

is no accusation, there is no person accused, but merely, on account of the unnatural circumstances of a death, the State seeks for the possibility of a crime to have been committed.

The State, of itself, wishes to know whether there is ground to bring an accusation or to denounce a crime. This is how the State seeks out homicide.

The State takes the initiative, again, in the case of arson. I shall give the reason for this later on.

7. The nature of investigations with regard to homicide being known. We shall now go into the subject and demonstrate that the State is bound to make these investigations, and to take the initiative therein.

8. Nowhere do our Statutes contain the formal and express recognition of this obligation, it is true, but none the less, in certain parts there are to be found statutory clauses which lead us to infer the recognition of this obligation.

For instance, Article 69 of the Civil Code of Lower Canada prohibits the interment of corpses without legal examination, if there may be anything to give rise to suspicion of homicide, and the Revised Statutes of the Province of Quebec contain a whole section under the title "Coroners", relating to inquests in the cause of death, — a Section amended more than once, with the object of altering the details of procedure, but recognising the fact that the State should, in certain cases of death, make investigation.

This same recognition of the duty of the State is found again in the Dominion Statutes, and notably in the Criminal Code, Section 944, requiring an inquest to be held on the body of a convict executed under judgment of death.

It is also found in the Act on Penitentiaries, and again in the Act of Quebec on Private lunatics asylums.

All these laws — examine them as you will — and whether they are stated in prohibitive terms or otherwise, — will remind you, nevertheless, that there are deaths in regard to which the State is bound to establish whether they are due