

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

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PUBLIC LAWS
OF THE
STATE OF MAINE.

1897.

Chapter 314.

An Act for the better preservation of Highways and accommodating
Public Travel.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Section sixty-six of chapter eighteen of the revised statutes is hereby amended by adding after the words "public travel" in the fourth line thereof the following words: 'and whenever so directed by the selectmen remove all shrubbery and bushes growing within the limits of highways, not planted or cultivated therein for the purpose of profit or ornamentation, having care for the proper preservation of shade trees,' so that said section when amended shall read as follows: 'Road commissioners and highway surveyors shall go over their highway districts, or cause it to be done, in April, May, June, August, September, October and November in each year, remove the loose obstructions to the public travel, and whenever so directed by the selectmen remove all shrubbery and bushes growing within the limits of highways, not planted or cultivated therein for the purpose of profit or ornamentation, having care for the proper preservation of shade trees, and repair such defects as may occur from time to time, rendering travel dangerous, or they shall give notice of such defects to the municipal officers, under a penalty of five dollars for neglect of such duty.'

Section 66,
chapter 18,
R. S.,
amended.

Duties of
road com-
missioners
and survey-
ors.

Approved March 26, 1897.

Chapter 315.

An Act for the promotion of Medical Education and the prevention of
unauthorized uses of and traffic in Dead Human Bodies.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Sect. 1. The professors of anatomy, the professors of surgery, and the demonstrators of anatomy in the medical schools of this state, which are now or may hereafter become incorporated by act of the legislature, shall be and are hereby constituted a board for the collection, distribution, and delivery of dead human bodies hereinafter described, to and among such persons as under the provisions of this act are entitled thereto.

Board con-
stituted for
collection,
distribu-
tion and
delivery of
dead human
bodies.

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—organization of.

—may establish rules, appoint and remove officers, keep record of bodies received and distributed.

—shall be open to inspection.

Board shall be notified of deaths occurring in almshouses, prisons, etc.

—family shall be notified.

—if body is not claimed, it shall be delivered to board.

—how disposed of.

—if body is claimed by member of family, etc., notice shall not be required, and it shall be surrendered for burial.

—body of traveler not a vagabond, shall not be surrendered to board.

Board shall distribute bodies after

The professor of anatomy in the Medical School of Maine shall call a meeting of said board for organization at a time and place to be fixed by him within thirty days after the passage of this act. The said board shall have full power to establish rules and regulations for its government, and to appoint and remove officers, and shall keep full and complete minutes of its transactions, and record shall also be kept under its direction of all bodies received and distributed by said board, and of the persons to whom the same are distributed, which minutes and records shall be open at all times to the inspection of each member of said board, the attorney general and the county attorney of any county within this state.

Sect. 2. All public officers, agents, and servants of any and every county, city, town, and other municipality, and of any and every almshouse, prison, morgue, hospital, or any other public institution having charge or control over dead human bodies, provided the deceased was at least fifteen years of age, are hereby required to notify immediately the said board of distribution, or such person or persons as may from time to time be designated by said board, or its duly authorized officer or agent, whenever any such body or bodies come into his or their possession, charge, or control, and shall immediately notify any known member of the family or next of kin of the deceased, and shall, if the body is not claimed, without fee or reward, forthwith deliver such body or bodies to said board, or its duly authorized officer or agent, and permit and suffer the said board or its agents, or the physicians and surgeons from time to time designated by it or them, who comply with the provisions of this act, to take and remove any and all such bodies to be used within this state for the advancement of medical education; but no notice need be given and no such body shall be delivered, if any person, satisfying the authorities in charge of said body that he or she is a member of the family of or next of kin, or fraternal beneficiary organizations to which the deceased may belong, shall claim the body for burial, but it shall be surrendered to him or her for interment or buried at public expense and no notice shall be given and no body delivered to said board or its agents, if such deceased person was a traveler and not a vagabond, who died suddenly, or had been a resident of said town or city ten or more years.

