

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1087

H. P. 1486

House of Representatives, February 25, 1947.

Transmitted by revisor of statutes pursuant to joint order

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Mills of Farmington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

AN ACT Concerning Medical Examiners.

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

Sec. 1. R. S., c. 79, § 258, amended. The last sentence of section 258 of chapter 79 of the revised statutes is hereby amended to read as follows:

'They shall make examinations, as hereinafter provided, ~~upon the view of the dead bodies of such persons only as are supposed to have come to their death by violence or unlawful act~~ whenever any person shall die from criminal violence, or by casualty, or by suicide, or suddenly when in apparent health, or when unattended by a physician or in prison, or in any suspicious or unusual manner.'

Sec. 2. R. S., c. 79, § 259, amended. The 1st sentence of section 259 of chapter 79 of the revised statutes is hereby amended to read as follows:

'Whoever finds the body of any person, who may be supposed to have come to his death by ~~violence or unlawful act~~, criminal violence, or by casualty, or by suicide, or suddenly when in apparent health, or when unattended by a physician, or in prison, or in any suspicious or unusual manner, 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.'

Sec. 3. R. S., c. 79, § 260, amended. The 1st sentence of section 260 of chapter 79 of the revised statutes is hereby amended to read as follows:

'Upon notice that there has been found or is lying within his county the body of a person who is supposed to have come to his death by ~~violence or unlawful act~~, **criminal violence, or by casualty, or by suicide, or suddenly when in apparent health, or when unattended by a physician, or in prison, or in any suspicious or unusual manner**, the medical examiner shall forthwith repair to the place where such body lies and take charge of the same, and before said body is removed, he shall reduce or cause to be reduced to writing a description of the location and position of the body and any and all facts that may be deemed important in determining the cause of death.'

Sec. 4. R. S., c. 79, § 263, amended. Section 263 of chapter 79 of the revised statutes is hereby amended to read as follows:

'**Sec. 263. Inquest when county attorney or attorney-general disagree with medical examiner.** If a medical examiner reports that a death was not caused by ~~violence or unlawful act~~ **criminal violence, or by casualty, or by suicide, or suddenly when in apparent health, or when unattended by a physician, or in prison, or in any suspicious or unusual manner** and the county attorney or attorney-general is of a contrary opinion, nothing in sections 258 to 268, inclusive, shall be construed to prevent either of these officers directing an inquest in accordance with the provisions of these said sections.'

Sec. 5. R. S., c. 79, § 267, amended. Section 267 of chapter 79 of the revised statutes is hereby amended to read as follows:

'**Sec. 267. Compensation of medical examiner.** Every medical examiner shall render an account of the expenses of each case, including his fees, to the county attorney, who shall audit and approve the same before it is submitted to the county commissioners for their approval, and the fees allowed the medical examiner shall not exceed the following, viz.: for a view and inquiry without an autopsy, ~~\$10~~ **not less than \$10 nor more than \$25**; for a view and autopsy, ~~\$25~~ **\$50**; for an inquest, \$10 per day for the time actually spent in holding such inquest and for all necessary travel at the rate of 6c per mile. Witnesses summoned to testify at such inquest shall be allowed the same fees as witnesses in the superior court. The

physician and other person required to be present at an autopsy as provided in section 260 shall be allowed a reasonable compensation to be audited by the medical examiner and county attorney.'