deaths, information of which he may obtain from other sources.

Yours truly,

H. S. CLANCY,
Assistant Attorney General

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(Repts. and Opins. of Atty. Gen. 1937-1938, p 48)

Opinion No. 1521

February 6, 1937

Mr. A. H. McLeod
Assistant District Attorney
Albuquerque, New Mexico

Dear Mr. McLeod:

Your letter of February 5th relative to copies of birth and death certificates has been received and you inquire why it is necessary to obtain copies of death certificates from the Public Health Department in Santa Fe.

Your attention is directed to Section 110-316 of the 1929 compilation, wherein it is provided in the next to the last paragraph that all original birth and death certificates shall be transmitted by the County Health Officer by United States mail to the Director of Public Health, etc.

Also, in the third paragraph of said section it is provided that certified copies of birth and death certificates shall be made only from the original certificates and not from copies.

In the paragraph from which we have first quoted we find the provision that the County Health Officer is to make true and correct copies in unfading ink of all birth and death certificates filed with him and shall deliver such copies to the County Clerk. The County Clerk shall receive, file, bind and index for the permanent county record all copies of birth and death certificates delivered to him by the County Health Officer.

You can, therefore, readily see that the records in the office of the County Clerk are copies merely and that the original goes to the Director of Public Health and, therefore, under the provisions requiring certified copies to be made only from the original, the County Clerk would have no authority as any copies made by her would merely be a copy made from a copy.

Very truly yours,

Frank H. Patton,
Attorney General

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(Repts. and Opins. of Atty. Gen. 1937-1938, p. 55)

Opinion No. 1541

February 24, 1937

Miss Billy Tober
State Registrar
Bureau of Public Health
Santa Fe, New Mexico

Dear Miss Tober:

Your letter inquiring whether the county clerk is required to have custody of the birth certificates made prior to 1907, and to issue certified copies, and, if not, who would have such authority, has been received.

The first legislation we are able to find on the subject was Chapter 91 of the Laws of 1907. This statute requires the county clerk to have custody of the birth and death certificates from April 21st, 1907, but it makes no provision whatever as to records which might have been made prior to that date.

We find no legislation providing for the keeping of records prior to that date, and nothing authorizing the filing with the clerks of such certificates made prior to that date. That being the case, it would seem that the clerk referred to by you is correct in her attitude that she has no authority to keep these records or to issue certified copies thereof.

However, Section 110-310 of the 1929 Compilation authorizes the State Department of Public Welfare to collect, compile and tabulate reports of marriages, births and deaths and to require any person having information with regard to the same to make such reports and submit such information as it is by regulation provided. This, I believe, is broad enough to permit the State Bureau of Public Welfare to have all of such certificates filed with that department, and that department in turn could issue certified copies thereof.

Very truly yours,

FRANK H. PATTON,
Attorney General.
By: A. M. FERNANDEZ,
Asst. Atty. Gen.

Appendix

(Repts. and Opins. of Atty. Gen. 1937-1938, p. 122)

Opinion No. 1677

June 15, 1937

Hon. James B. McGhee
District Judge
Roswell, New Mexico
State Department of Public Health
Santa Fe, New Mexico

Gentlemen:

This opinion is in response to a request that this office pass upon the validity of the following portion of Section 11, Chapter 39, Laws of 1937, relating to the certification of births by a district judge. We herein set out the portion involved as follows:

> "Certification of births occurring one year or more before the date of filing shall be made by a district judge upon a form prescribed by regulation of the State Board and after submission of evidence conclusive to the court that the birth took place as stated on the certificate, the judge shall affix his seal and signature to such certificate and order that it be filed with the district health officer of the health district in which the birth took place."

The first question presenting itself is whether the legislature, by the aforementioned section of the law, imposed upon the district courts of this state duties which are nonjudicial. If so, such legislation is invalid for that reason alone.

A general statement of the law on this proposition is found in Corpus Juris as follows:

> "(sec. 242) d. Imposing Nonjudicial Duties. In the absence of express constitutional provision, the legislature cannot assign to the judiciary any duties other than those properly judicial, to be performed in a judicial manner." 12 C. J. 810.

The following statement is also found in Corpus Juris:

> "(sec. 376) 2. Statutes Confering on Courts of Judges Nonjudicial Powers--a. In General. Under the American constitutional system, not only is it true that the judiciary may not, of its own authority, exercise powers not judicial, but, generally speaking, it is also true that the legislature may not confer or impose such powers upon the judiciary." 12 C. J. 873.

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Our constitution makes no effort to accurately define the scope or nature of the judicial powers and, as a matter of fact, the term "judicial power" is not capable of a precise definition. Various definitions have been announced by various courts and various tests have been suggested for determining what are or are not judicial powers or duties.

However, duties performed by a district judge do not become judicial acts merely because they are performed by a judicial officer, notwithstanding an act of the legislature requiring the performance of such duties. If the action of the judicial officer is in regard to matters which are exclusively executive or administrative in their nature, then the act of the legislature imposing such a duty upon the district judge is invalid and void. See Esmeralda County vs. Third District Court, 5 Pac. 64, 18 Nev. 438.

By Chapter 39, Laws of 1937, the legislature vested in the State Department of Public Health, an administrative branch of the executive department, the administration of our public health laws, with power to make and enforce rules and regulations for the enforcement of our health laws. Section 11 of said act provides that each district health officer, by and with the approval of the Board of Public Health, shall appoint sub-registrars for the purpose of receiving for registration birth and death certificates. Said section then provides that certification of births occurring one year or more prior to the date of filing shall be made by a district judge upon a form prescribed by regulation of the State Board of Public Health.

