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Source: *Bulletin of the History of Medicine*, Vol. 32, No. 5 (SEPTEMBER-OCTOBER, 1958),
pp. 408-424

Published by: The Johns Hopkins University Press

Stable URL: <https://www.jstor.org/stable/44446538>

Accessed: 21-01-2020 01:09 UTC

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THE WILLIAM OSLER MEDAL ESSAY

“RESURRECTION” AND LEGISLATION

OR

BODY-SNATCHING IN RELATION TO THE ANATOMY ACT
IN THE PROVINCE OF QUEBEC *

D. G. LAWRENCE

On December 6, 1843, the Legislative Assembly of the Province of Canada passed “An Act to Regulate and Facilitate the Study of Anatomy.” Three days later the Governor, Sir Charles Metcalfe, gave Royal Sanction to the bill (1), the preamble of which reads as follows:

Whereas it is impossible to acquire a proper or sufficient knowledge of Surgery or Medicine, without a minute and practical acquaintance with the structure and uses of every portion of the human economy, which requires long and diligently prosecuted courses of dissections; And whereas the difficulties which now impede the acquisition of such knowledge amount almost to a prohibition of the same, and it has become necessary, in consideration of the rising importance of Medical Schools in this Province, and for the relief of suffering humanity, to make some legislative provision, by which duly authorized teachers of Anatomy or Surgery may be provided with bodies necessary for the purpose of instructing the pupils under their charge; Be it therefore enacted by the Queen’s Most Excellent Majesty, by and with the advice of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain and Ireland, intituled, An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada, and it is hereby enacted by the authority of the same, that the bodies of persons found dead publicly exposed, or who immediately before their death shall have been supported in and by any Public Institution receiving pecuniary aid from the Provincial Government, shall be delivered to persons qualified as hereinafter mentioned, unless the person so dying shall otherwise direct: provided always, that if such bodies be claimed within the usual period for interment, by bona fide friends or relatives, or the persons shall have otherwise directed as aforesaid before their death, they shall be delivered to them or decently interred. (2)

Thus was enacted the first Canadian legislation dealing with this subject. It was by no means the first act of its kind, however, having been preceded by the Warburton Anatomy Act in England in 1832 (3) and the first American Act passed by Massachusetts in 1831 (4).

* Read at a meeting of the Osler Society of McGill University, Montreal, Quebec, Canada, April 2, 1957.

It was recognized in Europe as far back as the early seventeenth century that witnessing or performing a dissection of the human body was an essential part of medical education (5). In France, Germany, Italy, and Holland an ample supply of subjects for such purposes was provided for by law. Persons dying in hospitals or jails in these countries were, according to law, handed over to the local medical schools for dissection (6). However, in England, prior to the passage of the Warburton Bill, only the bodies of criminals executed for murder could be dissected, and the supply was far short of the demand (7, 8). A similar situation existed in those parts of the United States in which there were medical schools (9, 10, 11).

This shortage of dissecting material soon led to body-snatching or grave-robbing, which was the practice of exhuming newly buried bodies from graveyards and selling them to local anatomical schools. In England and the United States, and eventually to a more limited extent in Canada, there came into existence a group of men, known as “ Resurrectionists ” or “ Sack-em-up-men,” who earned a living by such means. Indeed in both England (12) and the United States (13) some of these men committed murder for this purpose. In these two countries such incidents were of major importance in speeding legislation to provide the necessary subjects.

In Canada the need for cadavers for anatomical dissection originated in the last quarter of the eighteenth century when Canadian-born aspirants to a medical education were apprenticed to practising physicians. According to the Licensing Act of 1788 (14) no person could practise medicine or surgery without first receiving a license to do so. Implicit in the requirements for obtaining such a license was a detailed knowledge of anatomy which could only be had from anatomical dissection and “ cadaver surgery.” Since there was no legal provision for the procurement of subjects, the apprenticed students had to resort to body-snatching from local cemeteries (15). This involved the risk of punishment by law for desecrating human remains (16, 17).

