

File No. 11145 Continued.

CORRESPONDENCE.

Margaret Downs, 16 S. Bethel street:

"Herewith I wish to report that, on March 20th, 1910, I notified Margaret Downs, 16 south Bethel street, to clean her premises on the second floor. She being an invalid, of course, was unable to do so. On March 23rd, I caused a warrant issued for her arrest in order to have her committed to Bay View Hospital. The Eastern Police Station granted the warrant, but this morning I was notified by an officer of the Eastern District that they could not take her on the warrant, and the Health Department, according to their opinion, was to commit her directly."

Can this Department commit Margaret Downs to Bay View?

Yours respectfully,

(Signed) James Bosley, M.D.

Commissioner of Health.

OPINION.

File No. 11145.

LAW DEPARTMENT.

Baltimore, April 1, 1910.

Hon. Edgar Allan Poe,
City Solicitor.

Dear Sir:

I beg to reply to your favor of the 31st inst., enclosing a communication from the Commissioner of Health, asking to be advised with reference to his right to commit Margaret Downs, 16 south Bethel street, to Bay View Asylum.

It appears from the Health Commissioner's letter that Margaret Downs is an invalid and maintains her abode on the second floor of the above address in a state of nuisance, and, being an invalid, is unable to remedy the condition herself.

I am unable to find any authority conferring upon the Commissioner of Health the power to commit anyone to Bay View. We recently rendered an opinion, in the case of Rosa Martin who was suffering from a contagious disease, that the Health Department could, under Section 20 of Article 14 of the City Code of 1906, remove her to Bay View with

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