

File No. 7926 Continued.

CORRESPONDENCE.

sequently the children are examined by our School Inspectors (physicians) and when a child is found to be not properly vaccinated, in spite of the physician's certificate to the contrary, the child is given a note or a printed form to give to its parents, notifying them that the child must be vaccinated. A few days later, frequently amounting to as much as two weeks later, a list of unvaccinated children found by the School Inspector is given by us to the Health Warden in whose ward the school is located. He visits the school and vaccinates the children then, if they have not been previously vaccinated according to the instructions given by the School Inspector. If, however, the school children decline to be vaccinated, they are sent home by our Health Wardens with instructions that they shall not return to school until properly vaccinated.

In the case referred to by Mr. Dorton the child had been sent home by the School Inspector with the proper notification to its parents to have the child vaccinated, and when our Health Warden called at the school, he found the child had not been vaccinated, and thereupon vaccinated it.

Please inform me as soon as possible whether or not we have been using our police power properly.

Yours respectfully,

(Signed) James Bosley, M. D.,
Commissioner of Health.

File No. 7926.

LAW DEPARTMENT.

Baltimore, April 26, 1908.

Hon. W. Cabell Bruce,
City Solicitor.

Dear Sir:-

As requested by your favor of April 24th, I have considered the matter referred to in Dr. Bosley's letter to you of April 23rd. Dr. Bosley asks whether or not the manner in which his department has been exercising their power of vaccinating school children is arbitrary and improper.

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OPINION.