E. D. Worthington in his reminiscences of student life in Quebec City, where he was apprenticed to James Douglas, M. D. in the late 1830's, recalls several grave-robbing escapades. He sums up the situation in the following words :

Every medical man in the city (Quebec) who had any practice at all had a private pupil. Some had three or four. The student was bound by law to pass an examination and show a certain amount of anatomical knowledge before he could legally begin the practice of his profession. By “ law ” he was bound to dissect, by “ law ” he might be punished for dissecting. Strange inconsistency! (15)

Inconsistency indeed, but perhaps not so strange when one recalls that Great Britain had only just passed an Anatomy Act doing away with two centuries of the same absurd incongruity. A British physician who had been a medical student prior to the passing of the Warburton Bill recalled that :

There was then this extraordinary state of things, that, while Universities and Colleges, and Army and Navy authorities, required a knowledge of anatomy from those practising medicine and surgery, both in civil life and placed (*sic*) in charge of our soldiers and sailors, the law not only did not in any way provide for their having opportunities of acquiring a knowledge of anatomy, but absolutely punished them for attempting to acquire the means of studying it. Churchyards were the only available source, but the law declared that anyone caught in a churchyard was liable to be indicted for trespass, and anyone detected removing a shroud was liable to be indicted for robbery. (18)

The charge of robbery was circumvented by the removal of the body alone, leaving the shroud and coffin.

This paucity of dissecting material was held responsible for the deplorable lack of knowledge exhibited by examinees. During the Peninsular War of 1815 there was an urgent need for medical men to tend the wounded. Consequently, the "most inefficient and ill-informed men were necessarily accepted as medical officers, for it was thought better to have the worst informed than none at all" (18). In order to license these men it was necessary to make the examinations extremely lenient.

On another occasion, a very celebrated surgeon, the late Sir Astley Cooper, was examining a candidate for surgeoncy, and, wishing to comply as far as he conscientiously could with the tone of the time, put what was a very simple question to facilitate the passing of the candidate—"What is a simple, and what is a compound fracture?" Reply—"A simple fracture is when a bone's broke, and a compound fracture is when it's all broke." "I asked," said Sir Astley, "what he meant by 'all broke?'" "I mean," he replied, "broke into smithereens, to be sure." "I ventured to ask him what was 'smithereens?'" He turned upon me with an intense expression of sympathy on his countenance. 'You don't know what is 'smithereens?'"—then I give you up.' (18)

Although there was no such urgent demand for medical men in Canada at this time, there was a need for subjects for anatomical dissection. This need was accentuated following the establishment of the Montreal Medical Institution in 1823 (19). The first organized medical school in Canada, it became, six years later, the Medical Faculty of McGill College. Dr. A. H. David, a first year medical student in 1829, wrote, some 50 years later, his reminiscences of that time. Dr. Stephenson, one of the four founders of the Montreal Medical Institution, he remembered as a brusque

man who was not always courteous to his students. One incident related by Dr. David indicates that Dr. Stephenson may have had some justification for this discourtesy:

The lectures of the Faculty were delivered in a narrow house of three stories that was situated about where the west end of the present Montreal Bank now stands; it ran through Fortification Lane, on which was the dissecting room. Subjects were scarce in those days, and the students had to resort to resurrectioning to obtain the necessary material. One night some of the students went out and obtained three subjects, and when we brought them in, went to Dr. Stephenson's house to ask him for the key of the dissecting room so as to place them there, but he refused to give it to us, or to allow the bodies to be placed there, and sent us off with “ a flea in our ear.” (20)

The students kept the bodies though, and dissected them “ on their own hook ” during that winter. They also held an “ indignation meeting ” with the rest of the students and passed resolutions condemning Dr. Stephenson's conduct. The resolutions seem to have had effect, for Dr. Stephenson treated them all “ much better afterwards.” It is thus apparent that the Faculty was compelled, however unwillingly, to allow the students to obtain bodies in this fashion.

I could find no other record of body-snatching incidents until 1843, when the following letter appeared in the *Montreal Daily Herald* of August 23. This does not mean there were no further grave-robbings; indeed the letter indicates that the practice was still prevalent.

