

own free will and accord and shall sign a written statement to that effect: *Provided further*, That no inmate labor shall be furnished under the provisions of section 4 at less than the prevailing rate of pay in the locality and for the type of work in question, and shall not be employed where there is a labor dispute.

Prevailing
pay rate to
prevail.

SEC. 7. If any section or other portion of this act should for any reason be adjudged to be unconstitutional, such adjudication shall not affect the remaining portions of the act.

Saving
clause.

SEC. 8. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately. Sections 4, 5 and 6 shall remain in force only for the duration of the existing war.

Effective
immediately.

Partial
termination.

Passed the Senate March 6, 1943.

Passed the House March 9, 1943.

Approved by the Governor March 19, 1943.

CHAPTER 176.

[S. B. 7.]

REGISTRATION OF UNREPORTED BIRTHS.

AN ACT relating to the registration of unreported births; providing the procedure therefor; amending section 1, chapter 167, Laws of 1941 (section 6011-1, Rem. Supp. 1941); amending section 2, chapter 167, Laws of 1941 (section 6011-2, Rem. Supp. 1941); amending section 4, chapter 167, Laws of 1941 (section 6011-4, Rem. Supp. 1941); repealing section 3, chapter 167, Laws of 1941 (section 6011-3, Rem. Supp. 1941); and declaring an emergency.

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

SECTION 1. That section 1, chapter 167, Laws of 1941 (section 6011-1, Rem. Supp. 1941), be and the same hereby is amended to read as follows:

Amendments.

Section 1. Whenever a birth which has occurred in this state prior to the date of this act is not on

Registration
of
unrecorded
births.

record in the office of the State Registrar or in the office of the Auditor of the county in which the birth occurred if such birth was prior to July 1, 1907, and the attending physician is not available to make the registration, application for the registration of the birth may be made by the interested person to the State Registrar as hereinafter provided.

Application to State Registrar.

Amendments.

SEC. 2. That section 2, chapter 167, Laws of 1941 (section 6011-2, Rem. Supp. 1941), be and the same hereby is amended to read as follows:

Form provided.

Section 2. The application shall be made upon a form provided by the State Registrar and shall be supported by the affidavit of at least two (2) persons having knowledge of the facts stated therein, or reason to believe that such facts are true, or by documentary evidence.

Supporting affidavit.

Fee.

A fee of fifty cents (\$.50) shall be paid to the State Registrar at the time the application is made. No other or further fee shall be paid to the registrar for the registration of such birth.

Repeals.

SEC. 3. That section 3, chapter 167, Laws of 1941 (section 6011-3 Rem. Supp. 1941), be and the same hereby is repealed.

Amendments.

SEC. 4. That section 4, chapter 167, Laws of 1941 (section 6011-4, Rem. Supp. 1941), be and the same hereby is amended to read as follows:

Birth shall be registered.

Section 4. The birth shall be registered in the records of the State Registrar and shall also be filed in the local registration district in which the birth occurred. A certified copy of such record, when issued, shall be *prima facie* evidence in all courts and places of the facts stated therein. Certified copies shall be furnished at a fee of fifty cents (\$.50) each.

Right of appeal.

SEC. 5. In the event that the State Registrar shall fail or refuse to register the birth as in this act provided the applicant shall have a right to appeal to a Judge of the Superior Court, either of the county of residence or of the county of birth, from the order of the State Registrar. No bond shall be required of the

applicant on such appeal nor shall the applicant be required to pay any costs on account of the proceedings in such Superior Court. Such appeal shall be taken by filing notice thereof with the said Superior Court and mailing a copy of such notice to the State Registrar. The State Registrar shall within fifteen (15) days file in said Superior Court a full and complete transcript of all proceedings had before such State Registrar which transcript shall be duly certified by the State Registrar. Such appeals shall have precedence and shall be determined by the said Superior Court with the least possible delay. The Superior Court shall then hear the matter *de novo* and shall take such testimony as may, in his judgment, be necessary to establish the facts as to the birth of the applicant. The court may continue the hearing for the taking of further testimony. The court shall if the birth be proved issue an order to the State Registrar that such birth be registered or may deny the application and appeal if such birth be not proved. Either the applicant or the State Registrar shall have the right to appeal to the Supreme Court from the decision of the Superior Court, but no bond shall be required and no costs imposed on such appeal. If the Superior Court or the Supreme Court shall order the birth to be registered such birth shall be registered in the records of the State Registrar and shall also be filed in the local registration district in which the birth occurred.

No bond
or costs
on appeal.

Transcript
to be filed.

Precedence.

Court may
continue.

Order
registration.

Further
appeal.

SEC. 6. This act is necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately.

Effective
immediately.

Passed the Senate February 19, 1943.

Passed the House March 10, 1943.

Approved by the Governor March 19, 1943.