

File No. 7320 Continued.

OPINION.

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ificate. Clearly I think a person cannot be called upon to certify to the cause of death merely because he attended the deceased prior to death, unless he is able to justify himself in saying what the cause of death was.

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If now the physician is not able to do this and the case is not a case for the Coroner, then in my opinion, the deceased has died "without the attendance of a physician" within the meaning of Section 185 and in such case Section 185 requires the undertaker or other person acquainted with the facts, to report them to the Commissioner of Health and that Officer is then authorized to give the certificate of death. Of course this authority must carry with it to the Commissioner of Health the power and duty to make such investigations as may be necessary to ascertain the cause of death and to make the certificate.

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Finally if the case is such as calls for the attention of the Coroner, then neither the attending physician nor the Commissioner of Health, have anything to do with the making of the certificate, but the certificate is made under Section 182, by the Coroner.

Very truly yours,
(Signed) Albert C. Ritchie,
Assistant City Solicitor.

File No. 7320.

LAW DEPARTMENT.

Baltimore, January 23, 1908.

Dr. Whitridge Williams,
#1128 Cathedral street,
City.

Dear Sir:-

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I referred your letter of the 13th instant with respect to death certificates, to Mr. Ritchie, Assistant City Solicitor, and I enclose a copy of his report to me, dated the 23rd instant. I concur with the conclusions reached by him.

Truly yours,
(Signed) W. Cabell Bruce,
City Solicitor.