

1927

c 197 Anatomy Act

Ontario

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CHAPTER 197.

The Anatomy Act.

Interpretation **1.** In this Act,

“Medical School.”

“Medical School” shall mean and include the Faculties of Medicine of the University of Toronto, of Queen’s University and of the Western University, the Hamilton School of Anatomy and any other institution which the Lieutenant-Governor in Council may declare to be a medical school. R.S.O. 1914, c. 162, s. 2.

Appointment of inspectors of anatomy.

2. The Lieutenant-Governor in Council may appoint a General Inspector of Anatomy for Ontario and local inspectors for such places as may be deemed advisable, and may make regulations defining the duties of the General Inspector and imposing duties on the local inspectors in addition to the duties imposed by this Act and otherwise for carrying out the provisions of this Act, and may fix the fees to be received by the General Inspector and local inspectors for services performed under this Act and under such regulations. R.S.O. 1914, c. 162, s. 3.

Disposal of certain bodies for study of anatomy.

3.—(1) The body of any dead person found publicly exposed or sent to a public morgue, upon which a coroner after having viewed it shall deem an inquest unnecessary or of any person who immediately before death was supported in and by any public institution, shall be immediately placed under the control of the local inspector of anatomy.

Where not claimed.

(2) Unless such body within twenty-four hours after being so found or sent to a public morgue, or after death where the death takes place in a public institution, is claimed by

(a) a relative or a *bona fide* friend, or

(b) a person who produces an order made under subsection 3 and pays \$5 to defray the funeral expenses, or

(c) in the case of the body of a person who was supported in a county house of refuge by a county councillor,

the same shall be delivered by the local inspector to some person qualified as hereinafter provided.

(3) An order (Form 1), may be obtained from the police magistrate, or where there is no police magistrate, from a justice of the peace having jurisdiction in the locality. Order by magistrate.

(4) This section shall not apply to the body of a lunatic who has died in a Provincial hospital for the insane. R.S.O. 1914, c. 162, s. 4. Not to apply to body of lunatic.

4.—(1) It shall be the duty of the relative or friend to whom a dead body is delivered, under the provisions of section 3, to cause it to be decently interred, or he may, upon payment to them of \$5, require the authorities under whose care the dead body was to inter it. Duty of interment.

(2) A dead body delivered to a county councillor shall be decently interred at the expense of the county. R.S.O. 1914, c. 162, s. 5. Idem.

5. The persons qualified to receive such unclaimed bodies shall be the teachers of anatomy or surgery in a medical school; and if there is any medical school in the locality where there is a body to be delivered to persons so qualified, such school shall have the first claim to the body. R.S.O. 1914, c. 162, s. 6. To whom unclaimed bodies shall be delivered.

6.—(1) Any medical school obtaining a body shall keep and preserve the same for not less than fourteen days, and in the event of a relative or *bona fide* friend claiming it within that time the medical school shall deliver the body to such relative or friend upon receipt of the reasonable costs and charges for preserving and keeping the same, not to exceed \$10. Body delivered to medical school may be claimed by friends.

(2) Every such medical school shall keep such records as may be prescribed by the regulations, and the same shall at all times be open to inspection by the General Inspector and by a local inspector. R.S.O. 1914, c. 162, s. 7. Records.

7. Every local inspector of anatomy shall Duties of local inspector.

(a) keep a register showing the name, age, sex, birth-place and religious denomination of every person whose unclaimed body has been received by him, and the name of the medical school to which such body was delivered, with the date of delivery; Register of subjects.

(b) keep a register of the medical schools qualified to receive and desirous of receiving bodies for the instruction of students; Register of schools.

(c) subject to the provisions of section 5 distribute all bodies, in rotation, to such schools in proportion to the number of persons actually engaged in the study of human anatomy in each school, as shown by their official registers, which he shall be allowed to inspect; Distribution of subjects

- Inspection of rooms. (d) inspect the authorized practical anatomy rooms in his locality at least once in every six weeks, and direct the removal and decent interment of any remains that he deems it advisable to have interred;
- Keeping registers open. (e) keep his registers open for the inspection of any registered medical practitioner who may desire to inspect them;
- Entries in morgue register. (f) enter in the morgue register, for the purpose of identification, a description of every body received by him, and of the clothing and effects found thereon, and the name of the medical school to which such body was delivered;
- Report to General Inspector. (g) furnish to the General Inspector the name of the deceased and of the school to which the body was sent. R.S.O. 1914, c. 162, s. 8.

