

infirmary superintendent shall cause him to be buried at the expense of the county.

* * *

Section 9984, General Code, to which you refer, is as follows:

“Superintendents of city hospitals, directors or superintendents of city or county infirmaries, directors or superintendents of work-houses, directors or superintendents of asylums for the insane, or other charitable institutions founded and supported in whole or in part at public expense, the directors or warden of the penitentiary, township trustees, sheriffs, or coroners, in possession of bodies not claimed or identified, or which must be buried at the expense of the county or township, before burial, shall hold such bodies not less than thirty-six hours and notify the professor of anatomy in a college which by its charter is empowered to teach anatomy, or the president of a county medical society, of the fact that such bodies are being so held. Before or after burial such superintendent, director, or other officer, on the written application of the professor of anatomy, or the president of a county medical society shall deliver to such professor or president, for the purpose of medical or surgical study or dissection, the body of a person who died in either of such institutions, from any disease, not infectious, if it has not been requested for interment by any person at his own expense.”

From a consideration of the above sections it follows that under the well known maxim of statutory construction that “the mention of one is the exclusion of the other”, the bodies referred to in Section 9984, General Code, may only be distributed under the provisions of that section to the professor of anatomy in a college which by its charter is empowered to teach anatomy, or to the president of a county medical society.

In view of the foregoing and in specific answer to your inquiry, I am of the opinion that the State Board of Embalming Examiners of Ohio has no authority under Section 9984, General Code, to claim unidentified and unclaimed dead for embalming schools or for the examinations of the board.

Respectfully,

GILBERT BETTMAN,
Attorney General.

4315.

APPROVAL, BONDS OF LIBERTY TWP. RURAL SCHOOL DISTRICT,
TRUMBULL COUNTY, OHIO—\$3,000.00.

COLUMBUS, OHIO, May 12, 1932.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.