

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 66

House of Representatives, Feb. 3, 1915.

Ordered, That five hundred copies be printed and that the same be referred to the Committee on Public Health.

Committee on Reference.

Presented by Mr. Ellis of Gardiner.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to Regulate the Construction of Mausoleums or
Tombs to be Used for Permanent Burial.

Be it enacted by the People of the State of Maine, as follows:

Sect. 1. Before any person, firm or corporation, shall
2 build, construct or erect, any mausoleum, vault or other
3 burial structure, entirely above ground or partly above and
4 partly by excavation, with the intention and purpose that
5 when so built, constructed and erected the same may con-
6 tain twenty or more deceased human bodies for permanent
7 interment, the person, firm or corporation, shall present
8 all plans for such construction to the State Board of Health
9 of the State of Maine, and shall obtain the written approval
10 of said board of such plans before proceeding with the con-

11 struction and erection of said mausoleum, vault, or other
12 burial structure.

Sect. 2. All crypts or catacombs placed in a mausoleum,
2 vault, or other burial structure, as described in Section 1
3 of this act, shall be so constructed that all parts thereof may
4 be readily examined by the State Board of Health, or any
5 other health officer, and such crypts or catacombs, when used
6 for the permanent interment of a deceased body, or bodies,
7 shall be so hermetically sealed that no offensive odor or ef-
8 fluvia may escape therefrom.

Sect. 3. Should any person, firm, or corporation, build,
2 construct, or erect, a mausoleum, vault, or other burial struc-
3 ture, as specified in section 1 of this act, before obtaining the
4 approval of the State Board of Health, as required in section
5 1 of this act, or should any person, firm, or corporation, after
6 building or constructing said mausoleum, vault, or other
7 burial structure, in accordance with the requirements of this
8 act, fail to hermetically seal all crypts or catacombs therein
9 after a dead body has been placed in said crypt or cata-
10 comb, according to the requirements of this act, the said per-
11 son, firm, or corporation, shall be fined not less than one
12 hundred nor more than five hundred dollars for each of-
13 fense, and the Court may order the person, firm, or corpo-
14 ration, by whose authority said interment was made, in addi-
15 tion to said fine, within a reasonable time to hermetically seal
16 said crypts or catacombs containing said deceased body, or
17 in the discretion of the Court to remove the deceased body,

18 and bury it in some suitable cemetery, or the Court may
19 order the hermetical sealing of said crypt, or catacomb, to
20 be done under the direction of the Board of Health in the
21 municipality where said mausoleum, vault, or other burial
22 structure is erected, and that the said person, firm, or cor-
23 poration, shall pay all expenses attending the said work, or
24 the removal of said body, or bodies, and the burial of the
25 same in some cemetery, provided the said body, or bodies,
26 cannot be suitably and properly hermetically sealed in said
27 crypt or catacomb.

Sect. 4. All fines or penalties provided by the terms of this
2 act may be recovered or enforced by indictment, and the
3 necessary processes for causing the crypts and catacombs
4 to be sealed, or the bodies to be removed and buried, may be
5 issued under the direction of any Justice of the Supreme
6 Judicial Court, or the Superior Courts, in term or vacation
7 time.

Sect. 5. The Supreme Judicial Courts and the Superior
2 Courts shall have original and concurrent jurisdiction, in all
3 cases under the provisions hereof, provided that the judges
4 of Municipal and Police Courts and Trial Justices may
5 cause the persons brought before them on complaint under
6 the provisions of this act to recognize with sufficient sure-
7 ties to appear before the Supreme Judicial Courts, or Supe-
8 rior Courts, and, in default thereof, shall commit them.