

The necessity of enquiry where the circumstances induce the belief that death has resulted from poisoning, starvation, or through the neglect or misconduct of other persons, in respect to death from the careless use of firearms, the deficient protection from accidents by machinery, by railway collisions and other disasters, the defective construction of modern buildings, overloading of steam vessels, is very great.

It was claimed that the practice of investigating the causes of sudden deaths was much abused, and that inquests were held when the sole advantage resulting from the investigation was the pecuniary advantage to the Coroner and his constable, while the families of the deceased persons were annoyed and harassed, and the time of the Jurors was wasted.

With a view to economy, the Legislature of Ontario has provided that the Coroner shall not be entitled to the fees for holding an inquest unless a declaration under oath be made by the Coroner prior to the summoning of the Jury, that from information received by him he is of opinion that there is reason for believing that deceased did not come to his death from natural causes or from mere accident or mischance, but came to his death from violence or unfair means or culpable or negligent conduct of others, requiring investigation by an inquest. This provision has very considerably lessened the number of inquests and the expenses of this department of Criminal Justice.

While this is commendable, the question is, has this saving been judicious and altogether contributory to the proper administration of the Criminal Law?

Let us see how the matter works in practice. A sudden death is reported to a Coroner with little or no information as to the circumstances. If he visits the locality, no matter how distant, and finds on enquiry that it is a case of accidental death, or death from natural causes, there is no inquest, and there is no provision for payment of his travelling expenses, to say nothing of his time.

In the absence of information as to the circumstances, he is not likely to undertake a journey to make enquiries nor to make the affidavit required by the Statute before holding the inquest, and there is no investigation, although it may be a case in which it would have been highly proper to have held one.

If, however, in the absence of information he is rash enough to make the affidavit and issues his warrant, he may, on enquiry,