It appears from the act, therefore, that the district judge is called upon to do an administrative act rather than a judicial act. The only difference between a district judge and a sub-registrar is that the sub-registrar takes care of all certifications where the birth took place within one year from the date of presentation of the certificate, whereas the district judge takes care of all certifications where the birth occurred one year or more prior to the date of filing of the certificate. That the act imposes an administrative rather than a judicial duty is evidenced by the fact that the legislature made no provision for a hearing or judicial investigation, nor does the act specify who, if anyone, may be parties to any purported judicial proceeding, nor does the act provide for notice to be served on anyone, nor does the act contemplate that any action taken by the district judge shall be a final determination of some right of some party, nor does the act contemplate that the action of the judge shall in any way be conclusive and binding on anyone. Very much in point is the case of Home Insurance Company vs. Flint, 13 Minn. Rep. 235, where the Supreme Court of Minnesota stated as follows:

> "A judicial investigation proceeds after notice, and eventuates in a judgment, which is the final determination of the rights of the parties, unless reversed by an appellate tribunal. The necessity of notice in the inception, and the conclusive character

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of the determination, are perhaps as good a test as any other, as to what proceedings are judicial. In this case it cannot be pretended that notice is required, or that the determination, or certificate, would be conclusive in collateral proceedings."

So it is with the matter at hand. It does appear that that portion of Section 1 of Chapter 39, Laws of 1937, herein involved does not purport to assign to the judiciary a judicial duty to be performed in a judicial manner, and for that reason alone it is void and invalid as imposing nonjudicial duties upon the judicial branch of our government.

There is only one phase of the section of law herein involved, which might be construed as imposing a judicial duty upon the district courts and that is the following provision:

"after submission of evidence conclusive to the court that the birth took place as stated on the certificate, the judge shall affix his seal and signature to such certificate and order that it be filed, etc."

Even assuming that the duties so imposed are judicial, it does appear that the terms of the section of the law imposing those duties are so vague, indefinite, uncertain and incomplete, that if properly attacked in court, I believe the same would be declared inoperative and void for those reasons.

If the duties imposed are in fact judicial, then the following are some of the questions that at once present themselves:

1. How should the alleged judicial proceedings be instituted?

2. Who, if any one, are proper parties to institute such an alleged judicial proceeding?

3. Upon whom, if any one, should notice be served of the inception of the alleged judicial proceedings.

4. Is the action of the court a final determination of the rights of any person?

5. Is the determination or judge's certificate conclusive in a collateral proceedings?

6. And last but not least, where is the venue for the alleged proceedings?

Frankly, if called upon to answer the above questions we are forced to state that from a reading of the act the same can not be definitely answered. This being the case, the following rules of law are applicable:

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"(Sec. 160) c. Certainty and Definiteness (Statutes). An act of the legislature, to have the force and effect of a law, must be intelligibly expressed. Where the terms of an act are so vague as to convey no definite meaning to those whose duty it is to execute it, ministerially or judicially, it is inoperative." 59 C. J. 601.

"(Sec. 62) Indefiniteness and Uncertainty. Where an act of the legislature is so vague, indefinite and uncertain that the courts are unable to determine, with any reasonable degree of certainty, what the legislature intended, or is so incomplete * * * in its provisions that it can not be executed, it will be declared to be inoperative and void." 25 R. C. L. 810.

The Supreme Court of this state has very recently expressed itself on matters of this kind in the case of Safeway Stores vs. Vigil, reported in 40 N. M. 190, 57 P. (2d) 287. Our Supreme Court there used the following language:

"When the language of an act appears on its face to have a meaning, but it is impossible to give it any precise or intelligible application in the circumstances under which it was intended to operate, it is simply void."

We conclude, therefore, that if the legislative act herein involved be construed as imposing a non-judicial duty upon the judiciary of this state it is void as imposing non-judicial duties upon the judicial branch of our government. If, on the other hand, the does in fact impose upon the courts a judicial duty, then the act is inoperative and void for the reason that it is indefinite, uncertain and incomplete and impossible of any precise or intelligible application in the circumstances under which it was intended to operate.

Very truly yours,

FRANK H. PATTON,
Attorney General

By: FRED J. FEDERICI,
Asst. Atty. Gen.

Appendix

(Repts. and Opins. of Atty. Gen. 1937-1938, p. 128)

Opinion No. 1685

June 23, 1937

Miss Billy Tober
State Registrar and Bookkeeper
Bureau of Public Health
Santa Fe, New Mexico

My dear Miss Tober:

This will acknowledge receipt of your letter dated June 21st wherein you ask for an interpretation of that portion of Section 11, Chapter 39, Laws of 1937, providing as follows:

> ". . . . all original birth and death certificates filed with the county clerks prior to January 1, 1920, shall be transmitted by the County Clerks to the Director on or before July 1, 1937."

Under said section of law, as it now reads, the various county clerks apparently have no choice other than to transmit such original birth and death certificates to the Director of Public Health; this should be done prior to July 1, 1937.

Very truly yours,

FRANK H. PATTON,
Attorney General.

By: FRED J. FEDERICI,
Asst. Atty. Gen.

Appendix

(Repts. and Opins. of Atty. Gen. 1941-1942)

Opinion No. 3884

August 27, 1941

Miss Billy Tober
State Registrar of
Vital Statistics
Department of Public Health
Santa Fé, New Mexico

Dear Miss Tober:

In your letter of August 23, 1941, you refer to Chapter 136, Laws of 1941, and inquire whether or not this law gives the District Judge the power to name an abandoned child and also whether the State Board of Public Health is empowered to draw up regulations governing the reporting of such births in the event that this law is valid.

