

## CHAPTER 390

## CORONER; MORGUE

**390.01 BOND.**

The county coroner may serve as a member of the school board. 1936 OAG 263, July 23, 1935 (358a-4).

The county coroner may also serve as justice of the peace. OAG Aug. 2, 1935 (266-A-6).

The county coroner cannot also act as village marshal. 1938 OAG 277, July 26, 1937 (358e-8).

**390.08 AUTOPSIES HELD AT MORGUE.**

Privilege of physician performing autopsies. 12 MLR 390.

**390.09 SALARY OF MORGUE KEEPER AND ASSISTANTS IN HENNEPIN COUNTY.**

During the year of his contract of employment a morgue keeper cannot be discharged except for cause and this holds even though his contract of employment dates from the last day of the year immediately prior to the commencement of a new county board. *Manley v Scott*, 108 M 142, 121 NW 628.

**390.11 INQUEST.**

After completing his inquiry to determine the cause of death, there is no statutory authority permitting the coroner to have the dead body embalmed at the expense of the county. *Sworski v Simons*, 208 M 209, 293 NW 209.

Under the statute the coroner has no authority to engage a photographer, at the expense of the county, to take pictures of the body of the deceased. OAG May 22, 1943 (103-D).

No investigation necessary where death results from natural causes. OAG Sept. 18, 1946 (103-B).

**390.14 OATH; FAILURE TO APPEAR.**

Based upon the implied authority of sections 390.11, 390.14, 390.16, and 390.18, the coroner has implied authority to exhume a body for purposes of holding an inquest when there are reasons to think the death of the deceased may have resulted from violence. The sections above referred to require the presence of the dead body at the coroner's inquest. *Sejrup v Shephard*, 201 M 132, 275 NW 687.

**390.17 TESTIMONY FILED; CERTIFICATE; FEES.**

In an action on an insurance policy, following the decisions of the supreme court of Minnesota the coroner's certificate may not be admitted in evidence to prove suicide. *New York Life v Anderson*, 66 F(2d) 705.

Upon filing of a transcript of the record of a coroner's inquest, no fee is payable to the clerk of district court. OAG Nov. 9, 1945 (144-B-15).

**390.18 INQUISITION; FORM.**

During the inquisition the coroner may question the witnesses, and after the county attorney has questioned a witness it is proper for him to permit the jurors

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to ask questions, but if others desire to ask questions they must obtain permission from the coroner. OAG June 20, 1946 (133-A-8).

## **390.23 CERTIFICATES OF DEATH; VIOLATION; MISDEMEANOR.**

The coroner does not obtain jurisdiction from the mere fact that a person is dead. There must be reasonable suspicion that the party came to his death by unlawful means. OAG Aug. 28, 1940 (103-B).