unable to ascertain the cause of death and performed the autopsy for that person so as to be able to give a certificate, as required by law, stating the cause of death. It has also been held that one having the right to refuse to permit an autopsy to be held, has the right to place any limitations or restrictions on giving consent thereto and that one who violates such stipulations renders himself liable in damages. (*Hill v. the Travelers Insurance Co.,* 154 Tenn. 295.)

In addition to the civil liability for damages, in California there is a possible criminal liability for performance of an unauthorized autopsy. *Health and Safety Code,* Sec. 7052, provides that any person who mutilates any human remains without authority of law is guilty of felony.

Because of the civil liability and possible criminal liability no physician should perform an autopsy unless it is required by law or authorized by a person entitled to control the disposition of the remains of the deceased person. The county coroner is authorized to perform an autopsy in cases where death is suspected to have been caused by criminal means and an autopsy is necessary to complete his investigation. There are also certain instances where the Industrial Accident Commission in Workmen's Compensation cases may require an autopsy to determine the cause of death.

With the exception of the special cases when it is required by law, an autopsy should not be performed without first obtaining the consent, after the death, of the persons entitled to control the disposition of the corpse. The statute governing the right to control the disposition of the body in California is *Health and Safety Code,* Sec. 7100. This section provides that the right to control the disposition of the remains of a deceased person, unless other directions have been given by the decedent, vests in the following in the order named:

"(a) The surviving spouse;
"(b) The surviving child or children of the decedent;
"(c) The surviving parent or parents of the decedent;
"(d) The person or persons respectively in the next degrees of kindred in the order named by the laws of California as entitled to succeed to the estate of the decedent." (Next of kin.)

Strict conformance to the requirements of the conditions of this section should be adhered to at all times.

Inquiries have been received as to the legality of an autopsy permit, signed by the next of kin *prior* to the death. The decedent, himself, is the only person vested with the right under the above quoted section to authorize an autopsy, *prior* to death. Although it is unlikely that the technical objection would be raised that a permit signed by a person otherwise legally entitled to give such permit was signed before the death, the only safe procedure is to require a permit signed after death by the person entitled under the above section unless the decedent himself has expressly authorized the autopsy.

LETTERS†

Concerning County Society's Rights on Membership:

(COPY)

February 21, 1944.

Frederic Wallace Borden, M. D.,
Secretary, Santa Clara County
Medical Society,
San Jose 23, California.

Dear Doctor Borden:

I duly received your letter of February 15, 1944.

In my opinion, you should return the application of Dr. ———— for membership together with his check, advising him that his application for membership in the Society cannot be considered because he does not satisfy the requirements for membership in that he is not a citizen of the United States. The letter should be signed "Santa Clara County Medical Society" by you as secretary.

A county society is the sole judge of the qualifications of its members. A physician has no vested right to be admitted to membership. If an applicant does not satisfy the requirements for membership as established by the duly adopted by-laws of the society, the society is within its legal rights in refusing him membership therein.

Very truly yours,
HARTLEY F. PEART.

Concerning "San Joaquin Valley Fever"—Name is Protested:

(COPY)

VISALIA CHAMBER OF COMMERCE
Visalia, California, March 3, 1944.

California Medical Association,
San Francisco, California.

Gentlemen:

The matter of the use of the term "San Joaquin" in describing Coccidioidomycosis, commonly known as San Joaquin Valley Fever, was brought before the members of the San Joaquin Valley Association of Commercial Organization Secretaries at a recent meeting.

It was the judgment of this Association that the words "San Joaquin" should be dropped from the common terminology, since this type of fever is found in areas other than the San Joaquin Valley, and since the use of this designation gives unfavorable publicity to the San Joaquin Valley.

I am instructed to bring this matter to the attention of medical associations and to request that everything possible be done to prevent the use of the words "San Joaquin" in connection with the descriptive name of this disease.

Very truly yours,
HAZEL DUTTON, *Secretary.*

Alphonse Laveran (1845-1922).—An example of important work accomplished in medico-military services is that of Alphonse Laveran, who discovered the parasite of malaria while serving as a French army surgeon. This discovery was of far-reaching importance, making possible the brilliant efforts in the control and prevention of this disease by Gorgas, Golgi, Grassi, and others. Laveran published no less than four separate treatises on paludism. In 1907 the Nobel Prize was awarded him.—Warner's *Calendar of Medical History.*

† CALIFORNIA AND WESTERN MEDICINE does not hold itself responsible for views expressed in articles or letters when signed by the author.