Under Chapter 39 of the Laws of 1937, Section 11, a provision appears as follows:

"Certification of births occurring one year or more before the date of filing shall be made by a district judge upon a form prescribed by regulation of the State Board and after submission of evidence conclusive to the court that the birth took place as stated on the certificate, the judge shall affix his seal and signature to such certificate and order that it be filed with the district health officer of the health district in which the birth took place."

Section 1, Chapter 136, Laws of 1941, provides as follows:

"The District Judge in any district where a child is abandoned and information regarding parentage and witnesses to the child's birth are unavailable, may upon satisfactory evidence being presented, even though said evidence be wholly circumstantial, certify to the date and place of birth and parentage of said child as nearly as the same may be ascertained, and the District Judge so certifying shall fix his seal and signature to said certificate."

In an opinion from this office written to Judge James S. McGhee and to the State Department of Public Health, dated June 15, 1937, it was held that the provision above quoted in Section 11, Chapter 39, Laws of 1937, was invalid and void, either because it imposed a non-judicial duty upon the judiciary of this state or, if it did not impose such a non-judicial duty, that it was nevertheless void and inoperative for the reason that it is indefinite, uncertain, incomplete and impossible of any precise or intelligible application in the circumstances under which it was intended to operate.

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For the reasons above stated, it is suggested that the State Board of Public Health draw up a set of regulations governing the situation intended to be covered by this law and handle the same in much the same manner as you no doubt are handling certification of births occurring one year or more before the date of filing.

Very truly yours,

EDWARD P. CHASE,
Attorney General

By: C. C. MCCULLOH,
Asst. Atty. Gen.

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PUBLICATIONS OF THE NEW MEXICO HISTORICAL RECORDS SURVEY

Inventories of the County Archives of New Mexico:

No. 1. Bernalillo County, September 1938
No. 4. Colfax County, December 1937
No. 7. Doña Ana County, November 1940
No. 8. Eddy County, May 1939
No. 9. Grant County, April 1941
No. 12. Hidalgo County, January 1941
No. 17. Mora County, March 1941
No. 18. Otero County, October 1939
No. 23. Sandoval County, January 1939
No. 24. San Miguel County, February 1941
No. 29. Torrance County, April 1939
No. 30. Union County, June 1940
No. 31. Valencia County, September 1940

Inventories of Federal Archives in the States: No. 30, New Mexico

Series II. The Federal Courts, April 1941
Series III. Department of the Treasury, February 1941
Series IV. The Department of War, December 1940
Series V. Department of Justice, January 1941
Series VII. The Department of the Navy, July 1940
Series XII. Veterans' Administration, October 1940
Series XIII. The Civil Works Administration, December 1940

Church Directory:

Directory of Churches and Religious Organizations in New Mexico, July 1940.

DEPARTMENT OF COMMERCE
Bureau of the Census

STATE OF NEW MEXICO—DEPARTMENT OF PUBLIC HEALTH

STANDARD CERTIFICATE OF BIRTH

File No.....

Registrar's No.....

B— —
Time—
(c)— —
Time—

R— —
Time—

S. C. Pl
Mo. Leg.

Father: C
Yr. B.
Occ.
S. S.

Mother: C
Yr. B.
Occ.
S. S.

21a b c
Drops
Hour
Attend
Regis
Preg.
Lab.
Del.
Malf.
B. Inj.

Do Not Use This Space

1. PLACE OF BIRTH:

(a) County

(b) City or town
(If outside city or town limits write RURAL)

(c) Name of hospital or institution:
(If not in hospital or institution give street number or location)

(d) How long was mother in hospital or institution before delivery?

How long was mother in this community before delivery?
(Specify whether years, months or days)

2. USUAL RESIDENCE OF MOTHER:

(a) State

(b) County

(c) City or town
(If outside city or town limits write RURAL)

(d) Street No.
(If rural give location)

(e) How long has she lived here?
(Specify whether years, months or days)

3. Full name of child

4. Date of Birth (Month) (Day) 19 (Year)

5. Sex | 6. Twin or triplet | (6a) If so—born 1st 2d, or 3d | 7. Number months of pregnancy | 8. Are parents married?

FATHER OF CHILD

9. Full name

10. Color or race 11. Age at time of this birth yrs.

12. Birthplace
(City, town or county) (State or foreign country)

13. Usual occupation 13a Social Security No.

14. Industry or business

MOTHER OF CHILD

15. Full maiden name

16. Color or race 17. Age at time of this birth yrs.

18. Birthplace
(City, town or county) (State or foreign country)

19. Usual occupation 19a Social Security No.

20. Industry or business

21. **NUMBER OF CHILDREN BORN TO THIS MOTHER NOT INCLUDING THIS BIRTH**
(a) No. other children now living
(b) No. other children born alive but now dead
(c) No. other children born dead
(d) TOTAL OTHER BIRTHS

22. Parents' mailing address for registration notice:

23. Were drops put in eyes to prevent blindness **within one hour** of birth? Or later? If so, what?

24. I hereby certify that I attended the birth of this child who was born.....(alive or dead) at the hour of.....m. on the date above stated and that the information given was furnished by related to this child as

25. Date received by local registrar

26. Registrar's own signature

27. Date on which given name added by Registrar

Attendant's own Signature

M. D., midwife, or other Date signed

Address

SUPPLEMENTARY DATA BELOW ARE NOT A PART OF THE LEGAL CERTIFICATE

28(a) **Pregnancy:** Date first seen? Test for Syphilis? When?

Complications?

(b) **Labor,** Drugs used? Induced?

Complications?

(c) **Delivery,** Spontaneous? Operative?

Type of operation?

