

1974 WL 27947 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 6, 1974

*1 Mr. George L. Adams
Spartanburg County Courthouse
Spartanburg, South Carolina

Dear Mr. Adams:

I trust the following information will supply you with the information you requested.

RE: Coroner's cross state lines subpoena power

There exists no authority that would allow a coroner in one state to subpoena across state lines the blood test made by a doctor in another state. [State v. Murphy](#), 48 S.C. 1, 25 S.E. 43.

RE: Coroner's power to order autopsies or Post Mortems

A coroner has the power to order autopsies or Post Mortems only if that person has died within the county of his employment, S. C. Code of Laws, 17-90 (1962).

RE: Death of a newborn child whose only manifestations of life were air in the lungs and stomach of that child

When those trained in the respective disciplines of medicine, philosophy, and theology are unable to arrive at any consensus as to when life begins, the judiciary, at this point in the development of Man's knowledge, is not in a position to speculate as to the answer. U. S. Supreme Court [Poe v. Wade](#), 410 U.S. 113, 35 L.Ed.2d 147, 93 S.Ct. 705. This is not a legal question rather a medical question and should be pursued as such.

If I can be of further assistance, I am
Sincerely,

Andrew K. Epting, Jr.
Law Clerk

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