

CORONERS:  
DEAD BODIES:  
ANATOMICAL BOARD:

Specimens of human bodies collected by previous coroners of the City of St. Louis should be disposed of in accordance with the provisions of Chapter 194.120, et seq., RSMo 1949.



February 2, 1954

Honorable Patrick H. Taylor  
Coroner of the City of St. Louis  
1300 Clark Avenue  
St. Louis, Missouri

Dear Sir:

By letter dated January 13th, 1954, you requested an official opinion of this department, as follows:

"Enclosed please find copy of letter received by me from Dr. H. C. Harring, President of the Missouri Chiropractic College.

"Over a period of years the previous Coroners have collected some specimens which were used for display purposes. Since I have been Coroner, I have eliminated this practice, but I find myself with these specimens on my hands. The Missouri Chiropractic College has requested them to use and later dispose of.

"I am writing to you for an opinion as to whether I have the authority to give them to this college."

In a subsequent letter you stated:

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"\* \* \* please be advised that these specimens consist of lungs, hearts, calculi, carcinomas, etc. from various bodies that showed pathology.  
\* \* \*"

The Legislature of Missouri has provided for the disposition of certain unclaimed human bodies by Chapter 194, RSMo 1949. Section 194.120 provides for the formation of the Missouri State Anatomical Board as follows:

"1. That the heads of departments of anatomy, professors and associate professors of anatomy at the educational institutions of the state of Missouri which are now or may hereafter become incorporated, and in which said educational institutions human anatomy is investigated or taught to students in attendance at said educational institutions, shall be and hereby are constituted the Missouri State Anatomical Board, herein referred to in sections 194.120 to 194.180 as 'the board.'

"2. The board shall have exclusive charge and control of the disposal and delivery of dead human bodies, as described in sections 194.120 to 194.180, to and among such educational institutions as under the provisions of said sections are entitled thereto.

"3. The secretary of the board shall keep an accurate record of all bodies received and distributed by the board, showing the dates of receipt and distribution, the sources from which they came to the board, and the name and address of the educational institutions to which the same were sent, which record shall be at all times open to the inspection of each member of the board and of any prosecuting attorney or circuit attorney of any county or city within the state of Missouri."

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Section 194.140, Paragraph 2, requires the giving of a bond by any educational institution receiving bodies under this chapter, as follows:

"2. No educational institution shall be allowed or permitted to receive any body or bodies in the manner provided for by sections 194.120 to 194.180 until a bond, approved as to form by the attorney general of this state, shall have been given to the board by or in behalf of such educational institution, which bond shall be in the penal sum of one thousand dollars, conditioned that all such bodies which the said educational institution shall receive thereafter in the manner provided by said sections, shall be used only for the promotion or application of anatomical knowledge and science; and whosoever shall sell or buy such body or bodies, or part or parts of body or bodies, or in any way traffic in the same, or shall transmit or convey or cause to be transmitted or conveyed such body or bodies, or part or parts of such body or bodies, to any place outside of this state, shall be deemed guilty of a misdemeanor and shall, upon conviction, be subject to a fine not exceeding two hundred dollars or be imprisoned for a term not exceeding one year, or both; but this section shall not be construed as prohibiting any physician or dentist licensed to practice his profession in this state, or teachers or investigators of anatomy in said institutions, from transporting human specimens outside of the state for temporary use at scientific meetings or exhibits."

Section 194.150 requires the coroner, among other persons, to notify the Secretary of the Anatomical Board, or other person designated by said board, whenever any body is in said coroner's hands, which is subject to the provisions of Chapter 194.

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"1. Superintendents or wardens of penitentiaries, houses of correction and bridewells, hospitals, insane asylums and poor houses, and coroners, sheriffs, jailers, city and county undertakers, and all other state, county, town or city officers having the custody of the body of any deceased person required to be buried at public expense, shall be and hereby are required immediately to notify the secretary of the board, or the person duly designated by the board or by its secretary to receive such notice, whenever any such body or bodies come into his or their custody, charge or control, and shall, without fee or reward, deliver, within a period not to exceed thirty-six hours after death, except in cases within the jurisdiction of a coroner where retention for a longer time may be necessary, such body or bodies into the custody of the board and permit the board or its agent or agents to take and remove all such bodies, or otherwise dispose of them; provided, that each educational institution receiving a body from the board shall hold such body for at least thirty days, during which time any relative or friend of any such deceased person or persons shall have the right to take and receive the dead body from the possession of any person in whose charge or custody it may be found, for the purpose of interment, upon paying the expense of such interment. \* \* \*" (Emphasis ours).

The specimens which you have on hand are not complete human bodies, but instead are organs or other portions of the human body, which have become severed from the main part of the body. The question is thus raised whether the provisions of Sections 194.120, et seq., are applicable to these severed portions of the human body. It was the apparent intent of the Legislature, in enacting Sections 194.120, et seq., to provide a method for disposition of certain bodies which are unclaimed and which would otherwise require disposition at public expense. And, further, that such bodies be given to further the study of the human body and its infirmities by educational institutions of this state wherein human anatomy is investigated or taught. It

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is our opinion that since the same problem is raised as to the disposition of severed parts of a human body, as is raised in the disposition of the entire human body, and that the same beneficent purpose would be served, it must be concluded that the provisions of Sections 194.120 et seq., were intended by the Legislature to be applicable to the disposition of unclaimed portions of a human body which have become severed from the main part of the body.

According to the Office of the Secretary of State, the present Secretary of the Anatomical Board is: Hon. M. D. Overholser, c/o University of Missouri, Columbia, Missouri.

CONCLUSION

It is, therefore, the opinion of this office that specimens of human bodies collected by previous coroners of the City of St. Louis should be disposed of by the Missouri State Anatomical Board, in accordance with the provisions of Sections 194.120, et seq., RSMo 1949.

The foregoing opinion, which I hereby approve, was prepared by my Assistant, Mr. Paul McGhee.

Very truly yours,

JOHN M. DALTON  
Attorney General

PMcG:vlw