

ART. XIV.—“*The Law respecting the office of Coroner,*” or so much thereof as is practically useful for the guidance of Medical men and Coroners. By ALEX’R KEEFER, Esq., Barrister, &c., Osgoode Hall, Toronto.

DURING the last session of our Provincial Legislature, a Bill was introduced by the Hon. J. Hillyard Cameron, and became law, under the title of “An Act to amend the law respecting the office of Coroner,” which has so direct a bearing upon both the *Medical* and *Legal* professions, as to require some lengthy extracts from its provisions.

After a few brief remarks upon the *office* of Coroner generally, it is proposed to enter into the consideration of the law as it *now stands*, under the operation of *that act*.

The office of Coroner is a very ancient one, at common law, being of equal antiquity with that of Sheriff, and appears to have been *first* instituted in connection with the latter, for the *preservation* of the *peace*, when, in England, the Earls gave up the wardships of the counties:

The qualification for the office, in *this Province*, apparently rests more upon *political* than other *capital*. In England, during the time of Blackstone, *lands* to the amount of twenty pounds *yearly value* were required, a sum which he conceived so grossly inadequate, that he complained “that the Coronership was in his time no longer undertaken by gentlemen of property; and that though, formerly, no Coroners would condescend to be paid for serving their country, yet, for many years, they only desired to be chosen for the sake of the perquisites.” It is a source of gratification, however, to us, to reflect, that this remark is not particularly applicable to the Coroners in *this Province* at the present day, who, generally speaking, are persons of *unquestionable respectability*, and their position in life such as to cast no discredit on their employment.

The Coroner is chosen for life, but may be removed upon being appointed Sheriff (an office incompatible with the other), or being incapacitated by years or sickness. By statute 25, Geo. III. C. 29., extortion, neglect, or misbehaviour are also made causes of removal.

The office and power of a Coroner are either *judicial* or *ministerial*, but principally *judicial*.

The statute 4, Edw. I., “*De officio Coronatoris*” makes these to consist, *first*, and principally, in inquiring, when any person is slain or dies suddenly, or in prison, concerning the *manner* of his death. When such a death happens, it is the Coroner’s duty, upon receiving notice of the fact, to issue a precept to a constable requiring him to return a competent number of jurors to appear