To the Editor of the *Montreal Herald*

Sir,—Through the medium of your journal I beg to call attention to a nuisance which calls for immediate abolition. I allude to the gross indecency of many persons, who, at various times, have kept watch on the old burying ground, of firing pistols and fowling pieces during the night and early morning, to the very great annoyance of the inhabitants residing in the neighborhood. A few mornings since I heard, as did several persons in the same house, no less than 15 shots fired in the space of half an hour. I presume these bold and valiant watchmen keep firing when dark by way of informing the medical students (whom they, no doubt, believe to be at hand) by auricular demonstration, that they are on the ground, and should the medical men approach that they are determined to defend themselves to the utmost. When daylight appears, these heroic watchers regain their lost courage, although there is no diminution in the firing; indeed from its frequency it is to be imagined that they place a target, probably an unfortunate bottle, which they have previously emptied, upon the top of a gravestone or suspend it from the branch of a tree, when they exercise their shooting powers, and at the same time salute their deceased friends with military honors over the grave.

The writer goes on to urge that the police take action to end the annoyance and signs himself as “ One of the Annoyed.” The Editor concurred,

adding that "on more than one occasion, bullets have entered through windows and walls of houses near the graveyard, to the danger of the inmates."

A later incident on November 7, 1843, in Chambly, leaves no doubt as to the persistence of body-snatching. The newspaper report is interesting in that it sets a pattern that is found in many accounts of subsequent incidents. It first describes the excitement created in the village giving detailed coverage of events as formulated by local detectives, amateur or professional, then eulogizes the deceased and explains his family situation. Next the story of the tracing of the body is related and, finally, if the body is found, a description of its reburial is given. In the Chambly incident, the gentleman had been an old soldier in one of the local regiments. The final paragraph of the report describing his reburial is tinged with pathos:

A little before dark the party reached the old military burying ground, where a good deep grave had been dug. This old cemetery is close to the fort and under the surveillance of a sentry. The mortal remains of Sgt. Campbell were once more consigned to their last resting place. The old military burying ground, which for years has been laid waste, is, it is understood, to be enclosed and palisaded. This is as it should be, for the least the soldier should expect, after sacrificing his best energies and life in the services of his Sovereign and country, in the four quarters of the globe, subject to every vicissitude of clime, is that when consigned to the grave, his remains should lie honoured and undisturbed. (21)

It is evident from these few incidents that body-snatching flourished in Canada in the early nineteenth century. Shortly after 1840 the need for bodies was further increased by the opening of two new medical schools in the Province of Quebec, "L'Ecole de Médecine et Chirurgie de Montréal" and the "Incorporated School of Medicine of the City of Quebec." The former was the forerunner of the present Faculty of Medicine of the University of Montreal; the latter became the Medical Faculty of Laval University (19).

Thus with the demand for subjects for dissection rapidly increasing, some lawful means of supplying bodies had to be found. On October 6, 1843, a petition of the Medical Board of Montreal was read in the Legislative Assembly of the Province of Canada, begging the House to pass an act to regulate and facilitate the study of anatomy.

The petition was referred to a Committee of five, amongst whom was one physician, the Honourable Sir Etienne Taché. The committee was empowered to send for "persons, papers and records" in order to study and deliberate upon the problem. The conclusions of the committee were incorporated in the form of an Act which was, as already stated, passed and assented to in December 1843. It is interesting to note that in one

of the divisions of the House during the passage of the bill, an enumeration by name was demanded. Amongst the “ Ayes ” appeared the name of A. F. Holmes, M. D., one of the four founders of the Montreal Medical Institution and subsequently the first Dean of the McGill Medical Faculty (1).

In addition to providing for the supply of subjects to medical schools, the Act stipulated who was qualified to receive such unclaimed bodies and created the position of Inspector of Anatomy to carry out its provisions. The persons qualified to receive the bodies were “ public teachers of Anatomy or Surgery, or private Medical practitioners having three or more pupils,” but any local school of anatomy was always to have a prior claim. These men had to give twenty pounds to the Justice of the Peace or the Inspector of Anatomy as security that the body would be interred after dissection.

The Inspector of Anatomy was to be appointed by the Government and was required to hold some other public office. He could be neither a medical practitioner nor connected with any medical school. His duties were to “ make an impartial distribution of the bodies according to the actual wants of the claimants ” and keep a record of the name, age, sex, and birth-place of the deceased. It was also his duty to inspect the authorized dissecting rooms and report any infraction of the rules of common decency or conduct to the Police Magistrate or Chief Municipal Authority. For his services he was to be paid one pound five shillings, by the teacher or practitioner, for every body delivered for dissection.

