

MORGUES AND MORGUE-KEEPERS.

2099

An act to establish and maintain a state museum.

Approved March 20, 1895 P. L. 1895, p. 349.

WHEREAS, The governor of this state has recommended that the exhibits of the several departments of the state government at the Columbian exposition at Chicago be placed on permanent exhibition; and whereas, said exhibits would form a nucleus of an exhibit which would be of great value in showing the educational, agricultural and industrial development of the state; therefore,

27. SEC. 1. That the commission now having charge of the restoration of the state-house shall have power, and it shall be its duty, to cause to be prepared suitable rooms in said state-house for a museum for the preservation and display of the exhibits of the several state departments at the Chicago exposition, and for such other exhibits as may from time to time be placed therein by the commission having control of said museum, as provided in the second section of this act, and the expenses incurred in the preparation of said rooms shall be paid on the warrant of the comptroller out of any moneys in the state treasury not otherwise appropriated.

28. SEC. 2. That the state superintendent of public instruction, the state geologist, the president of the state board of agriculture, the president of the senate and the speaker of the house of assembly are hereby constituted a commission, which commission shall have control of said museum, and shall make all necessary rules and regulations for the proper care and maintenance thereof, and said commission may appoint a curator, who shall, under the direction of the said commission, arrange and classify the several exhibits, and shall have charge of said museum and exhibits, and shall perform such other duties in connection therewith as shall be directed by said commission, and he shall be paid such a compensation as said commission shall determine, but not to exceed the sum of fifteen hundred dollars per annum, which compensation shall be paid by the state treasurer in equal monthly installments upon the warrant of the comptroller.

Preamble.

Commission shall prepare rooms for a museum.

Of whom commission shall be composed.

Duties of commission.

Compensation of curator.

Morgues and Morgue-Keepers.

1. Amended by section 14.
2. Appointment of morgue-keepers.
3. Fees and expenses of, how paid.
4. Repealer.
5. Duty of coroners to deliver dead bodies to keeper of morgue.
6. Coroner to notify county physician to view bodies.
7. Inquest to be held if ordered by county physician.
8. Burial certificate, by whom issued.
9. Body identified delivered to friends or relatives.
10. Morgue-keepers to keep record.
11. Police officers to notify coroners of unknown dead bodies.
12. Penalty for violation of act.
13. Repealer.
14. Judges of court of common pleas to designate public morgues.

An act relative to morgues and morgue-keepers.

Approved March 4, 1879. P. L. 1879, p. 82.

1. [Amended by Sec. 14, *post.*]

2. That said judges of the court of common pleas shall have power to appoint a keeper or keepers for said morgue or morgues for a term of three years from the date of their appointment, and to define their respective districts, which keepers shall be required to take in charge the unknown dead in their respective districts in said counties; to furnish, free of charge, suitable rooms for the holding of all inquests, should they be deemed necessary, and to make such disposal of the bodies as the proper authorities may direct.

3. That the fees and expenses of the said morgue-keepers, for the recovery and care of the bodies of the unknown dead, be fixed by the respective boards of chosen freeholders and paid by the county collectors on bills duly passed by said boards of chosen freeholders; and provided further, that no more than the legal fees for the burial of such bodies shall in any case be allowed.

Appointment of keepers.

Fees and expenses, how paid.

Proviso.

Repealer.

4. That this act shall take effect immediately, and that any act or part of act inconsistent with the provisions of this act be and is hereby repealed.

Supplement.

Approved March 3, 1880.

P. L. 1880, p. 79.

Coroner to deliver dead bodies to keepers of public morgues.

5. SEC. 1. That it shall be unlawful for the coroner or coroners of any county of this state, in which there is a county physician or physicians regularly appointed by the board of chosen freeholders of such county, and morgue-keeper or keepers heretofore regularly appointed by the judges of the court of common pleas of such county, according to the provisions of the act to which this is a supplement, to take in charge and keep any dead body or bodies that shall not, at the time of death or finding, be known or claimed, but it shall be the duty of such coroner or coroners to deliver such body or bodies to the keeper of the public morgue of the district in which such death shall have occurred or body been found, who shall receive and place the same in such morgue.