(d) Did baby have any
(1) Congenital malformation? Describe:

(2) Birth injury? Describe:

THIS CERTIFICATE IS DUE TEN DAYS AFTER BIRTH

THE UNITED STATES OF AMERICA

DEPARTMENT OF COMMERCE

BUREAU OF THE CENSUS

WASHINGTON

Notification of Birth Registration

This certifies that the following Record of Birth is registered and preserved in the office of the State Registrar of Vital Statistics at **Santa Fe, New Mexico**

Name _____ *Sex* _____ *No.* _____

Date of Birth _____ *Place of Birth* _____

Name of Father _____

Maiden Name of Mother _____

W. L. Austin

W. L. Austin, Director of the Census.

Billy Tober

Special Agent, Bureau of the Census.

3672

O U. S. GOVERNMENT PRINTING OFFICE : 1936

PRESERVE THIS CERTIFICATE—IT IS VALUABLE

It shows that this birth is legally registered with the Vital Statistics Division of the State Department of Health.

This notification of birth registration will be valuable in proving the name, age, birthplace, and parentage of the child for school records, working rights, establishing identity, and other purposes.

If errors are found in the statements on this notification, please return it with corrections at once to the Special Agent of the Bureau of the Census at the office of the State Registrar of Vital Statistics, as shown on the front of this certificate.

The original record of birth on file in the office of the State Department of Health will then be completed and a corrected Notification of Birth Registration will be mailed to you free.

STATE OF NEW MEXICO
DEPARTMENT OF PUBLIC HEALTH
SANTA FE

We have a request for a certified copy of the following certificate:

BIRTH BIRTH BIRTH

Name of Child _____

Father _____

Mother _____

Date of Birth _____ Place _____

DEATH DEATH DEATH

Name of deceased _____

Age _____ Sex _____

Name of husband or wife _____

Date of Death _____ Place _____

PLEASE NOTE CHECK MARK

_____If original certificate is in your hands, please send it to us now, not waiting until the end of the month. Return one copy of this letter with certificate.

_____This certificate cannot be located in our files. If not in your files, please investigate and have filed immediately, sending original to this office. Return one copy of this letter with certificate. If any delay is encountered in filing, please advise us.

_____If certificate has been filed and you have a copy in your office, please verify name, date, place, et cetera, and give sufficient identifying information on this blank and return to the State Office at once.

Very truly yours,

Billy Tober

(Miss) Billy Tober
State Registrar of Vital Statistics

VS-2
Revised 10-10-41
BT:ZO

STATE OF NEW MEXICO
DEPARTMENT OF PUBLIC HEALTH
SANTA FE.

We have a request for a certified copy of the following certificate:

BIRTH BIRTH BIRTH

Name of Child _____

Father _____

Mother _____

Date of Birth _____ Place _____

DEATH DEATH DEATH

Name of deceased _____

Age _____ Sex _____

Name of husband or wife _____

Date of Death _____ Place _____

PLEASE NOTE CHECK MARK

_____ If original certificate is in your hands, please send it to us now, not waiting until the end of the month. Return one copy of this letter with certificate.

_____ This certificate cannot be located in our files. If not in your files, please investigate and have filed immediately, sending original to this office. Return one copy of this letter with certificate. If any delay is encountered in filing, please advise us.

_____ If certificate has been filed and you have a copy in your office, please verify name, date, place, et cetera, and give sufficient identifying information on this blank and return to the State Office at once.

Very truly yours,

(Miss) Billy Tober
State Registrar of Vital Statistics

VS-2
Revised 10-10-41
50,000

STATE OF NEW MEXICO

DEPARTMENT OF PUBLIC HEALTH

SANTA FE

We have received your inquiry regarding birth certificate of _____. In order to check for this certificate in our files, we need to have the following information:

NAME OF CHILD _____

DATE OF BIRTH _____

PLACE OF BIRTH _____
(Town and County)

NAME OF FATHER _____

NAME OF MOTHER _____

It is necessary that we have all of the above information in order to make a thorough search of our files.

If the certificate is not on file, do you wish us to send you a blank for filing a delayed certificate of birth?

The legal fee for each certified copy issued is 50¢, payable in advance to the State Department of Public Health, by money order. Stamps and personal checks are not acceptable.

Very truly yours,

Billy Tober

(Miss) Billy Tober
State Registrar of Vital Statistics

VS-14
Revised 4-2-42
BT:MRR

STATE OF NEW MEXICO

DEPARTMENT OF PUBLIC HEALTH

SANTA FE

We have received your inquiry regarding birth certificate of _____. In order to check for this certificate in our files, we need to have the following information:

NAME OF CHILD _____

DATE OF BIRTH _____

PLACE OF BIRTH _____
(Town and County)

NAME OF FATHER _____

NAME OF MOTHER _____

It is necessary that we have all of the above information in order to make a thorough search of our files.

If the certificate is not on file, do you wish us to send you a blank for filing a delayed certificate of birth?

The legal fee for each certified copy issued is 50¢, payable in advance to the State Department of Public Health, by money order. Stamps and personal checks are not acceptable.

Very truly yours,

(Miss) Billy Tober
State Registrar of Vital Statistics

VS-1A
Revised 4-3-42
BT:MMH

MARGIN RESERVED FOR BINDING

WRITE PLAINLY WITH UNFADING INK—THIS IS A PERMANENT RECORD

N. B.—In case of more than one child at birth a SEPARATE RETURN must be made for each and the number of each, in order of birth, stated.

All facts should be entered as they were at the time birth occurred.

Read Instructions for Completing Certificate on REVERSE SIDE

STATE OF NEW MEXICO—DEPARTMENT OF PUBLIC HEALTH

Delayed Certificate of Birth

Registered No.....

PLACE OF BIRTH

County of .....

