

Mr. Thomas J. Murphy, Secretary, City Service Commission (cont'd)

we believe, the type of services to be performed. Therefore, the professional services of physicians at secondary schools would be of a specialized nature, so as to warrant the hiring of said physicians on a contract basis, and this would not be repugnant to the purposes of the Classified City Service.

Attention is directed to the general limitation contained in Section 37 of the City Charter (1949) which requires approval by the Board of Estimates of contracts (which would include those for personal service) involving an expenditure of more than \$1,000.00.

Very truly yours,

/s/ THOMAS N. BIDDISON
City Solicitor

/s/ SHIRLEY BRANTOCK JONES
Assistant City Solicitor

B/J/A

No. 92405

May 28, 1954

Mr. C. L. Vogelmann
Acting Executive Secretary
Fire Department
Fire Headquarters Building
Baltimore - 2, Maryland

RE: Assistant Engineman Herman Leyh, Deceased

Dear Mr. Vogelmann:

You have inquired as to whether or not the Board of Fire Commissioners has an obligation or duty to file a liability claim with the insurance company for the death of Assistant Engineman Herman Leyh, who died as a result of a heart attack while attending his pumper at a fire. The Fire Department surgeon classified the death under natural causes. Your question arises in view of the fact that the Trustees of the Employees Retirement System of Baltimore City awarded Mr. Leyh's designated beneficiary accidental death benefits, whereas in a previous case with similar facts (Re: Captain Harry E. Tuckey, our File No. 89665) the insurance company denied liability under a policy covering accidental death insurance on the lives of officers and members of the Fire Department because the deceased did not sustain an accident within the terms of the policy.