

nevertheless, the suspicion, well-meaning though it may be, is a suspicion which awakens, necessarily, in our minds another, — an ill-meaning suspicion, however faint it may be. Our conviction inclines to one side rather than to the other, but it is not fixed.

Hence it is certain that the fact of being unable to say, in a positive manner, whether a death is natural or not, is a circumstance of a nature to arouse suspicion. The suspicion may favor natural death, perhaps, but it will not exclude the opposite suspicion, however faint, of violent death.

53. The definition of our present Article is justified by the laws, for the following reasons:—

Article 69 of the Civil Code of Lower Canada gives, as reasons for suspecting violent death, the signs or indications of violence, and in general terms, — “all other circumstances of a nature to arouse suspicion.”

The legislators have admitted the possibility of circumstances other than the signs or indications of violence as reasons for suspicion. They have recognized, by the fact that that which before their time was considered as a reason to arouse suspicion in the matter of a death, should still continue to be considered as sufficient reason for suspicion.

They have, purely and simply, left entirely untouched the law previously existing on this subject. The existing law was the Statute of Edward I., to which we have already several times referred.

This Statute mentioning the cases of inquests says, “all sudden deaths, whatever may be the cause.”

54. To take the words of the Statute literally, one might be led to infer that there were grounds for an inquest in the cases of deaths known to be natural, that is to say, in the case of all *sudden* deaths, whatever the cause.

But English jurisprudence long ago decided that when the cause of a death is known to be natural, although it may have been sudden, there are no grounds for an inquest. Plainly if the cause of the death is indubitably natural, it is useless to seek for homicide, which we know does not exist.