School District of .....
or
Village or Town of .....
or
City of ....., No....., ... St.

If birth occurred in a hospital, or institution, give its NAME instead of street and number.

FULL NAME OF CHILD .....

Boy or Girl? | Twin or triplets? | Which? | Date of birth.....
Month Day Year

Were Parents Married? | If so, was this baby first, second, third?

FATHER

FULL NAME

RESIDENCE AT TIME OF THIS BIRTH

White, Black, Yellow, Red | AGE AT TIME OF THIS BIRTH.....(yrs.)

BIRTHPLACE

(City or Town, County and State, or Country)

OCCUPATION

Trade, profession, or particular kind of work done at time of this birth.

Industry or business in which work was done at time of this birth.

MOTHER

FULL MAIDEN NAME

RESIDENCE AT TIME OF THIS BIRTH

White, Black, Yellow, Red | AGE AT TIME OF THIS BIRTH.....(yrs.)

BIRTHPLACE

(City or Town, County and State, or Country)

OCCUPATION

Trade, profession, or particular kind of work done at time of this birth.

Industry or business in which work was done at time of this birth.

AT THE TIME OF THIS BIRTH GIVE NUMBER OF CHILDREN BORN TO THIS MOTHER INCLUDING THIS ONE.

(a) Born alive and now living.....(b) Born alive and now dead.....(c) Born dead.....

CERTIFICATE OF ATTENDING PHYSICIAN, MIDWIFE, PARENT OR RELATIVE

I hereby certify that I was present / attended at the birth of this child, who was born alive at.....M., on the date above stated.

Do not write in this space

Confirmed by the following supporting evidence:

.....

.....

.....

Date Accepted and filed.....

By .....

(Signed)....., M. D.

(Signed)....., Midwife / Father, etc.

Address .....

Date Certificate Signed.....19.....

Affidavits on Reverse Side Must be Completed

READ CAREFULLY

1. This blank is to be used only for a birth occurring one year or more prior to date of filing.
2. Certificate must be signed by the attending physician, if possible.
3. The Father's and Mother's Ages, Occupations, Residence, and Number of Children Born to the Mother should be expressed as they were at the time of this birth.
4. The signature must be attested by an officer qualified to administer oaths.
5. Any erasure or alteration on this certificate will make it unacceptable.

AFFIDAVIT A
AFFIDAVIT OF PARENT OR NEAREST RELATIVE HAVING KNOWLEDGE OF THIS BIRTH*

STATE OF _____ }
COUNTY OF _____ }

The undersigned, being first duly sworn on oath, says that ____he is personally acquainted with the statements in the CERTIFICATE OF BIRTH as set forth upon the other side, and knows them to be true; that ____he is related to said child as _____; that ____he was _____ years of age at the time this birth occurred; that ____he resided in the city or town of _____, County of _____, State of _____, at the time this birth occurred.

Signature _____

Subscribed in my presence and sworn to before me this _____ day of _____, 19____.

(SEAL) _____, Notary Public

My commission expires _____

AFFIDAVIT B
AFFIDAVIT OF PHYSICIAN OR NON-RELATIVE HAVING KNOWLEDGE OF THIS BIRTH*

STATE OF _____ }
COUNTY OF _____ }

The undersigned, being first duly sworn on oath, says that ____he is personally acquainted with the statements in the CERTIFICATE OF BIRTH as set forth upon the other side, and knows them to be true; that ____he is not related to said child; that ____he was _____ years of age at the time this birth occurred; that ____he resided in the city or town of _____, County of _____, State of _____, at the time this birth occurred.

Signature _____

Subscribed in my presence and sworn to before me this _____ day of _____, 19____.

_____, Notary Pubic.

(SEAL) My commission expires _____

***Persons less than 16 YEARS OF AGE at the time this birth occurred are not qualified to execute this affidavit.**

STATE OF NEW MEXICO

DEPARTMENT OF PUBLIC HEALTH

SANTA FE

We have received your inquiry regarding birth certificate of _____. In order to check for this certificate in our files, we need to have the following information:

NAME OF CHILD _____

DATE OF BIRTH _____

PLACE OF BIRTH _____
(Town and County)

NAME OF FATHER _____

NAME OF MOTHER _____

It is necessary that we have all of the above information in order to make a thorough search of our files.

If the certificate is not on file, do you wish us to send you a blank for filing a delayed certificate of birth?

The legal fee for each certified copy issued is 50¢, payable in advance to the State Department of Public Health, by money order. Stamps and personal checks are not acceptable.

Very truly yours,

(Miss) Billy Tober
State Registrar of Vital Statistics

VS-1A
Revised 4-3-42
BT:MKH

STATE OF NEW MEXICO

DEPARTMENT OF PUBLIC HEALTH

SANTA FE

In reply to your letter of recent date, we wish to advise you that we have checked our records and are unable to locate a birth certificate that corresponds to the following information:

NAME:
DATE OF BIRTH:
PLACE OF BIRTH:
FATHER'S NAME:
MOTHER'S MAIDEN NAME:

We enclose a delayed certificate of birth blank and instructions for its completion, in the event you wish to file a delayed certificate at this time. PLEASE FOLLOW INSTRUCTIONS CAREFULLY.

The legal fee is 50 cents for each certified copy desired. All fees are payable in advance. Stamps and personal checks are not acceptable. Make remittances payable to the State Department of Public Health and send remittance and request for certified copies to: State Department of Public Health, P. O. Box 711, Santa Fe, New Mexico.