Notification of appointment. **8.** Every local inspector shall, without delay, give notice of his appointment to all persons mentioned in sections 9 to 12. R.S.O. 1914, c. 162, s. 9.

Coroner to give notice to inspector of bodies found exposed. **9.** Every coroner, whether he does or does not hold an inquest on a body found publicly exposed, to which his attention has been called, and which is not claimed in accordance with section 3, shall give notice to the local inspector, if there is one, and if there is none, he shall cause the body to be interred at the expense of the municipality in which it was found. R.S.O. 1914, c. 162, s. 10.

Notice to be given to inspector by person in charge of morgue. **10.** Where the body is placed in a public morgue the person in charge of the morgue shall forthwith give notice thereof to the local inspector. R.S.O. 1914, c. 162, s. 11.

Notice to be given to inspector by head of municipality. **11.** The head of any municipality in which a dead body to which this Act applies is found and of which he has notice shall cause notice thereof to be given within twenty-four hours to the local inspector. R.S.O. 1914, c. 162, s. 12.

Notice to be given to inspector by superintendents of public institutions. **12.**—(1) The superintendent of every public institution to which this Act applies shall, upon the death of an inmate of the institution, give notice thereof within twenty-four hours to the local inspector.

Register to be kept by superintendent. (2) Every such superintendent shall keep a register showing the name, age, sex, birthplace and religious denomination of each person whose body is disposed of under the provisions of this Act, and the school to which such body is delivered, and shall file all documents furnished by persons claiming bodies, and such register and documents shall be open for inspection.

Body only to be delivered to school on order. (3) No superintendent shall deliver a body to a medical school except on the written order of the local inspector. R.S.O. 1914, c. 162, s. 13.

13. A medical school desiring to avail itself of the benefits of this Act shall give a bond to the General Inspector in the sum of \$80, with two sufficient sureties to his satisfaction in the sum of \$40 each, for the decent interment of the bodies after they have served the purposes required; and thereupon the General Inspector shall deliver to such school a written authority to open a practical anatomy room entitled to the benefits of this Act. R.S.O. 1914, c. 162, s. 14.

Medical schools availing themselves of this Act to give security.

14. Every person who neglects to discharge the duties imposed upon him by this Act or any regulation made thereunder, or who contravenes any provision thereof, shall incur a penalty of not more than \$20 for every such offence. R.S.O. 1914, c. 162, s. 15.

Penalty for neglect of duty.

15. No person shall send or take a dead body out of Ontario for surgical or practical anatomical purposes, and every person contravening the provisions of this section shall for each offence incur a penalty of \$100. R.S.O. 1914, c. 162, s. 16.

Removal of bodies from Province for purposes of anatomy prohibited.

16. The penalties imposed by or under the authority of this Act shall be recoverable under *The Summary Convictions Act*. R.S.O. 1914, c. 162, s. 17.

Recovery of penalties. Rev. Stat. c. 121.

17. Subject to the provisions of this Act, any unclaimed dead body found within the limits of a city, town, village or township shall be interred at the expense of the corporation thereof, but such corporation may recover such expense from the estate of the deceased or from any person whose duty it was to inter such dead body. R.S.O. 1914, c. 162, s. 18.

Burial of unclaimed bodies.

FORM 1.

(Section 3.)

THE ANATOMY ACT.

To all whom it may concern:

Whereas *A. B.* of (*here state the name, residence and occupation of the person by whom or on whose behalf the order is applied for*) has satisfied me that he is a relative (*or bona fide friend*) of *C. D.* deceased, and is entitled to have his body delivered to him for the purpose of interment.

I hereby authorize and order every person and authority having the present custody or control of the body forthwith upon presentation of this order to deliver it to the said *A. B.* for interment.

Witness my hand and seal as Police Magistrate (*or Justice of the Peace*) of and for _____ (*as the case may be*)
 this _____ day of _____, 19 _____.

R.S.O. 1914, c. 162, Form 1.