

## Chapter 146

### Investigations of Deaths and Injuries

#### Chapter 146

LAW REVIEW CITATIONS: 6 WLJ 360.

#### 146.030

CASE CITATIONS: *Fletcher v. Walters*, (1967) 246 Or 362, 425 P2d 539.

ATTY. GEN. OPINIONS: Availability of death records to inspection, 1960-62, p 229; conditions of authority to order post mortems, 1962-64, p 157.

#### 146.040

ATTY. GEN. OPINIONS: Chief Medical Investigator subject to State Civil Service Law, 1958-60, p 368.

#### 146.310 to 146.370

#### NOTES OF DECISIONS

##### 1. Under former similar statute

The law required the county to pay the burial expenses and one claiming to be administrator of the deceased had no authority to pay them. *Chow v. Brockway*, (1891) 21 Or 440, 28 P 384.

Money or other property inventoried as required was taken into the coroner's possession for such further disposition as the statute indicated. *Id.*

The record of a coroner's inquest had no judicial character and was not competent evidence between private parties as to the cause of the death of the deceased. *Cox v. Royal Tribe*, (1903) 42 Or 365, 71 P 73, 95 Am St Rep 752, 60 LRA 620.

The coroner's report of the evidence could be used as a basis upon which a warrant could be issued but could not be used as evidence against the accused. *State v. Davis*, (1914) 70 Or 93, 140 P 448.

A coroner was powerless to determine the status of the deceased person as an employe within the Workmen's Compensation Act. *Farrin v. State Ind. Acc. Comm.*, (1922) 104 Or 452, 205 P 984.

ATTY. GEN. OPINIONS: When coroner required to get death certificate from physician, 1922-24, p 779; discretion of coroner in holding autopsy, 1926-28, p 105; signing of death certificates by coroner, 1928-30, p 5, 1932-34, p 236; payment of charge for transportation of body of deceased, 1928-30, p 383; to whom report should be made, 1936-38, p 26; recovery of coroner's fees by county, 1938-40, p 688; disposition to be made of personal property of deceased,

1940-42, p 258; when coroner authorized to take possession of personal property of deceased, 1940-42, p 282; when coroner has authority to take charge of a dead human body, 1946-48, p 120; performance of autopsy by coroner, 1958-60, p 131; duty of coroners to send autopsy reports to Chief Medical Investigator, 1960-62, p 153; availability of death records to inspection, 1960-62, p 229.

LAW REVIEW CITATIONS: 14 OLR 339.

#### 146.410

CASE CITATIONS: *State ex rel. Appling v. Chase*, (1960) 224 Or 112, 355 P2d 631.

#### 146.420

CASE CITATIONS: *State v. Brothers*, (1970) 4 Or App 253, 478 P2d 442.

ATTY. GEN. OPINIONS: Conditions of authority to order post mortems, 1962-64, p 157.

#### 146.450

#### NOTES OF DECISIONS

A deputy medical investigator would have the right to "preserve evidence" by closing and locking the premises, but he could not search the premises under authority of this section. *State v. Brothers*, (1970) 4 Or App 253, 478 P2d 442.

#### 146.470

ATTY. GEN. OPINIONS: Conditions of authority to order post mortems, 1962-64, p 157.

#### 146.560

ATTY. GEN. OPINIONS: Availability of death records to inspection, 1960-62, p 229.

#### 146.710 to 146.780

LAW REVIEW CITATIONS: 45 OLR 114-123; 5 WLJ 131-139.

#### 146.990

LAW REVIEW CITATIONS: 45 OLR 120.