

MAINE STATE LEGISLATURE

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N I N E T Y - F I R S T L E G I S L A T U R E

Legislative Document

No. 823

S. P. 460

In Senate, March 22, 1943.

Reported by Senator Farris of Kennebec from Committee on Judiciary and laid on the table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

AN ACT Relating to Medical Examiners.

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

R. S., c. 151, § 2, repealed. Section 2 of chapter 151 of the revised statutes, as amended by section 2 of chapter 241 of the public laws of 1939, is hereby repealed and the following enacted in place thereof:

'Sec. 2. Notice of finding of body. Whoever finds the body of any person who may be supposed to have come to his death by violence or unlawful act, shall immediately notify one of the municipal officers, a police officer or constable if in a city or town; or a member of the board of assessors if in a plantation; and if in an unorganized place, the most readily accessible of such officials in any city, town or plantation within the county. Such official shall immediately take charge of such body and retain custody thereof without moving the same, except as hereinafter provided, until the arrival of a medical examiner, the county attorney or the sheriff. The official taking charge of said body shall immediately notify the county attorney or sheriff who shall in turn arrange for the attendance of the most readily accessible medical examiner. If the body, where found, is in danger of being destroyed or damaged by fire, vehicular traffic or otherwise, or of being lost in any body of water, any person may take such steps as

may seem necessary for its preservation or retention, prior to the arrival of the medical examiner, sheriff or county attorney, but in such event shall first, whenever practicable, exactly mark the location and position of the body. If no such danger exists, the body shall not be moved until the arrival of the medical examiner, the sheriff or county attorney, and until photographs have been taken or measurements and drawings have been made to record the physical facts relative to the location and position of the body, under the supervision of the county attorney or sheriff, or unless the attorney-general or the county attorney waives such requirements. After such photographs or such measurements and drawings have been made, or have been waived as aforesaid, and after the medical examiner has completed such examination as required of him in the following section, the body may be removed to a convenient place. The body shall not be finally released for embalming or burial, except by order of the county attorney or sheriff. If and when it shall appear to the county attorney that the case is one of probable homicide, he shall notify the attorney-general of the fact.'