Very truly yours,

Billy Tober

(Miss) Billy Tober
State Registrar of Vital Statistics
Special Agent, U. S. Census Bureau

BT:MRR
enc.
CC: County Health Department,

_____,N. M.

VS-17
Revised 4-2-42

STATE OF NEW MEXICO

DEPARTMENT OF PUBLIC HEALTH

SANTA FE

INSTRUCTIONS FOR FILING A DELAYED BIRTH CERTIFICATE

In order to file a birth certificate, after more than 4 years have elapsed since the date of birth, a DELAYED BIRTH CERTIFICATE form must be filled out giving all information as it was at the time the birth occurred. Please read these instructions carefully. If instructions are not followed in every way, we will not consider your application for filing.

1. Fill in face of certificate giving all information as it was at the time of birth, using a good grade of black or blue-black ink or a black typewriter ribbon.

2. Do not make any erasures or alterations on the certificate. Any certificate corrected with ink eradicator will not be accepted.

3. Have the face of the certificate signed by one of the following:
   (a) The attending physician (b) The Midwife, Nurse, or Other Attendant
   (c) Closest living relative who was 16 years of age or over at time of the birth.

4. Be sure their present address and date certificate is signed by them are on the form.

5. Affidavit A can be executed only by a relative, preferably one of the parents. It must not be signed by a sister or brother, unless they were 16 years of age or older at the time this birth occurred.

6. Affidavit B must be executed by the attending physician, midwife, or nurse, if they sign the face of the certificate.

7. If the physician, midwife, or nurse is not available, then any other non-relative, who was 16 years of age or over at time of birth and who is now a resident of New Mexico and was a resident at the time the birth occurred, should sign Affidavit B, if possible.

8. All affidavits must be executed before an official qualified to administer oaths. A Notary Public is preferred, and Seal must be used and expiration of commission date given.

9. The person signing the face of the certificate must execute one of the affidavits on the reverse side.

10. IMPORTANT! At least one piece of documentary evidence, established 5 years or more prior to date of application, and preferably within 10 years of date of birth, must be submitted to substantiate the facts given on the delayed birth certificate form. This is in addition to the 2 affidavits required, with one exception -
    (a) If the attending physician signs the face of the certificate and executes Affidavit B, no documentary evidence will be required, but Affidavit A should be completed by closest living relative, if possible.

    Baptismal certificates, employment records, old family Bible records, newspaper clippings regarding birth, school records, insurance policies, et cetera, may be submitted as supporting evidence. Original evidence should be submitted. It will be returned to you. File all original evidence for future use. You may need to produce it with your certified copy of your birth certificate.

(O V E R)

11. SEND THE COMPLETED CERTIFICATE, WITH SELF-ADDRESSED STAMPED ENVELOPE, TO:

County Health Department,

_____, N. M.

DO NOT SEND IT TO THIS OFFICE. It will be held up at least 2 weeks by your failure to comply with the above request.

12. If the certificate is accepted and a certified copy is desired, send 50¢ fee to the State Health Department at Santa Fe. DO NOT send personal checks, currency, coin, or stamps. Use money orders, either express or postal, or cahsiers checks. Make them payable only to the State Department of Public Health, Santa Fe, New Mexico. The fee may be attached to the certificate being sent to the County Health Department. It will be sent by them to this office, if the certificate is accepted.

VS-12
Revised 4-2-42
BT:MRR

OFFICE OF
THE DIRECTOR

DEPARTMENT OF COMMERCE

BUREAU OF THE CENSUS

WASHINGTON

To obtain a copy of information in the Census records concerning yourself, which you have requested, you must fill out and mail the enclosed application *to the Bureau of the Census, Washington, D. C.*

There are no records in the Census Bureau upon which a regular birth certificate can be issued by this Bureau. Birth certificates are issued by vital statistics offices of the States in which the births occurred. At each Census, however, the Census takers obtained the age and place of birth of every person reported. Copies of these records usually are accepted as evidence in support of age or place of birth, for employment purposes, or in connection with delayed registration of births in the States where births occurred.

Copies of Federal Census records are supplied *without charge if you are willing to wait your turn.* Because of the large number of applications, this will mean a delay of *several weeks or more* due to our limited staff. If an immediate search is necessary, a fee of $3.00 must be paid, which covers the cost of hiring a special searcher. When this service is desired, a money order for this amount ($3.00), drawn on Washington, D. C., and made payable to the Treasurer of the United States, must be sent to this Bureau with your application.

Names in the Census records are not alphabetically arranged but appear in the order they were reported to the Census takers on their calls from house to house. Therefore, before the name of a person can be located in these records, this office must have the following information:

1. Exact place of residence of the individual on the date of a Federal Census:
   Be sure, if living in a city, to give the name of the street and the number of the house, or the names of the cross streets between which the house was located; if in the country, the name of the county, town, village, or township, and the number of the district, precinct, or beat.
2. Names of parents of the individual or name of the person in whose household he resided at the time of the Census.

Since the Bureau has indexes, by States, of the families and individuals reported at the Censuses of 1880, 1900, and 1920, complete information for these three Censuses should be given special attention in filling out the application.

The personal information recorded at the Censuses of 1900 to 1940, both inclusive, is strictly confidential and will be furnished only, *upon written request*, to the person himself or to his authorized representative. No information is available from the 1890 Census as those records were destroyed by fire. The 1940 Census records will not be available for searches until the latter part of 1942 or the first part of 1943.

Please do not request a search of the Census records unless you have been unable to obtain the information from State or local records.

Sincerely yours,

J. C. Capt
Director

Z—Enclosure

3-30490

Your reports to the Census Bureau are CONFIDENTIAL

Acts of Congress make it unlawful for the Bureau to disclose any facts, including names or identity, from your Census reports. Only sworn Census employees will see your statements. Data collected will be used solely for preparing statistical information concerning the Nation's population, resources, and business activities. Your Census Reports Cannot be Used for Purposes of Taxation, Regulation or Investigation.