It was further provided that the Superintendent of each public institution receiving a Government grant should immediately notify the Inspector of Anatomy of the death of any inmate who was “ known not to have any relatives or friends entitled to claim the body.” The cadaver was then to be transferred, by the Inspector, to the dissecting rooms (2).

It was undoubtedly anticipated that the Act would not only supply the needs of the students, but also do away with body-snatching. Indeed, had its provisions been adhered to by all concerned, it is unlikely that any further difficulty would have arisen. However, since there was no provision for punishing those who did not comply with the details of the Act, it was not long before its deficiencies became manifest by continued grave-robbings.

In 1862, while a student at the McGill medical school, Griffith Evans recorded in his diary for February 21, a body-snatching incident involving five medical students. The students had gone into the country with a hired sleighman, abstracted two bodies from a dead-house and then returned with them to the medical building on Coté Street. Dumaine, the sleigh-

man, informed the police of the abstraction and they searched the premises of the school but found no trace of the bodies. When, however, the relatives threatened to prosecute the students unless the bodies were returned unmutilated, the cadavers were restored. The Governors of the college, on being advised of the episode, determined to make a strict rule not to admit, in the future, any corpse for dissection except through the regular channel (22, 23).

Dr. Evans proceeded to explain that the "regular channel" was from the United States where "plenty of negroes were obtained cheap, packed in casks, and passed over the border as provisions, or flour." He states further that:

The students of the French Roman Catholic medical school in this city buy no subjects for dissection. They steal from graveyards all they require, and very seldom detected, because they are poor they do it for economy and are careful in their manner of doing it, if they drink alcohol on account of it they drink for jollification after, but not before. Our English students do it not for economy but for mischievous fun, dare devilry, they make themselves more or less intoxicated with alcoholics to excite their daring before going to the grave . . . and consequently a large proportion of them have been traced. (23)

Dr. Evans betrays that he had, if not a personal experience of such escapades, at least an excellent first hand informant:

The safest way to do it is after obtaining information of a recent interment, go to the grave when it is snowing, dig down to the coffin, place the lifted earth in as compact a heap as possible, to minimise the mark, cut the lid off with a proper instrument from the head down to the middle, place a loop of cord around the neck of the corpse, pull it up out of the coffin, replace the lid and the lifted earth, cover all with snow, the descending snow will obliterate the footmarks if the last party will sweep it about evenly, carry the corpse to a provided sleigh, and off! (23)

Clearly the provisions of the Anatomy Act were not proving to be as successful as had been anticipated.

An earlier incident, recorded in the *Thirty-sixth Annual Report of The Montreal General Hospital for the year ending April 23, 1858*, refers to the abstraction of one of the pauper dead from the Hospital dead-house. This affair led to rioting in which both the McGill Medical School and the Hospital were threatened by an angry crowd (24, 25). Although two students pleaded guilty and the body was decently interred, the public was led to believe that similar abstractions had occurred frequently, and if the coffins in the vault of the cemetery were to be examined, many would be found empty. However, Mr. Sprigings, the Superintendent of the Mount Royal Cemetery, checked the contents of the vaults and certified that none of the bodies had been disturbed (26).

Another incident that excited much attention occurred at Lachine in January 1871:

A most outrageous deed was recently perpetrated at Lachine, where on the night of Friday, week before last, three or four young men broke into the dead-house and carried away the bodies of two nuns and a girl named Boyer. The most singular part of the proceeding is that the bodies, after having been hawked around the dissecting-rooms of this city for sale, without success, were returned to the proper authority in Lachine, on the payment of \$112.00 and a pledge not to reveal the names of the sacrilegious burglars! (27)

The papers (28, 29) at the time were full of details concerning this robbery, which was considered to have been carried out “solely for pecuniary purposes.” Students of L’Ecole de Médecine et Chirurgie de Montréal were implicated, and the principal and professors were urged to expel the guilty “wretches.” Nothing seems to have resulted except a terse warning directed at grave-robbers in the *Montreal Evening Star* of Saturday, February 11, 1871:

Body Snatchers Beware

We saw to-day a tremendous weapon just finished for the watchman at the Cote des Neiges Cemetery. The gun is of enormous proportions, and will be loaded with about eight ounces of buck-shot. Parties meditating a raid on the above place of burial, will do well to recollect the formidable shooting iron now in the hands of the wide-awake watchman. A pot shot at a gang of grave desecrators would most likely supply the dissecting room with enough subjects for several weeks. (30)

The first plea for strict adherence to the provisions of the Anatomy Act appeared in the editorial columns of the January number of the *Canada Medical Journal* for 1871. The editors pointed out that according to the law, all paupers dying in any “poor house or hospital receiving government aid, or (in) gaol,” should be turned over to the Inspector of Anatomy for distribution to the medical schools, unless claimed by friends or relatives.

There are, however, unfortunately corporations and communities which afford aid and succour to the poor, who systematically send for burial all the paupers who die in their poor-houses. We have two large hospitals in Montreal, and from one of these institutions no pauper dead are ever handed over to the inspector of anatomy for the purpose of dissection. These institutions have each a full staff of medical officers, men who freely sacrifice the best hours of each day in the gratuitous performance of their duties in attendance on the sick poor. And all these gentlemen ask, in this connection, is that the anatomy act be carried out faithfully. Why should the good ladies of the Hôtel Dieu Hospital indulge in maudlin notions about the desecration of the dead? Have they not sufficient confidence in the common sense of their medical staff to know and feel sure that no such desecration is permitted in any well ordered school of anatomy? (31)

Apparently the good ladies did not have "sufficient confidence" in the medical men, and in this they were joined by the majority of those in charge of public institutions. Francis J. Shepherd, a student at the McGill Medical School from 1869 to 1873, and later its Professor of Anatomy, states that "the only institution which fulfilled the law was the Montreal General Hospital, which religiously handed over to McGill all unclaimed dead." He also sheds light upon the cause for the inactivity of the Inspector of Anatomy by recalling that "the Inspector at (the) time was the City Clerk and he took no interest in his anatomical duties" (32). The situation was further aggravated by the appearance in the fall of 1871 of a third medical school in Montreal—the Medical Faculty of Bishop's University (33).

The editors of the *Canada Medical Journal* believed that the solution lay in faithful adherence to the provisions of the existing Anatomy Act (31). Others, however, took the view that the Act should be amended.

With the passage in 1867 of the British North America Act, the Dominion of Canada came into being under a federal constitution, with a federal parliament and provincial legislatures. The federal parliament was given a general grant of legislative authority to make laws for the peace, order, and good government of Canada in relation to all matters not coming within the Classes of Subjects which, under the terms of the Act, were assigned exclusively to the Legislatures of the Provinces. A further section of the Act provided that all laws in force in the Province of Canada prior to Confederation, and all officers holding positions under the provisions of such laws should "continue . . . as if the union had not been made; subject nevertheless . . . to be repealed, abolished or altered by the Parliament of Canada, or by the Legislature of the respective Province, according to the Authority of the Parliament or of that Legislature under (the) Act" (34). Among the matters which thereby came within the legislative jurisdiction of the Province of Quebec was the Anatomy Act of 1843 (35). In accordance with the continuance clause cited above, no change took place either in the Act itself or in the person of the Inspector of Anatomy.

It was not long before the Legislature of the newly-constituted Province of Quebec was called upon to consider the difficulties surrounding the study of anatomy. In the *Montreal Evening Star* of Wednesday, November 21, 1871, it is reported that Dr. Lafontaine, the member for Napier-ville in the Legislature, moved the second reading of a bill aimed at facilitating the procurement of subjects for dissection. The motion was allowed to stand after "considerable discussion." One week later it was reported that "Dr. Lafontaine's obnoxious bill with regard to the disposal

of the corpses of those who die in hospital was withdrawn” (36). Although I could not find the original motion it is obvious that it must have been directed at securing for dissection the bodies of unclaimed hospital dead. The wording of the final report indicates that the bill was far from popular and indeed the November editorial of the *Canada Medical Journal* states that any amendment to the Act was quite unnecessary. The editors still believed that what was required was faithful adherence to the provisions of the Act!