Coroner to notify county physician to view bodies.

6. SEC. 2. That it shall be the duty of the said coroner at once to notify the county physician, who, either in person or by deputy, which deputy shall be a regularly-licensed and practicing physician, shall view such body or bodies, and if no inquest is deemed necessary, then such body or bodies shall be buried by the said morgue-keeper, and the expenses of the same shall be a legal charge upon and shall be paid by the county wherein such death shall have occurred or body been found; *provided*, that the whole charge upon the county shall not exceed the sum of ten dollars for each body as buried.

Morgue-keeper to bury; expense of same, how paid.

Proviso.

Inquest to be held if deemed necessary by county physician.

7. SEC. 3. That if, after such view, an inquest shall be deemed necessary by the said county physician or his said deputy, the same shall be held as now provided by law by the coroner in whose district such body shall have been found, after which the said body or bodies shall be buried by the said morgue-keeper, and the expenses of the same shall be a legal charge upon and shall be paid by the county wherein such death shall have occurred or body been found; *provided*, that the whole charge upon the county shall not exceed the sum of fifteen dollars.

Proviso.

Burial certificates, by whom issued.

8. SEC. 4. That it shall be the duty of the said county physician, or his said deputy, to grant exclusively to the said morgue-keepers, and to no others, burial certificates for the unknown dead.

Unknown dead bodies, when identified, to be delivered to friends or relatives on demand.

9. SEC. 5. That if any unknown dead body or bodies shall be identified after the same has been placed in said morgue, it shall be the duty of the said morgue-keeper to deliver the same to any relative or friend making demand therefor, who shall make known the name and last residence of the deceased, and sign a written receipt for said body or bodies in a book to be kept by the said morgue-keeper for that purpose.

Morgue-keepers to keep record of bodies, &c.

10. SEC. 6. That it shall be the duty of the said morgue-keeper or keepers to keep a correct record of all bodies deposited in said morgue, and to take possession of all clothing and other property found upon the person of the deceased and dispose of the same as now provided by law.

Police officers to notify morgue-keepers of unknown dead bodies.

11. SEC. 7. That it shall be the duty of the chief of police, or any police officer on duty in any city in which said morgue exists, to notify the coroner, who shall at once notify the keeper of the nearest morgue of the finding of all unknown or unclaimed dead in said city.

Penalty for violation of this act.

12. SEC. 8. That any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not less than ten dollars or more than twenty-five dollars.

Repealer.

13. SEC. 9. That all acts or parts of acts inconsistent herewith be and the same are hereby repealed, and that this act shall take effect immediately.

Supplement.

Approved May 2, 1894.

P. L. 1894, p. 197.

14. SEC. 1. That section one of the above-entitled act be and the same is hereby amended to read as follows :

[That it shall be lawful for the judges of the court of common pleas of the several counties of this state, when they shall by a majority vote so determine, to designate a place or places of proper character, and furnished with sufficient accommodation and appliances, as a public morgue or morgues for said county not to exceed three in number in any county; in designating such place or places they shall first select the city or cities within the county and afterwards such other place or places as in their opinion may be necessary; *provided*, that this act shall apply only to such counties as have within their limits a city or cities of more than four thousand inhabitants by the last state census.]

Common pleas
judges may
designate public
morgues.

Proviso.

Mortgages.

I. THE MONEY DUE ON BOND AND MORTGAGE MAY BE PAID AFTER SUIT BROUGHT THEREON, OR DECREE MAY BE TAKEN BY CONSENT.

1. Effect of tender of sum due on suit at law.
2. When decree made before hearing.
3. Subsequent mortgages not affected. Not to extend to converted cases.

