

the course of nature. And substantially the same provision is repeated in the Act of 1868, ch. 457.<sup>5</sup>

**Duties of coroner.**—The principal duty of the coroner then is, when any one comes to an unnatural death, to inquire with the aid of a jury into the manner of it, and to return such an inquisition thereof as that the certainty of the matter may be established, and if the party came to a violent end the offender, if any, may be detected and punished.<sup>6</sup>

At common law it was the duty of the township or jailer, if the man died in prison, to give notice to the coroner of any such death, and Lord Holt said in *R. v. Clerk*, 1 Salk. 377, that the coroner need not go *ex officio* to take the inquest but ought to be sent for, and that too when the body is fresh; though if he is remiss in doing his office when he is sent for, he is liable to indictment and fine. At common law, too, if the body was interred before the coroner came, or if it was suffered to lie until it putrefied, the township or jailer was amerced, Hale P. C. 170. In the same case above cited (and see 7 Mod. 10, Anon.) Lord Holt said that it was an indictable offence (as a misdemeanor,) to bury a man that dies a violent death before the coroner's inquest has sat upon him, or without sending for him.

When a case occurs requiring the intervention of the coroner, he is to issue his precept to the constables of the four, five, or six next townships,—with us, perhaps, election districts or wards, though this is not much attended to in practice—or to the constable of the hundred where the body is found, to return a competent number of good and lawful men of their township (though an inquisition taken by good men of the county is sufficient,)

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<sup>5</sup> The present law is substantially the same. Balto. City Code, sec. 296. In *Young v. College*, 81 Md. 358, it was held that under the local law of Baltimore City a coroner has power to hold an inquest and order an autopsy to be made when, in his judgment, an autopsy is an appropriate means of ascertaining the cause of a person's death and that in such case a coroner may lawfully order an autopsy without the consent of the family of the deceased. Cf. *Kilgour v. Evening Star*, 96 Md. 16.

<sup>6</sup> While a coroner has not the absolute right to hold an inquest in every case, yet he is justified in doing so, if he honestly believes to be true information which has been given him, and which, if true, would make it his duty to hold such inquest. It is a misdemeanor to burn, or otherwise dispose of, a dead body with the intent to prevent the holding of an intended inquest. *Queen v. Stephenson*, 13 Q. B. D. 331; *Queen v. Price*, 12 Q. B. D. 247.

When a coroner receives from the police authorities information of a sudden death in order that an inquest may be held, and when there is no medical certificate of death from any natural cause, or other ground from which he can reasonably form an opinion as to the actual cause of death, it is his duty to hold an inquest and he cannot properly exercise any discretion to the contrary. A coroner is not justified in delaying an inquest upon a dead body in a state of decomposition for so long a period as five days in order that the body may be identified, buried and registered under the right name and the fact that it has been placed in a mortuary makes no difference in this respect. *In re Hull*, 9 Q. B. D. 689.