Sect. 3. Said board or its duly authorized agent may take and receive such bodies, so delivered as aforesaid, and shall upon

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receiving them after seven days from the date of decease distribute and deliver them to or among the schools, physicians and surgeons aforesaid in the following manner. Those schools needing bodies for lectures and demonstrations shall first be supplied as fast as practicable, the number assigned to each to be based upon the number of students in actual attendance, which number shall be returned to the board at such times as it shall direct. The board of distribution may from time to time designate physicians or surgeons who shall receive said bodies, applications to be considered in the order of their receipt by said board.

seven days after receiving them.

—to schools needing them.

—physicians and surgeons.

Sect. 4. The said board may employ a carrier or carriers for the conveyance of said bodies, and the said bodies shall be well enclosed within a suitable encasement, and carefully deposited free from public observation. Said carrier shall obtain receipts by name, or, if the deceased is unknown, by a description, for each body delivered by him, which receipt shall state the source from which said body was received, and shall deposit said receipts with the secretary of said board.

Bodies shall be inclosed from public view and veyed by carriers.

—carriers shall obtain receipts, containing description of each body.

Sect. 5. No school, physician or surgeon shall be allowed or permitted to receive any such body or bodies until a bond shall be given to the state treasurer by such physician or surgeon, or by and in behalf of such school, to be approved by a justice of a court of record in and for the county in which such physician or surgeon resides, or in which such school is situated, which bond shall be in the penal sum of one thousand dollars, conditioned that all such bodies which the said physician or surgeon, or the said school shall receive thereafter shall be used only for the promotion of medical education within the state, and, when no longer needed for such educational purposes, shall be decently buried, which said bond shall be examined annually in the month of December, by the state treasurer, and he shall certify in writing upon each bond in his possession, his approval of the same, and in case any bond is not so approved by him, he shall immediately notify the party giving the said bond, who shall forthwith file a new bond as hereinbefore provided; and whosoever shall sell or buy such body or bodies, or in any way traffic in the same, or shall transmit or convey, or cause to procure to be transmitted or conveyed said body or bodies to any place outside of this state shall be deemed guilty of a misdemeanor, and shall, on conviction, be liable to a fine not exceed-

School or persons receiving such bodies, shall give bond for proper disposal of same.

—remains shall be decently buried, when no longer needed.

—state treasurer shall approve bond.

—penalty for trafficking in dead bodies outside of the state.

CHAP. 316 ing two hundred dollars, or to be imprisoned for a term not exceeding one year.

Expenses,
how paid.

Sect. 6. Neither the state nor any county or municipality, nor any officer, agent or servant thereof, shall be at any expense by reason of the delivery or distribution of any such body, but all the expenses thereof, and of said board of distribution, shall be paid by those receiving the bodies, in such manner as shall be specified by said board of distribution.

Fine for
neglect to
discharge
duties.

Sect. 7. Any person having duties enjoined upon him by the provisions of this act, who shall neglect, refuse, or omit to perform the same as required by the provisions of this act, shall, on conviction thereof, be liable to a fine of not less than one hundred or more than five hundred dollars for each offense.

Certain sec-
tions of
chapter 13,
repealed.

Sect. 8. Sections two, three, four, five, six, seven and eight of chapter thirteen, revised statutes, are hereby repealed.

Sect. 9. This act shall take effect when approved.

Approved March 27, 1897.

Chapter 316.

An Act to enforce the payment of State and County Taxes on Timber and Grass on reserved lands in this state.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Timber and
grass on re-
served
lands, held
for pay-
ment of
county
taxes.

Sect. 1. The timber and grass on the reserved lands in this state shall be held to the state for the payment of such state and county taxes as may hereafter be lawfully assessed against them, with interest thereon at the rate of twenty per cent per annum, to commence upon the taxes for the year in which such assessment is made, at the expiration of one year, and upon the taxes for the following year, at the expiration of two years from the date of such assessment.

—Interest,
and when it
shall com-
mence.

Owner may
pay his pro-
portion of
tax, and
how dis-
charged.

Sect. 2. Each owner of timber and grass so assessed may pay the part of the tax so assessed proportioned to his interest in any tract, whether in common or not; and shall receive from the treasurer of state a certificate, discharging the tax upon the interest upon which such payment is made.

Each inter-
est by acre-
age shall be
forfeited at
annual Sep-

Sect. 3. Each fractional part, or interest represented by acreage, in all such reserved lands, upon which the state and county taxes and interest are not paid at the time of the annual