In spite of the withdrawal of Dr. Lafontaine’s bill, the Provincial Legislature realized that the ever-increasing need for bodies had to be met. Thus, in December 1872, an amendment was passed limiting those who could claim the bodies of pauper dead to “ relations not further removed than in the third degree, and such degree of relationship shall be established by oath of the claimant ” (39). It was hoped that by limiting the number of persons able to claim such bodies, more subjects would be made available for dissection.

Another amendment making it unnecessary for the Inspector of Anatomy to hold a municipal office was passed in February 1875 (38). It was followed, three years later, by a further amendment requiring the Inspector of Anatomy to “ appear before the rector, curate, or other priest or minister of a church of the religion to which the deceased belonged, and to cause an act of death to be inscribed.” This was to be done in all cases where a body was delivered, before burial, to a school of anatomy and was actually a part of an Act respecting civil status in the Province (39).

That these amendments and the pleas of the *Montreal Medical Journal* had no effect is evident from the reminiscences of Dr. F. J. Shepherd. When Dr. Shepherd became Demonstrator of Anatomy at McGill in 1875, he “ found immediately that to provide subjects for the dissecting room (he) had to accept those obtained from ‘ Resurrectionists.’ The body-snatchers were usually medical students, chiefly French, who by the proceeds of their nefarious occupation paid their fees ” (32). The usual price of a subject at that time was thirty to fifty dollars! Dr. Shepherd also recounts several amusing incidents that arose in connection with obtaining bodies for dissection.

On one occasion I received from the Montreal General Hospital in proper legal form the body of a man who had died friendless—an Englishman. He was received on Friday evening. It turned out that the man had been a Mason and the Masons getting wind of it, made enquiries, and it was found that this ne’er-do-well was the Honorable ———, son of Lord ———, and had been a prominent Mason. The Masons called on me Saturday afternoon, and after having explained the circumstances of the case, asked me to kindly deliver up the body, and said

they would pay all the expenses. I gave a written order to the janitor (the celebrated Tom Cook) to deliver up the body, and they went away much pleased. A fine coffin was sent to the college with a silver plate on the lid giving the name and titles of the occupant, and Cook was to place the body in the coffin. Next day, Sunday, there was a Masonic funeral at Christ Church Cathedral, which was attended by all the prominent Masons in full regalia. Well, on the Monday following I went up to the dissecting room and the first subject I saw was this man who was supposed to have been buried the day before. I called up Cook and asked him what he meant by this and he told me that he could not bear to let so good a subject leave the College, so had substituted a rotten old subject which had been some weeks in the deadhouse, a Frenchman and a Catholic! (32)

On another occasion a French student entered the dissecting room and found his uncle lying on a table. Dr. Shepherd hastened to apologize and offered to return the body if the student would pay the expenses of removal. The student "thought awhile and (then) said, 'S'pose mine oncle come, s'pose he stay'" (32).

Further evidence that body-snatching had not stopped is found in an editorial in the *Canada Medical and Surgical Journal* for September 1879:

Canada is perhaps the only country in the civilized world where "body-snatching" (is) of yearly, and in winter sometimes of monthly, occurrence. . . . This Act (the Anatomy Act) certainly is strong enough, and could not be improved upon; but the misfortune is that it has never been fully acted upon, and "body-snatching" is still in vogue.

Elsewhere in this editorial, reference is made to an amendment passed during the 1879 Session of the Quebec Legislature, making it possible for the Inspector of Anatomy to be either a coroner, or a physician not connected with any school of medicine (40). This amendment did not, however, result in the much-sought replacement of the inactive incumbent, who was still the Montreal City Clerk. Apparently this was due to no fault of the latter gentleman:

The present Inspector has many times expressed the wish that he might resign his post, and we believe did at one time send in his resignation, which was not accepted. He does not profess to attend to the duties of an office which he holds unwillingly. As the Act now stands, any one except a physician connected with a medical school is eligible for the appointment. Why do the Government not appoint some active individual who is both able and willing to attend to the duties of the office properly? (41)

Both the latter question and the request that the Inspector of Anatomy be replaced seem to have been ignored, for there is no mention of a change until April 1883, when Mr. Lamirande, the Prosecuting Officer of the

College of Physicians and Surgeons was suggested as a candidate for the office (42).