II. WHEN PREMISES SUBJECT TO BUT ONE MORTGAGE, SALE MAY BE BY SCIRE FACIAS.

4. When mortgagee may sue forth scire facias.
5. Title of purchaser.

III. PROCEEDINGS ON FORECLOSURE WHERE THE MORTGAGOR HAS ABSCONDED, CONCEALS HIMSELF, IS UNKNOWN, OR HAS DIED AND HIS HEIRS ARE UNKNOWN.

6. Amended by section 40.
7. Chancellor to be governed by rules and practice of court of chancery.
8. Decree against absent defendant shall cut off equity of redemption.

IV. FORECLOSURE IN THE CIRCUIT COURT.

9. Foreclosure may be in circuit in certain cases.
10. Fees of solicitor.
11. Fees of clerk and court.
12. Duties of clerk.
13. Of masters and examiners.
14. Appeal.
15. Court always open for certain purposes.
16. What orders may be made in vacation.

V. THE REGISTRATION OF MORTGAGES.

17. Mortgages to be registered by clerk of common pleas.
18. May be recorded in full at request of mortgagee.
19. Clerk's certificate and receipt.
20. Not registered unless acknowledged or proved.
21. Writing operating as defeasance to be registered.
22. Operation of unregistered mortgage.
23. Payment and discharge, when and how to be entered.
24. Copy of a decree canceling mortgage may be filed in county clerk's office.
25. May be canceled on certificate of mortgagee.
26. Certificate recorded.
27. Fee.
28. Proceedings for cancellation of lost mortgages.
29. Undue preferences prohibited.
30. Fees.

VI. ASSIGNMENTS AND REGISTRATION THEREOF.

31. Mortgages, how assignable.
32. Assignments to be recorded.
33. To be indexed, and records and copies evidence.
34. If not recorded, payments made in good faith valid.

35. Assignments of mortgage, how proved when not acknowledged.

VII. SUPPLEMENTS.

36. Fees for registering mortgages.
37. Owners of lands in certain counties and cities may agree not to apply for any deduction from the taxable value, by reason of such mortgage.
38. In case deduction is claimed in violation of agreement, mortgage to become immediately due.
39. Abstract of mortgage to be received as evidence.
40. Proceedings when mortgagor has absconded, is unknown or has died.
41. Chattel mortgages upon household goods, &c., to be signed and executed by husband and wife and recorded.

VIII. MISCELLANEOUS ACTS.

42. No decree for deficiency in foreclosure suits to be hereafter made.
43. Amended by section 47.
44. Amended by section 43.
45. Report of sale by sheriff or other officer.
46. Repealer.
47. If debt not satisfied by foreclosure sale, lawful to proceed on bond.
48. If judgment obtained on bond, foreclosure sale opened and property may be redeemed.
49. Chattel mortgage to vest right of possession to chattels in mortgagee so as to prevent removal.
50. Regulation of disposition of chattels after removal and recovery.
51. Not to apply to certain chattels.
52. Mortgage void unless affidavit of mortgagee annexed and recorded.
53. Where to be recorded.
54. Not to be recorded unless duly acknowledged or proved.
55. Clerk to provide books for recording.
56. Mortgages to be properly indexed.
57. Mortgage recorded valid until canceled.
58. Mortgages heretofore recorded valid until canceled.
59. Fees for recording, copies, &c.
60. Making false affidavit to mortgage, perjury.
61. Amended by section 64.
62. Repealer.
63. Act, how to be known and cited.
64. Removal of property without consent of mortgagee a misdemeanor.
65. Circuit court judge or law judge may order mortgages to be canceled of record upon proof, &c.
66. Record to be marked "canceled by order."
67. Actions, commenced to foreclose a mortgage, may proceed against person claiming any right, title, &c., or his heirs, devisees, &c.
68. All such defendants to be bound by the orders and decrees as if they had been duly named, &c.
69. Proofs, costs and proceedings, how allowed.