

MAINE STATE LEGISLATURE

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FORTY-EIGHTH LEGISLATURE.

SENATE.

No. 54.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

AN ACT for the promotion of medical science.

[As amended.]

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECTION 1. The warden of the state prison, and the
2 keepers of the several jails in the state, may give
3 permission to any physician or surgeon, (preference
4 being given to instructors and medical schools estab-
5 lished by law,) upon his request, to take the bodies of
6 such persons dying in state prison, or in a jail, on con-
7 viction for crime, to be by him used within the state
8 for the advancement of anatomical science ; *provided,*
9 that no such body shall be surrendered, unless the de-
10 ceased, at any time requested to be surrendered, or if
11 within three days after his death any kindred of the

12 deceased, within the third degree of relationship, asks
13 to have the body buried. The surgeon or physician
14 before receiving any such body, shall give a good and
15 sufficient bond with sureties, in a sum of not less than
16 five hundred dollars, payable to the treasurer of the
17 city or town where such body may be, said bond to be
18 approved by a majority of the selectmen or overseers of
19 the poor of said city or town, that such body shall only
20 be used for the purposes named in this act, and shall
21 not be transported out of the state; and that after
22 such use, the remains shall be decently interred; and
23 if the condition of said bond shall be broken, it shall
24 be the duty of the treasurer of such city or town to
25 enforce the payment of the said bond for the use of
26 the city or town, the money so obtained to be applied
27 to the support of the poor of said city or town.

SECT. 2. Any person knowingly surrendering or
2 knowingly receiving any such body for anatomical
3 purposes, contrary to the provisions of this act, shall be
4 punished as provided in section twenty-six of chapter
5 one hundred and twenty-four of the revised statutes.

AMENDMENT "I," PROPOSED BY MR. LANE.

Amend by striking out all after the enacting clause and inserting the following :

SECTION 1. The overseers of the poor of any city or town containing not less than six thousand inhabitants, the warden of the state's prison, and the keepers of the several jails in this state, may give permission to any physician or surgeon regularly educated and graduated, preference being given to instructors in anatomy and medical schools established by law, upon his request, to take the bodies of such persons dying in their city or town, or in the state's prison, or in a jail, if convicted and sentenced for any crime and are required to be buried at the public expense, to be by him used within the state for the advancement of anatomical science.

SECT. 2. Every such physician, surgeon or instructor named in the aforesaid section of this act, before receiving any such body, shall give bond to the town, city, county or state at whose expense such body should be interred, with good and sufficient surety in the sum of two hundred dollars, to be deposited with the treasurer of such city, town, county or state, conditioned that

8 such body shall be used only in this state, for the purposes aforesaid, and that the same shall be buried in some suitable burying ground after such use.

SECT. 3. No such body shall be surrendered if the deceased at any time while in the care of the person or institution in whose custody he died requested to be buried, or if within three days after his death any kindred of the deceased within the third degree of consanguinity or affinity asks to have the body buried, or if the deceased was a stranger or traveller who suddenly died.

SECT. 4. Any person surrendering or receiving any such body for anatomical purposes contrary to the provisions of this act, shall be punished as provided in section twenty-six of chapter one hundred and twenty-four of the revised statutes. The provisions of this act shall not apply to the body of any person dying in any city or town where such person if living would be chargeable to any town containing less than six thousand inhabitants.

STATE OF MAINE.

IN SENATE, March 5, 1869.

Mr. LANE proposed an amendment marked "I," pending which, on motion of the same Senator, the bill was laid on the table and ordered to be printed, together with the proposed amendment, and Tuesday next at 11 o'clock assigned for its further consideration.

THOMAS P. CLEAVES, *Secretary.*