

By Mr. Dunkle of Boston, petition of Malcolm E. Nichols, mayor of Boston, for an amendment of the law relative to re-burials and exhumation of human bodies. Public Health. Jan. 6.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty-Seven.

An Act to provide for Re-burials and Exhumation of Human Bodies.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section forty-five of chapter one
2 hundred and fourteen of the General Laws,
3 as amended by section eleven of chapter one
4 hundred and seventy-six of the acts of nine-
5 teen hundred and twenty-two and by section
6 two of chapter two hundred and forty-three
7 of the acts of nineteen hundred and twenty-six,
8 is hereby further amended by striking out, in
9 the ninth line, the word " or " and by insert-
10 ing after the word " another " in the tenth
11 line the words " or from one grave to another ",
12 so that said section shall read as follows:—
13 *Section 45.* Except as provided in section
14 forty-four and forty-six, no undertaker or
15 other person shall bury or otherwise dispose
16 of a human body in a town, or remove there-

17 from a human body which has not been buried,
18 until he has received a permit from the board
19 of health or its agent appointed to issue such
20 permits, or if there is no such board, from the
21 clerk of the town where the person died; and
22 no undertaker or other person shall exhume
23 a human body and remove it from a town, from
24 one cemetery to another, or from one grave to
25 another, until he has received a permit from
26 the board of health or its agent aforesaid or
27 from the clerk of the town where the body
28 is buried. No such permit shall be issued until
29 there shall have been delivered to such board,
30 agent or clerk, as the case may be, a satisfac-
31 tory written statement containing the facts
32 required by law to be returned and recorded,
33 which shall be accompanied, in case of an orig-
34 inal interment, by a satisfactory certificate of
35 the attending physician, if any, as required
36 by law, or in lieu thereof, a certificate as here-
37 inafter provided. If there is no attending
38 physician or if, for sufficient reasons, his cer-
39 tificate cannot be obtained early enough for
40 the purpose, or is insufficient, a physician who
41 is a member of the board of health, or employed
42 by it or by the selectmen for the purpose, shall
43 upon application make the certificate required
44 of the attending physician. If death is caused
45 by violence, the medical examiner shall make
46 such certificate. If the death certificate con-
47 tains a recital, as required by section ten of
48 chapter forty-six, that the deceased served in

49 the army, navy or marine corps of the United
50 States in any war in which it has been engaged,
51 such recital shall appear upon the permit. The
52 board of health or its agent, upon receipt of
53 such statement and certificate, shall forthwith
54 countersign it and transmit it to the clerk of
55 the town for registration. The person to whom
56 the permit is so given and the physician cer-
57 tifying the cause of death shall thereafter
58 furnish for registration any other necessary
59 information which can be obtained as to the
60 deceased, or as to the manner or cause of the
61 death, which the clerk or registrar may require.

1 SECTION 2. This act shall take effect upon
2 its passage.