Other suggestions for meeting the demand for subjects, and at the same time eliminating the violation of the cemeteries, were formulated. A doctor in New York proposed that cats be used for dissection, pointing out that this would probably serve two good ends, “ the numerical decrease of cats and the quantitative increase of anatomical knowledge ” (43). A writer in the *Scientific American* suggested that :

. . . every medical student solemnly swear, as he stands with uplifted scalpel before his first subject, that in return for the privilege of dissecting others, he agrees to give up his own body after death for a like purpose. The medical fraternity owe it to themselves to form a mutual dissecting league, and thus render themselves independent of the general public. (44)

Neither of these proposals was acted upon!

In one Montreal newspaper alone, between December 12, 1882 and January 25, 1883, there were seven grave-robbing episodes reported, with the total number of bodies stolen amounting to eighteen (45). On January 18, Mr. Dugas, the Montreal Police Magistrate, issued a warning in which he stated that, in future, cases coming before him would be “ dealt with severely.” The next day the same paper reported the abstraction of three bodies from the dead-house at Ste. Marie de Monnoir!

It was at this juncture that the Quebec Legislature again became concerned with the problem. On January 25, 1883, Mr. Beaubien, the Conservative member for Hochelaga, called the attention of the Government and medical men in the House :

. . . to the deplorable state of affairs now prevailing in Montreal, in connection with the supply of anatomical subjects for the medical colleges ; adding that he had been charged especially by some of the Professors of the medical faculties, with the duty of doing so. . . . He pointed out that the number of medical students had largely increased, of late, and that the supply of bodies for dissecting purposes was utterly inadequate to the demand. (46)

Mr. Beaubien requested that the law regarding the disposal of the unclaimed bodies of persons dying “ in Hospital, and especially in hospitals receiving public grants, . . . should be more rigidly enforced.” Mr. Mousseau, Premier of Quebec, “ fully agreed with the member for Hochelaga,” but did not state what action the Cabinet would take (46).

The general public were also much aroused by the frequent reports of body-snatching episodes. Whereas in former years the grave-robbers had been reasonably discreet, they now seemed to become almost reckless :

It (was) the custom in Eastern Canada in country places in winter, on account

of the frozen state of the ground, to place the dead in vaults or dead houses in place of burying them, and in the spring when the ground thawed out they were interred in the ordinary way. At one time (1883) the students in search of these subjects broke open (some of) these vaults and removed all the bodies from them without disturbing the coffins, leaving the clothes behind. (32)

Medical students came to be regarded with such antipathy that they were considered capable of any crime. It seems that at least some students took advantage of this notoriety to seek amusement :

Quite a sensation was caused in the northern part of the city last evening, by a report which was circulated to the effect that a little child had been hanged on St. Catherine street. Just about dusk some passers by noticed, to their horror, what appeared to be the body of a little infant hanging from the window of a boarding house. All, of course, felt terribly shocked at the thought of such an outrage on humanity, which was attributed at once to those "brutal medical student." After gazing for some time, a very sensitive gentleman mounted the stairs leading to the room in which the window was, and withdrew the infantile form. Judge of his disgust, however, when he found that the corpse was only one of a goose which had been dressed up to represent an infant by some mischievous students who had enjoyed the fun from their rooms across the road. (46)

Eight more incidents of body-snatching were reported between January 26 and March 1, 1883, in which eighteen bodies were stolen (47). Apparently the medical schools could not use all these bodies for there are records of transactions in which some were sold back to the relatives :

A peculiar incident took place concerning the bodies stolen from Ste. Marie de Monnoir (on Jan. 17, 1883). The curé of the village and other authorities offered a reward of \$50.00 for the return of the bodies. The relatives agreed to \$80.00. A court house official negotiated with the students, but found that they would not give up their prey for \$80.00. The official feeling sure of the reward paid them \$15.00 more out of his own pocket and secured the bodies. However, when he claimed the reward from the village authorities they said that the offering of a reward had been merely talk, and that nothing had been decided upon. The official then refused to give up the bodies, and declared that he would sell the body of the girl for \$50.00 and pay himself. This speedily brought the recalcitrant villagers to terms. (48)

In at least one such case the relatives attempted to outdo the students. The Government was prosecuting certain students who had stolen a body and later returned it to the relatives for the sum of \$80.00. It was decided to "discontinue the prosecution if the \$80.00 paid by the Brodeurs for the return of the body was refunded." The students endeavored to make up the sum required, but Brodeur "apparently wishing to speculate" brought in a bill for \$180.00 (49)!

