

CHAPTER 155.

CORPSES.

155.01	Transportation.	155.03	Restrictions.
155.02	Disposal of dead inmates of public institutions.	155.04	Penalty.

155.01 Transportation. (1) No human corpse shall be accepted for transportation, unless prepared in conformity to the rules and regulations of the state board of health.

(2) Disinterred corpses are declared dangerous to health, and shall not be transported unless each corpse is accompanied by a separate permit from the local health officer for removal, showing the name, age, place, cause of death and medical attendant, the point to which to be shipped, and the undertaker in charge and attached to such permit the consent of the state board of health. Local health officers shall refuse permit when the cause of death is given as heart failure unless the physician in charge states that the cause was not diphtheria.

155.02 Disposal of dead inmates of public institutions. (1) **NOTICE TO RELATIVES.** When an inmate of any state, county or municipal institution dies, the superintendent or other person in charge of the institution shall immediately notify a relative of the decedent.

(2) **TIME ALLOWED RELATIVES TO ACT.** The superintendent shall wait 48 hours after death for the relatives to act. If they fail to arrange for taking charge of the corpse within said 48 hours, the superintendent may proceed as provided in this section, but relatives or friends may take over at any time while the corpse is in his possession.

(3) **NOTICE TO UNIVERSITY OR COLLEGE.** If the institution is located in the Mendota state hospital district, the superintendent may notify the university of Wisconsin that it may have the corpse. If the institution is located in the Winnebago state hospital district, the superintendent may notify the Marquette university or the Goodman college of embalming at Milwaukee that it may have the corpse. The university or college so notified shall immediately inform the superintendent whether it desires to have the corpse. If it does, the corpse shall be delivered accordingly, properly encased, to the most available facility for transportation to the consignee, the consignee to pay the cost of transportation.

(4) **STANDING APPLICATIONS.** If there are advance applications for such bodies, by Marquette university and Goodman college, such superintendent shall make an equitable distribution between them.

(5) **OTHER DISPOSITION.** If the corpse is not disposed of under preceding provisions of this section, the superintendent shall properly bury it. This amendment (1947) shall be effective as of July 1, 1946. [51.28, 155.02 Stats. 1945; 1947 c. 485, 602]

Comment of Interim Committee, 1947: Notice to friends is omitted. It was provided [Old 51.28 and 155.02 are consolidated in new 155.02.] Old 51.28 applies only to public charge patients in county asylums or senile wards. New 155.02 is broadened to include all inmates of all public institutions. Provision is made for recovering the cost if the patient is not a public charge. Old 51.28 provides for burial if the body is not claimed. Old 155.02 does not. Notice to relatives is retained.

155.03 Restrictions. (1) The corpse of one who died with smallpox, diphtheria, or scarlet fever, or who in his last sickness shall request to be buried or cremated, and of a stranger or traveler who shall have suddenly died, shall not be so disposed of, and no person having charge of a corpse authorized to be so disposed of, shall sell or deliver it to be used outside the state.

(2) Upon receipt of the corpse it shall be properly embalmed and retained for twelve days before being used or dismembered and shall be delivered to any relative claiming it upon payment of expenses incurred and satisfactory proof of relationship.

155.04 Penalty. Any officer or person having a corpse in charge, and refusing to report and deliver it, when required by this chapter, or violating the provisions forbidding sale or delivery thereof, to be used outside the state, shall be liable to the person, university or medical school aggrieved, in the sum of fifty dollars.