

gent conduct, either of himself or of others, as require investigation, and not through any mere accident or mischance; Provided always, that an Inquest shall be holden on the body of any person who shall die while in confinement in any Penitentiary.

II. And be it enacted, That upon the death of any prisoner or any lunatic confined in any Lunatic Asylum, it shall be the duty of the Warden, Gaoler, Keeper or Superintendent of any Penitentiary, Gaol, Prison, House of Correction, Lock-up-house, or Lunatic Asylum in which such prisoner or lunatic shall have died, immediately to give notice of such death to some Coroner of the County or City in which such death shall have taken place, and thereupon such Coroner shall proceed forthwith to hold an Inquest upon the body of such deceased prisoner or lunatic.

III. And be it enacted, That if any person having been duly summoned as a juror or witness to give evidence upon any Coroner's Inquest, shall not, after being openly called three times, appear and serve as such juror, or appear and give evidence on such Inquest, every such Coroner shall be empowered to impose such fine upon any person so making default as he shall think fit, not exceeding twenty shillings; and every such Coroner shall make out and sign a certificate, containing the name, residence, trade or calling of such person so making default, together with the amount of the fine imposed, and the cause of such fine, and shall transmit such certificate to the Clerk of the Peace in the County in which such defaulter shall reside, on or before the first day of the Quarter Sessions of the Peace then next ensuing for such last mentioned County, and shall cause a copy of such certificate to be served upon the person so fined, by leaving it at his residence, within a reasonable time after such Inquest; and all fines and forfeitures so certified by such Coroner shall be estreated, levied and applied in like manner, and subject to the like powers, provisions and penalties in all respects as if they had been part of the fines imposed at such Quarter Sessions: Provided always, that nothing herein contained shall be construed to affect any power now by law vested in any Coroner for compelling any person to appear and give evidence before him on any Inquest or other proceeding, or for punishing any person for contempt of Court, in not so appearing and giving evidence or otherwise.

IV. And be it enacted, That no Inquisition found upon or by any Coroner's In-

quest, nor any judgment recorded upon or by virtue of any such Inquisition, shall be quashed, stayed or reserved for want of the averment therein of any matter unnecessary to be proved, nor for the omission of any technical word or words of mere form or surplusage, and in all such cases and all others of technical defect, it shall be lawful for either of the Superior Courts of Common Law, or any Judge thereof, or any Judge of Assize or Gaol Delivery, if he shall think fit, upon the occasion of any such inquisition being called in question before them or him, to order the same to be amended, and the same shall be amended accordingly.

V. And be it enacted, That whenever upon summoning or holding of any Coroner's Inquest, it shall appear to the Coroner that the deceased person was attended at his or her death, or during his or her last illness by any legally qualified medical practitioner, it shall be lawful for the Coroner to issue his order in the form in the Schedule hereunto annexed, for the attendance of such practitioner as a witness at such inquest; and if it shall appear to the Coroner that the deceased person was not attended immediately at or before his or her death by any legally qualified medical practitioner, it shall be lawful for the Coroner to issue such order for the attendance of any legally qualified medical practitioner being at the time in actual practice in or near the place where the death has happened; and it shall be lawful for the Coroner, either in his order for the attendance of the medical witness, or at any time between the issuing of such notice and the termination of the Inquest, to direct the performance of a *post mortem* examination, with or without any analysis of the contents of the stomach or intestines, by the medical witness or witnesses who may be summoned to attend at any Inquest; Provided that if any person shall state upon oath before the Coroner, that in his or her belief the death of the deceased individual was caused partly or entirely by the improper or negligent treatment of any medical practitioner or other person, such medical practitioner or other person shall not be allowed to assist at such *post mortem* examination of the deceased.

VI. And be it enacted, That whenever it shall appear to the majority of the Jurymen sitting at any Coroner's Inquest, that the cause of death has not been satisfactorily explained by the evidence of the medical practitioner or other witness or witnesses who may be examined in the first instance,