

MAINE STATE LEGISLATURE

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Sixty-Second Legislature.

HOUSE.

No. 28.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-FIVE.

AN ACT to revise and amend chapter one hundred
thirty-nine, Revised Statutes, relating to Coroners'
Inquests.

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

SECTION 1. When a coroner has notice that there
2 has been found, or is lying within his county, the
3 dead body of a person, who is supposed to have
4 come to his death by violence or any unlawful act,
5 he shall forthwith repair to the place where such
6 body lies, and take charge of the same; and if, on
7 view and personal inquiry into the cause and
8 manner of death, he deems a further examination
9 necessary, he shall at once communicate all the

10 facts to the county attorney; and if they decide it
11 to be necessary, the coroner shall thereupon hold
12 an inquest. When the circumstances seem to
13 demand it, an autopsy shall be made by a physi-
14 cian in good and regular standing, who shall then
15 and there carefully reduce or cause to be reduced
16 to writing every circumstance tending to show the
17 condition of the body and the cause and manner
18 of death, and subscribe and make oath to the
19 same. The fee of the physician shall be fixed by
20 the coroner, and shall not exceed twenty dollars,
21 unless more than one day is employed. If the
22 circumstances require it, two physicians may be
23 employed to make an autopsy. An inquest shall
24 be held in all cases of death by accident upon a
25 railroad; and the county attorney, or the attorney
26 general, may, if he deems it necessary or expedi-
27 ent, direct an inquest to be held in the case of any
28 other casualty from which the death of a person
29 results.

SECT. 2. The coroner may call upon any con-
2 stable of the town, or sheriff of the county, where
3 the inquest is held, to attend the same. He may
4 issue subpoenas for witnesses to be served as in
5 other cases, and have the same authority as pro-
6 bate courts to compel their attendance, and may

7 fine or convict for contempt. All witnesses who
8 testify shall be sworn by the coroner.

SECT. 3. The evidence of all the witnesses shall
2 be in writing and signed by them; and if it re-
3 lates to the trial of any person concerned in the
4 death, the coroner shall bind such witnesses by
5 recognizance, in a reasonable sum, for their per-
6 sonal appearance at the next supreme judicial
7 or superior court to be held in the same county,
8 to give their testimony accordingly; and if they
9 do not so recognize, he shall commit them to
10 prison, and return to the same court the inquisi-
11 tion, written evidence, and recognizance by him
12 taken.

SECT. 4. The coroner after hearing the testi-
2 mony shall draw up and sign a report in which he
3 shall find and certify when, where, and by what
4 means the person deceased came to his death; his
5 name, if known, and all the material circumstances
6 attending the death; and if it appears that his
7 death resulted wholly, or in part from the unlawful
8 act of any other person or persons, he shall further
9 state the name or names of such person or per-
10 sons, if known to him, and he shall file the report
11 with the testimony, as provided in section three of
12 this act.

SECT. 5. If any person, charged by the inquest
2 with causing the death of such person, is not then
3 in custody, the coroner shall have the same power
4 as a trial justice to issue a warrant for his appre-
5 hension, to be returned before any judge or trial
6 justice, who shall proceed therein according to
7 law.

SECT. 6. Every coroner within his county, after
2 the inquisition upon view of the dead body of a
3 stranger, shall bury it in a decent manner; and all
4 the expenses attending the inquisition and burial
5 shall be paid to the coroner out of the state treas-
6 ury, if the coroner certifies under oath that the
7 deceased was a stranger not belonging in the state,
8 according to his best knowledge and belief; other-
9 wise, the expenses of burial shall be paid to the
10 coroner by the town where the body was found,
11 and be repaid to such town by the town to which
12 he belonged; and the expenses of the inquisition,
13 by the county.

SECT. 7. The coroner shall pay to the party
2 giving notice that a dead body has been found,
3 and to the person who picked up such body, and
4 to the person who has had the care of such body,
5 until taken charge of by him, a suitable compen-

6 sation, which shall be reimbursed as for personal
7 services. When there is delay in the arrival of
8 the coroner, any municipal officer of the town
9 where such body is found, who has notice thereof,
10 shall take proper care of the same until the
11 coroner arrives.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
January 27, 1885. }

Presented by Mr. LITTLEFIELD of Rockland, and on his motion
ordered printed.

NICHOLAS FESSENDEN, *Clerk.*