

File No. 11798Continued.

OPINION.

9440

as "an Institution for the reception and care of sick, wounded, infirm or aged persons." This definition is adopted by CYC, Vol. 21, p. 1105, and while many other definitions might be given varying slightly from this one, all are substantially the same. For instance, Murray on the Law of Hospitals, says that a Hospital "is an Institution for the care of the sick or wounded, or of those who require medical treatment."

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Now, if the framers of the above Sections intended that the words "Hospital for the Sick" should have the narrow meaning of "Hospital for the Ill, or those affected with disease", then the Sections have no application whatsoever to a Hospital for wounded, infirm or aged persons, or others who require the aid of an Institution for medical treatment who are not actually ill or affected with disease.

I do not think that any one could have intended to draw such a distinction, and it is perfectly apparent to me that the word "sick" has the broad meaning of "impaired or weakened", and that the term "Hospital for the Sick" means "Hospital for the reception and treatment of the impaired or weakened".

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That one is in an impaired or weakened state, who has the drink or drug habit to such an extent as to require the aid of an Institution where medicines are given as a cure, is quite obvious. This, of course, is known to all and has been the subject of judicial notice in Mayor and City Council of Baltimore vs. Keeley Inst., 81 Md. 116, where Judge Roberts says:

"It is one of the gravest conditions of the century in which we live, and of which legislators have been compelled to make observation, that the victims of the excessive use of alcoholic stimulants, narcotics, etc., have grown to be legion, not of healthy, robust manhood, but of broken, debauched and decrepit men, against whom and for whom, as a class, public sentiment has a right to appeal to the Legislature for protection."

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I think that the Institution at 428 E. Twenty-second street is within said sections 4 and 5, and that the Mayor or Commissioner of Health should give the notice provided for by Section 5 and enforce the law if the Institution is not discontinued.

Truly yours,

(Signed) German H.H. Emory.

Assistant City Solicitor.