

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Sixty-Eighth Legislature.

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HOUSE.

No. 144.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND NINETY-SEVEN

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AN ACT for the promotion of Medical Education and the  
prevention of unauthorized uses of and traffic in Dead  
Human Bodies.

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

Section 1. The professors of anatomy, the professors of  
2 surgery, and the demonstrations of anatomy in the medical  
3 schools of this State, which are now or may hereafter  
4 become incorporated by act of the legislature, shall be and  
5 are hereby constituted a board for the collection, distribu-  
6 tion, and delivery of dead human bodies hereinafter de-  
7 scribe, to and among such persons as under the provisions

8 of this act are entitled thereto. The professor of anatomy  
9 in the medical school of Maine shall call a meeting of said  
10 board for organization at a time and place to be fixed by  
11 him within thirty days after the passage of this act. The  
12 said board shall have full power to establish rules and  
13 regulations for its government, and to appoint and remove  
14 officers, and shall keep full and complete minutes of its  
15 transactions, and record shall also be kept under its direc-  
16 tion of all bodies received and distributed by said board,  
17 and of the persons to whom the same are distributed, which  
18 minutes and records shall be open at all times to the inspec-  
19 tion of each member of said board, the attorney general  
20 and the county attorney of any county within this State.

Sect. 2. All public officers, agents, and servants of any  
2 and every county, city, town, and other municipality, and  
3 of any and every almshouse, prison, morgue, hospital, or  
4 any other public institution having charge or control over  
5 dead human bodies, provided the deceased was at least  
6 fifteen years of age, are hereby required to notify immedi-  
7 ately the said board of distribution, or such person or per-  
8 sons as may from time to time be designated by said board,  
9 or its duly authorized officer or agent, whenever any such  
10 body or bodies come into his or their possession, charge,  
11 or control, and shall immediately notify any known mem-  
12 ber of the family or next of kin of the deceased, and shall,  
13 if the body is not claimed, without fee or reward, forth-

14 with deliver such body or bodies to said board, or its duly  
15 authorized officer or agent, and permit and suffer the said  
16 board or its agents, or the physicians and surgeons from  
17 time to time designated by it or them, who comply with  
18 the provisions of this act, to take and remove any and all  
19 such bodies to be used within this State for the advance-  
20 ment of medical education; but no notice need be given  
21 and no such body shall be delivered, if any person, satisfy-  
22 ing the authorities in charge of said body that he or she is  
23 a member of the family of or next of kin to the deceased,  
24 shall claim the body for burial, but it shall be surrendered  
25 to him or her for interment or buried at public expense  
26 and no notice shall be given and no body delivered to said  
27 board or its agents, if such deceased person was a traveler  
28 and not a vagabond, who died suddenly, or had been a resi-  
29 dent of said town or city ten or more years.

Sect. 3. Said board or its duly authorized agent may take  
2 and receive such bodies, so delivered as aforesaid, and shall  
3 upon receiving them after seven days from the date of  
4 decease distribute and deliver them to or among the schools,  
5 physicians and surgeons aforesaid in the following man-  
6 ner: Those schools needing bodies for lectures and demon-  
7 strations shall first be supplied as fast as practicable, the  
8 number assigned to each to be based upon the number of  
9 students in actual attendance, which number shall be  
10 returned to the board at such times as it shall direct. The

11 board of distribution may from time to time designate  
12 physicians or surgeons who shall receive said bodies, appli-  
13 cations to be considered in the order of their receipt by  
14 said board.

Sect. 4. The said board may employ a carrier or carriers  
2 for the conveyance of said bodies, and the said bodies shall  
3 be well enclosed within a suitable encasement, and carefully  
4 deposited free from public observation. Said carrier shall  
5 obtain receipts by name, or, if the deceased is unknown, by  
6 a description, for each body delivered by him, which receipt  
7 shall state the source from which said body was received,  
8 and shall deposit said receipts with the secretary of said  
9 board.

Sect. 5. No school, physician or surgeon shall be allowed  
2 or permitted to receive any such body or bodies until a  
3 bond shall be given to the State treasurer by such physician  
4 or surgeon, or by and in behalf of such school, to be  
5 approved by a justice of a court of record in and for the  
6 county in which such physician or surgeon resides, or in  
7 which such school is situated, which bond shall be in the  
8 penal sum of one thousand dollars, conditioned that all  
9 such bodies which the said physician or surgeon, or the  
10 said school shall receive thereafter shall be used only for  
11 the promotion of medical education within the State, and,  
12 when no longer needed for such educational purposes, shall  
13 be decently buried, which said bond shall be examined

14 annually in the month of December, by the State treasurer,  
15 and he shall certify in writing upon each bond in his pos-  
16 session, his approval of the same, and in case any bond is  
17 not so approved by him, he shall immediately notify the  
18 party giving the said bond, who shall forthwith file a new  
19 bond as hereinbefore provided; and whosoever shall sell  
20 or buy such body or bodies, or in any way traffic in the  
21 same, or shall transmit or convey, or cause to procure to  
22 be transmitted or conveyed said body or bodies to any  
23 place outside of this State shall be deemed guilty of a mis-  
24 demeanor, and shall, on conviction, be liable to a fine not  
25 exceeding two hundred dollars, or to be imprisoned for a  
26 term not exceeding one year.

Sect. 6. Neither the State nor any county or municipal-  
2 ity, nor any officer, agent or servant thereof, shall be at  
3 any expense by reason of the delivery or distribution of  
4 any such body, but all the expenses thereof, and of said  
5 board of distribution, shall be paid by those receiving the  
6 bodies, in such manner as shall be specified by said board  
7 of distribution.

Sect. 7. Any person having duties enjoined upon him by  
2 the provisions of this act, who shall neglect, refuse, or  
3 omit to perform the same as required by the provisions of  
4 this act, shall, on conviction thereof, be liable to a fine of  
5 not less than one hundred or more than five hundred dol-  
6 lars for each offence.

Sect. 8. Sections 2, 3, (as amended by chapter 254 of the  
2 Public Laws of 1893,) 4, 5, 6, 7, and 8 of chapter 13,  
3 Revised Statutes, are hereby repealed.

Sect. 9. This act shall take effect when approved.





STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,

February 24, 1897.

Tabled pending first reading, by Mr. KALER of Scarborough, and  
ordered printed.

W. S. COTTON, *Clerk.*