On February 6, 1883, Mr. Beaubien again called the attention of the

Legislature to the state of affairs in Montreal and asked that a special committee of the House be appointed to investigate the problem. This was followed, on February 22, by a request from Mr. Stephens that the Inspector of Anatomy be replaced. The Premier replied that the situation in Montreal was under consideration (50).

One week later Mr. Archambault, member for Quebec, introduced an amendment to the Anatomy Act providing a twenty dollar fine for any institution receiving public funds that did not, “ within twenty-four hours, give notice to the Anatomical Inspector of the decease of any patient therein.” On March 9, this amendment was read a second time and then withdrawn in favor of a more comprehensive bill introduced by the government (51).

The Government Bill, subsequently passed on March 31, 1883, had the support not only of the Professors of Anatomy of the various medical schools (32), but also of the “ Archbishop of Quebec, the Bishop of Montreal, and the religious authorities generally ” (52). It first provided for the division of the Province into two sections, the “ Montreal Section ” and the “ Quebec Section.” The Lieutenant-Governor-in-Council was to designate the judicial districts comprising each section and to appoint an Inspector of Anatomy for each of the two sections and a Sub-Inspector of Anatomy for each judicial district. The Bill further provided that the bodies of all persons dying in a public institution receiving a grant from the Provincial Government, unless claimed for burial within twenty-four hours by relatives within the degree of first cousin, were to be handed over, through the Inspector or Sub-Inspector of Anatomy, to the schools of medicine for use in the study of anatomy and surgery.

The Superintendent of any such public institution was to notify the Inspector or Sub-Inspector of Anatomy of the decease of patients in his charge within forty-eight hours of the death. Similarly every coroner in possession of a body found publicly exposed was to notify the Inspector or Sub-Inspector of the finding thereof.

The third section of the Government Bill stated:

That every superintendent or director of a public institution receiving a grant from the Government, and every coroner who shall knowingly omit or who shall neglect or refuse to comply with the provisions of the Act to be based on these resolutions, and every University or School of Medicine which shall receive corpses in its dissecting rooms, or allow the dissection within its establishment of corpses which have not been supplied to it by the Inspector of Anatomy, shall, upon a complaint to that effect before a Justice of the Peace by the Inspector or Sub-Inspector of Anatomy, be liable to a penalty of not less than one hundred nor more than two hundred dollars for each offence. (51)

Thus, at last, a punitive clause was included and the new Statute, designated "An Act to Amend and Consolidate the Various Acts respecting the Study of Anatomy" (53) was greeted in the medical journals with much enthusiasm. It was believed that not only would it furnish an ample supply of dissecting material but at the same time put a stop to the "disgraceful desecration of graveyards and vaults" (54, 55).

Prior to the passage of the Act a few dissenting voices in the Legislature asserted that the Bill "consecrated an immoral principle by legalizing the traffic in corpses" and therefore urged that "it be not concurred in" (51). After its passage, the authorities of the St. Patrick's Orphan Asylum and the Protestant House of Industry "opposed the working of the law in their respective establishments." The former took the only logical course and renounced its Government grant; the latter attempted to keep the grant but evade the law (56). The *Montreal Herald* denounced the Act in a series of articles depicting it "in a light more horrible than true, and (called) upon the Legislature to repeal it without delay" (57).

The ultimate test of the value of the Act was, of course, whether or not it would provide an adequate supply of subjects for dissection and put a stop to body-snatching. That it met these requirements is evident from an editorial in the *Canada Medical and Surgical Journal* for March 1884:

The session of 1883-84 has now come to a close, and as it is the first since the introduction of our New Provincial Anatomy Act, we may be permitted to enquire what has been accomplished by it. The first noticeable fact is that, from last October until the present moment, not one single paragraph has been found in the daily papers having reference to the desecration of graves. . . . We have moreover, been informed by the teachers of anatomy that it is their belief that, for the first time in the history of the country, grave-robbing has been entirely unknown. The main object, therefore, for which the Act was passed—viz., the suppression of the resurrectionists—has been completely fulfilled. At the same time the requirements of the Medical Schools have been amply met. . . . (13)

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