

strongest bond, is the protection which he owes to his subjects. It was in view of this protection against attacks from within and without that men mainly determined to unite in society, and it is this protection which assures us the peaceable enjoyment of our rights; it is this which assures us our lives, our foods, our honor. The protection which the sovereign owes to his subjects is so identified with sovereignty, that without protection sovereignty no longer exists."

The State cannot afford sound protection in the case of homicide, when the victim, by the very fact of the crime, cannot claim justice, save inasmuch as the State itself take the initiative in investigation.

Tisdale, an eminent lawyer of Boston, in a paper given in 1887 before the Medico-Legal Society of the United States, resumes all that was written before on this subject. "To assure", he says, "the enjoyment of life in its plenitude is of major importance" — "To bury a corpse, without being certain that the death is due to a natural or purely accidental cause, would be, on the part of the State, a direct encouragement to conceal crime, and a notice to the evil-doer assuring him of impunity if he kill his fellow-being, and hide all trace of the crime" — "All deaths which may be due to the deed or omission of another, become a matter of public interest" — "No death of which the cause is not clearly known, should pass unnoticed, and the cause should never be inferred from appearances, but with certitude, from the established facts."

It results clearly from these citations that of all rights of man, claiming the protection of the State, there is none more sacred than the right to live. It results further that of all the obligations of the State, there is none more imperative than that of protecting the lives of individuals and, as corollary, that the State cannot protect the lives of individuals save by taking the most efficacious and surest means to prevent homicide, and therefore, the State must always, and in all parts, seek it out.

12. The different States have understood this duty so well that wherever civilized, organized society exists, possible