Bureau of the Census
Department of Commerce
Washington, D. C.

Applicant for information from Census records must fill in this form as completely as possible. Also it must be SIGNED IN PERSON by the applicant.

Date _____ No.

Gentlemen: You are hereby authorized to furnish the information on census records concerning me to:

_____

Name in full of applicant (Print or Type) _____

Maiden Name _____ Date of Birth _____ Place _____
(If a woman)
Full name of Father _____ Mother _____

Name of Husband or Wife (1) _____ (2) _____

GIVE EXACT PLACE OF RESIDENCE AT EACH DATE LISTED BELOW:

Census date	Number and Street Very Important	City, Town, Township (precinct, beat, etc.)	County and State	With whom living (Name, Head of Household
June 1, 1850				
June 1, 1860				
June 1, 1870				
June 1, 1880				
June 1, 1900				
Apr. 15, 1910				
Jan. 1, 1920				
Apr. 1, 1930				

Reason for requesting this information _____
I certify that I have been unable to get this information from State or Local records.

Signature of Applicant _____

Present address (Number and Street) _____

City _____ County _____ State _____

13941

Note - The 1890 schedules were destroyed by fire.

WRITE PLAINLY, WITH UNFADING INK--THIS IS A PERMANENT RECORD

MARGIN RESERVED FOR BINDING

STATE OF NEW MEXICO }
County of..... } ss.

State of New Mexico, Department of Public Health

DIVISION OF VITAL STATISTICS

AFFIDAVITS FOR CORRECTION OF A BIRTH OR DEATH RECORD

Certificate No.....

City or Town of.....

..... of .....
Name of Affiant — Address

New Mexico, being first duly sworn, deposes and says that he / she is .....
If Related, Specify Degree—If Friend or Otherwise, So State

of ..... who was born / who died in the City of.....

County of.....on the.....day of....., 19.....

as stated in a certificate of birth / death filed by.....
Give Name of Physician or Midwife for Birth—Undertaker for Death

with the Sub-Registrar for the city of.....County of.....New Mexico,

on the.....day of....., 19.....

That the following facts set forth in said certificate *are not correctly* stated therein, to-wit:.....

.....

.....

That affiant upon his / her own knowledge states the true facts to be, and the changes necessary to make the record correct are, as follows:.....

.....

.....

Affiant.....

Address.....

Subscribed and sworn to before me this..... day of....., 19.....

.....

Notary Public in and for the County of.....State of New Mexico

---

STATE OF NEW MEXICO, }
County of..... } ss.

..... of .....
Name of Affiant — Address

New Mexico, being first duly sworn, deposes and says that he / she has knowledge of the facts hereinbefore alleged and that the said facts as therein stated are true.

Affiant.....

Address.....

Subscribed and sworn to before me this.....day of....., 19.....

.....

Notary Public in and for the County of.....State of New Mexico

My commission expires ....., 19.....

MARGIN RESERVED FOR BINDING

WRITE PLAINLY, WITH UNFADING INK--THIS IS A PERMANENT RECORD

STATE OF NEW MEXICO } ss.
County of _____

State of New Mexico, Department of Public Health
DIVISION OF VITAL STATISTICS
AFFIDAVITS FOR CORRECTION OF A
BIRTH OR DEATH RECORD

Certificate No. _____
City or
Town of _____

_____ of _____
Name of Affiant Address

New Mexico, being first duly sworn, deposes and says that he/she is _____
If Related, Specify Degree—If Friend or Otherwise, So State

of _____ who was born / who died in the City of _____

County of _____ on the _____ day of _____, 19__

as stated in a certificate of birth / death filed by _____
Give Name of Physician or Midwife for Birth—Undertaker for Death

with the Sub-Registrar for the city of _____ County of _____ New Me

on the _____ day of _____, 19__

That the following facts set forth in said certificate are not correctly stated therein, to-wit: _____

_____

_____

That affiant upon his/her own knowledge states the true facts to be, and the changes necessary to make the record correct

as follows: _____

_____

_____

Affiant _____

Address _____

Subscribed and sworn to before me this _____ day of _____, 19__

_____

Notary Public in and for the County of _____ State of New M

STATE OF NEW MEXICO, } ss.
County of _____

_____ of _____
Name of Affiant Address

New Mexico, being first duly sworn, deposes and says that he/she has knowledge of the facts hereinbefore alleged and that the facts as therein stated are true.

Affiant _____

Address _____

Subscribed and sworn to before me this _____ day of _____, 19__

_____

Notary Public in and for the County of _____ State of New M

My commission expires _____, 19__

STATE OF NEW MEXICO

DEPARTMENT OF PUBLIC HEALTH

SANTA FE

RE:

We are enclosing herewith correction affidavit for the above mentioned certificate to be completed by_____, where checked in red. This should be acknowledged by a notary public and returned to this office. This will take care of the requested changes. DO NOT change or alter the form we have filled in. Any alteration will make this correction affidavit void.

Very truly yours,

Billy Tober

(Miss) Billy Tober
State Registrar of Vital Statistics

BT:MRR
enc.
Revised 3-16-42
VS-18

STATE OF NEW MEXICO
DEPARTMENT OF PUBLIC HEALTH
SANTA FE

RE:

We are enclosing herewith correction affidavit for the above mentioned certificate to be completed by _____ where checked in red. This should be acknowledged by a notary public and returned to this office. This will take care of the requested changes. DO NOT change or alter the form we have filled in. Any alteration will make this correction affidavit void.

