

tionary power, and he can, if he thinks fit, hold an inquest, or he can refuse to do so as unnecessary. We make this assertion, as we believe the Coroner occupies the position of judge and counsel in his own court, and he can enter a *nolle prosequi* if he thinks proper. Whether this is the true position or not, practically it is the position assumed on certain occasions by the Coroner of this District.

In the recent case of Emily Burns, who died in the Montreal General Hospital under suspicious circumstances, a few hours after her admission to that institution, it would appear that no attempt was made to clear up the case as to the cause of death. The inquest terminated in an open verdict. After a few minutes deliberation, the jury found that death had proceeded from acute nervous prostration. Dr. Cline, House Surgeon to the Montreal General Hospital, after describing the symptoms which he had observed during life, proceeded to state the results of the post-mortem examination, which he had made in conjunction with Dr. David, which is reported as follows:—

“ We examined all the organs of the body, and found no apparent natural cause for death in any of them. We found a fœtus of five or six weeks. I find no positive evidence of poison; the organs did not indicate that poison had been taken. There are a great many vegetable poisons which, given in very small portions, act upon the nervous system principally, and of which no traces could be found after death. Aconite is a very deadly poison; it is said a drachm of the tincture, which is the form in which it is used, is sufficient to cause death. The bottle produced would contain four drachms. Aconite is used as an external application.”

Now it strikes us that this report, if correct, is very ambiguous, and that the coroner and jury are not to blame in not proceeding further in the investigation. The physicians, because Dr. David corroborated Dr. Cline's evidence, assert that the unfortunate girl did not die from natural causes; but that there was no positive evidence of poisoning. The organs did not indicate that poison had been taken, but they go on to state, that there are many vegetable poisons which, given in very small portions, act upon the nervous system principally, and of which no traces could be found after death. With such evidence before it, the court had no other conclusion to arrive