

noticed) respect their functions as ministerial officers in the execution of process, see Code, Art. 25, sec. 2.² Otherwise their duties are generally the same as in England, and are governed by the common law, this Statute, and the Statutes of 2 H. 5, Stat. 1, c. 8, s. 1; 3 H. 7, c. 1, and 1 & 2 P. & M. c. 13, s. 5.

In Baltimore City, by the above mentioned Act of 1868, ch. 457, a single coroner is appointed by the Governor, by the advice and consent of the Senate. He is required to be a competent physician, and holds office for two years, at a salary of two thousand dollars, and is required to take the oath prescribed for office holders, and to give bond in the penalty of five thousand dollars for the faithful performance of his duties. In the counties they are required to give bond every year in the penalty of three thousand dollars, conditioned to execute the office of coroner, and to execute process, as prescribed in Art. 25, sec. 1,³ of the Code.

Jurisdiction of coroner.—A coroner has no jurisdiction of offences committed on the open sea between high and low water-mark when the tide is in, although he has such authority there when the tide is out, 3 Inst. 113. But an information was granted against a captain of a man-of-war lying in Portsmouth harbor, for refusing to let the coroner of Portsmouth come on board to hold an inquest over the body of a person who had hung himself in the cabin, *R. v. Solgard*, 2 Str. 1097.

This Statute is wholly directory and in affirmance of the common law. It is said by Hawkins, 2 Hawk. P. C. 77, that the coroner is not thereby restrained from any branch of his power nor excused from any part of his duty not mentioned in it, which was incident to his office before, and therefore though the Statute mentions only inquiries of the death of persons slain, drowned, or suddenly dead, yet the coroner ought also to inquire of the death of those who die in prison. But this may be regarded as doubtful from the decision in *R. v. Herford supra*, where it was held that the coroner could not hold an inquisition respecting the origin of a fire, and that the duties of his office in holding inquests were limited to cases of homicide upon view of the body of the deceased. The whole subject is very fully gone into in this case. And now by the Code, Art. 25, sec. 3,⁴ (Act of 1831, ch. 250, sec. 1,) it is enacted that no inquest shall be held upon the body of any deceased person, where it is known that he came to his death by accident, mischance, or in any other manner, except where such person died in jail, or where there are such circumstances attending the death or case, as to amount to a strong probability or reasonable belief that the deceased came to his death by felony. The language of the law relating to Baltimore City is, however, different. By the act of 1836, ch. 165, (Code, Pub. Loc. Laws, City of Baltimore, sec. 153,) it was provided that an inquest should be held over all persons found dead in said City, where the manner and cause of death shall not be clearly known as accidental or in

² Code 1911, Art. 22, sec. 2.

³ Code 1911, Art 22, sec. 1.

⁴ Code 1911, Art. 22, sec. 3.