

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 411

In House of Representatives, Feb. 26, 1915.

*Reported by Mr. Michaud from Committee on Public Health
and ordered printed under joint rules.*

C. C. HARVEY, Clerk.

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:

Section 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 all
8 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

11 construction 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 of
3 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
8 effluvia 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 one of this act, before obtaining
4 the approval of the State Board of Health, as required in
5 section 1 of this act, or should any person, firm, or corpo-
6 ration, after building or constructing said mausoleum, vault,
7 or other burial structure, in accordance with the require-
8 ments of this act, fail to hermetically seal all crypts or cata-
9 combs therein after a dead body has been placed in said
10 crypt or catacomb, according to the requirements of this act,
11 the said person, firm, or corporation, shall be fined not less
12 than one hundred nor more than five hundred dollars for
13 each offense, and the Court may order the person, firm, or
14 corporation, by whose authority said interment was made,
15 in addition to said fine, within a reasonable time to hermeti-
16 cally seal said crypts or catacombs containing said deceased
17 body, or in the discretion of the Court to remove the de-

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

Sect. 4. All fines or penalties provided by the terms of
2 this 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
5 be 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 cause
5 the persons brought before them on complaint under the
6 provisions of this act to recognize with sufficient sureties
7 to appear before the Supreme Judicial Courts, or Superior
8 Courts, and, in default thereof, shall commit them.