

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 667

House of Representatives, March 23, 1917.

Printed under joint rules.

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT to better define the duties and to increase the number
of medical examiners.

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

Section 1. Section one of chapter one hundred forty-
2 one of the revised statutes of nineteen hundred sixteen is
3 hereby amended by striking out the word "Cumberland"
4 in the ninth line thereof, and inserting after the word "each"
5 in the tenth line, the words, 'and for the county of Cum-
6 berland five,' and after the word "distribution" in the elev-
7 enth line, the following words, 'in addition to the number
8 of medical examiners in the several counties, as above pro-
9 vided for, the governor may, however, with the advice and

10 consent of the counsel, appoint as many more medical ex-
11 aminers in the several counties as he deems necessary and
12 proper,' and by adding thereto the words, 'of some person
13 or persons the committing of which act is punishable in
14 accordance with sections one, two and three of chapter one
15 hundred twenty of the Revised Statutes of Maine,' so that
16 said section as amended shall read as follows:

'Sect. 1. The governor, with the advice and consent of
2 the council, shall appoint for a term of four years, medical
3 examiners for each county in the state, who shall be able
4 and discreet men, learned in the science of medicine and
5 anatomy, and bona fide residents of the county for which
6 they are appointed. The number of medical examiners so
7 to be appointed shall be as follows: For the counties of
8 Knox, Lincoln, Sagadahoc and Waldo, one each; for the
9 counties of Androscoggin, Franklin, Hancock, Oxford, Pis-
10 cataquis, Somerset and Washington, two each; for the
11 counties of Aroostook, Kennebec, Penobscot and York,
12 three each, and for the county of Cumberland five; and
13 they shall be appointed with reference to territorial distri-
14 bution. In addition to the number of medical examiners
15 in the several counties, as above provided for, the gover-
16 nor may, however, with the advice and consent of the coun-
17 cil, appoint as many more medical examiners in the several
18 counties as he deems necessary and proper. They shall be
19 liable to removal from office by the governor and council
20 at any time, for cause. Each medical examiner before en-

21 tering upon the duties of his office, shall be duly sworn to
22 the faithful performance of his duty. They shall make
23 examinations as hereinafter provided upon the view of the
24 dead bodies of such persons only as are supposed to have
25 come to their death by violence or unlawful act of some
26 person or persons, the committing of which act is punish-
27 able in accordance with sections one, two and three of chap-
28 ter twenty of the Revised Statutes of Maine.'

Sect. 2. Section two of said chapter one hundred forty-
2 one is hereby amended by adding after the word "act" in
3 the third line thereof, the words, 'of some person or per-
4 sons, the committing of which act is punishable in accord-
5 ance with sections one, two and three of chapter one hun-
6 dred twenty of the revised statutes of Maine,' so that said
7 section as amended shall read as follows:

'Sect. 2. Whoever finds a body of any person who may
2 be supposed to have come to his death by violence or un-
3 lawful act of some person or persons, the committing of
4 which act is punishable in accordance with sections one,
5 two and three of chapter one hundred twenty of the re-
6 vised statutes of Maine, shall immediately notify one of
7 the municipal officers, a police officer or constable, member
8 of the board of selectmen, or a constable, if in a town, a
9 member of the board of assessors, if in a plantation, and
10 if in an unorganized place, the most readily accessible of
11 such officials in any city, town or plantation within the
12 county; the official so notified shall at once take charge of

13 such body, and retain custody thereof without removal un-
14 til the arrival of a medical examiner, the county attorney
15 or the attorney-general. The persons so finding such body,
16 or the official taking charge thereof shall then immediately
17 notify the most readily accessible medical examiner in the
18 county wherein the body is found and the county attorney
19 thereof, who shall at once notify the attorney-general.'

Sect. 3. Section three of said chapter one hundred forty-
2 one is hereby amended by adding after the word "act" in
3 the third line thereof, the words, 'of some person or per-
4 sons, the committing of which act is punishable in accord-
5 ance with sections one, two and three of chapter one hun-
6 dred twenty of the revised statutes of Maine,' so that said
7 section as amended shall read as follows:

'Sect. 3. Upon notice that there has been found or is ly-
2 ing within his county the body of a person who is sup-
3 posed to have come to his death by violence or unlawful
4 act of some person or persons, the committing of which
5 act is punishable in accordance with sections one, two and
6 three of chapter one hundred twenty of the revised stat-
7 utes of Maine, the medical examiner shall forthwith re-
8 pair to the place where such body lies and take charge of
9 the same, and before said body is removed he shall reduce
10 or cause to be reduced to writing a description of the lo-
11 cation and position of the body and any and all facts that
12 may be deemed important in determining the cause of
13 death. He shall then make an autopsy in the presence of

14 a physician and one other discreet person sufficient in his
15 judgment to disclose such facts as may be attainable there-
16 by which may be of assistance in determining the cause of
17 death. He may compel the assistance of such physician
18 and person, by subpoena, if necessary, and he shall then
19 and there at the time of such autopsy reduce or cause to
20 be reduced to writing every fact and circumstance disclosed
21 by such autopsy tending to show the manner and cause of
22 death, which record shall be signed by himself and the wit-
23 nesses who have attended, who shall in addition to their
24 names subscribe their address and place of business. In
25 case at the time of finding of such body there be no medical
26 examiner within the county by reason of vacancy in the
27 office, incapacity or absence from the county, any medi-
28 cal examiner in an adjoining county may be notified whose
29 duty it shall be to attend and perform all duties prescribed
30 by this chapter as though he were a medical examiner with-
31 in the county.'