Very truly yours,

(Miss) Sally Tober
State Registrar of Vital Statistics

ST:LTR
enc.
Revised 3-19-42
VS-18

C. D. CARD

Rec'd.

Made

S.

D. -

(c) -

R: -

For: Cit:

Vet.

S. S.

4 5 6

H': Yrs

W:

Age:

Occ:

B:

F:

M:

Funeral:

— —

STATE OF NEW MEXICO—DEPARTMENT OF PUBLIC HEALTH

DEPARTMENT OF COMMERCE
Bureau of the Census

STANDARD CERTIFICATE OF DEATH

File No.....

Registrar's No.....

1. PLACE OF DEATH:

(a) County

(b) City or town
(If outside city or town limits, write RURAL)

(c) Name of hospital or institution:
If not in hospital or institution write street number or location)

(d) Length of stay: In hospital or institution
(Years, Months, Days)

(e) Length of stay: In this county
(Years, Months, Days)

2. USUAL RESIDENCE OF DECEASED:

(a) State (b) County

(c) City or town
(If outside city or town limits, write RURAL)

(d) Street No.
(If rural give location)

(e) If foreign born, how long in U. S. A.? years.

(f) Citizen of foreign country? (Yes or No)

If Yes, name country

3(a) FULL NAME

3(b) If veteran, name war

3(c) Social Security No.

4. Sex

5. Color or race

6(a) Single, widowed, married, divorced

6(b) Name of husband or wife

6(c) Age of husband or wife if alive years

7. Birth date of deceased
(Month) (Day) (Year)

8. AGE: Years Months Days If less than one day hr. min.

9. Usual Occupation

10. Industry or business

11. Birthplace
(City, town, or county) (State or foreign country)

Father
12. Name
13. Birthplace
(City, town, or county) (State or foreign country)

Mother
14. Maiden name
15. Birthplace
(City, town, or county) (State or foreign country)

16(a) Informant's own signature

(b) Address

17(a) (b) Date thereof
(Burial, cremation, or removal) (Month) (Day) (Year)

(c) Place; burial or cremation

18(a) Signature of funeral director

(b) Address

(c) Licensed embalmer No.

19(a) (b)
(Date received local registrar) (Registrar's signature)

(c) Was Burial or Removal Permit issued?

MEDICAL CERTIFICATION

20. Date of death. Month.....day.....year 19..... A. M. hour.....minute..... P. M.

21. I hereby certify that I attended the deceased from....., 19.....
to....., 19.....; that I last saw h..... alive on
....., 19.....; and that death is said to have occurred on the date and hour stated above.

Immediate cause of death	Duration
Due to	
Other conditions	
(Include data of pregnancy ending within 3 months of death)	

Major findings:
Of operations (date)

Of autopsy

Where was disease contracted?

Was there an inquest?

Physician

Underline the cause to which death should be charged statistically.

22. If death was due to external causes, fill in the following:

(a) Accident, suicide, or homicide (specify)

(b) Date of occurrence

(c) Where did injury occur?
(City or town) (County) (State)

(d) Did injury occur in or about home, on farm, industrial place, in public place? While at work?
(specify type of place)

(e) Means of injury

23 Signature (M. D. or other)

Address Date signed

A DEATH CERTIFICATE MUST BE FILED BEFORE BURIAL OR REMOVAL

STATE OF NEW MEXICO

DEPARTMENT OF PUBLIC HEALTH

SANTA FE

RE:

We are enclosing herewith correction affidavit for the above mentioned certificate to be completed by _____ where checked in red. This should be acknowledged by a notary public and returned to this office. This will take care of the requested change. DO NOT change or alter the form we have filled in. Any alteration will make this correction affidavit void.

Very truly yours,

(Miss) Billy Tober
State Registrar of Vital Statistics

BT:MTH
enc.
Revised 3-16-42
VS-18

STATE OF NEW MEXICO

DEPARTMENT OF PUBLIC HEALTH

PERMIT FOR THE DISPOSAL OF THE DEAD

A satisfactory certificate of death having been filed as required by the regulations of the State Board of Public Health of New Mexico, permission is hereby

granted for the.....

BURIAL, CREMATION, REMOVAL, OR OTHER DISPOSITION

of the body of.....

NAME OF DECEASED

age....., sex....., who died of.....

CAUSE OF DEATH

at....., on.....

CITY, TOWN OR VILLAGE — MONTH — DAY — YEAR

.....

HEALTH OFFICER OR SUBREGISTRAR

Place of disposal..... Date.....

.....

PERSON IN CHARGE OF PREMISES OR UNDERTAKER

IMPORTANT — READ CAREFULLY

NOTE:—This permit shall be delivered by the undertaker or person acting as such to the keeper of the cemetery, burial ground or other place of disposal of the body, who shall fill in the name of the place and date of disposal over his signature and file the complete permit with the local health officer or subregistrar within ten days. When there is no person in charge of the cemetery or burial ground, the undertaker, or person acting as such, shall write across the face of the permt the words "No person in charge," fill in the place and date of disposal, affix his signature and file the permit with the local health officer or subregistrar within ten days.

STATE OF NEW MEXICO

DEPARTMENT OF PUBLIC HEALTH

SANTA FE

RE:

We are enclosing herewith correction affidavit for the above mentioned certificate to be completed by _____ where checked in red. This should be acknowledged by a notary public and returned to this office. This will take care of the requested changes. DO NOT change or alter the form we have filled in. Any alteration will make this correction affidavit void.

Very truly yours,

(Miss) Billy Tober
State Registrar of Vital Statistics

BT:MTH
enc.
Revised 3-16-42
VS-18

GUIDE

TO THE PUBLIC

VITAL STATISTICS RECORDS

IN

NEW MEXICO

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