Coroner's report. II.

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CORONER'S REPORT.

II.

TO THE RIGHT WORSHIPFUL
THE MAYOR OF OXFORD.

MY DEAR SIR, —

Since the Report which I made the year before last, the Boundaries of the City have been extended. The Castle is allowed by the Prison-Commissioners, and by the Secretary of State, to be a part of the City, and — with all other parts of the County Borough of Oxford, — to be in the jurisdiction of the Coroner of the City.

The Inquests in Her Majesty's Prison will, in future, be held by me, as the Coroner of the City; and, — as required by law, — on every Prisoner dying, whether from natural causes, or otherwise.

In 1888, — 65 Inquests were held; and 64 were held in 1889. Twenty-six other cases were referred to me, in which I did not think an Inquest necessary, — 9 in 1888, and 17 in 1889.

The Building in Gloucester Green is found to be a convenient place for care of the bodies of persons lying dead within the City. Nine bodies were taken there in 1889: two bodies were once there at the same time. The body of a young man who had been drowned, was taken home

by his father; and the Inquest was held at the father's house. In the other cases, the Inquest was held in the Market-House.

Some Inquests, — last year as in former years, — have been held on young children dying without having had medical attendance. In several, the life of the Child was insured for a small sum of money, — yet, a sum larger than is wanted for the expenses of burial. The law requires that Parents shall provide medical attendance, with other necessaries; and in cases of doubt, or suspicion, it is desirable that a Jury should give an opinion whether neglect of duty has led to the death.

A case (in 1881,) where the death was from natural causes is worth attention.

It was reported that a Boy died from violence received at school from the Master. Upon enquiry of the Medical Practitioner who knew the Boy, I was informed that he died from Consumption. The Practitioner had not heard of an injury; and he did not believe there had been any. With this I was satisfied: and I gave my opinion that an Inquest was not necessary. The neighbors, however, were not satisfied: they believed the report. I then directed the Practitioner to examine the body, to see whether there were any signs of injury; and to open the head, and also the chest, to find what was the cause of death.

At the Inquest, it appeared that the last day the Boy was at school, there was some rough play among the Boys; and this Boy was among them. The Master was not in the room at the time; and he did not hear of it till afterwards. The medical evidence showed that there was not any appearance of injury; and that there was not any disease beyond what is usually seen after death in consumption.

Two cases last year, in which an Inquest, though required by law, was not held, deserve notice.

A man working among cattle, and employed by the slaughtermen and butchers, was admitted into the Radcliffe Infirmary, with symptoms of what is known as "blood-poisoning;" and died the day he was admitted. The certificate usual in a case of natural death was given, for registration; and the body was removed, and buried, without my knowlege.

A child, sick after a fall in its father's house, was attended by two Medical Practitioners; and died after some three or four weeks illness. The fact of the fall, and that the symptoms which led to the death, were caused by the fall, was known to both Practitioners. Yet a certificate of the cause of death was given, and the death was registered, without mention of it.

In both these cases, the Medical men knew there was "reasonable cause to suspect," — in

one, that the man died "an unnatural death," — and in the other, that the child died "a violent death;" both being cases in which the Coroner is required by the Coroners Act to summon a Jury, and hold an Inquest.

In such cases, and in cases where the true cause of death is concealed, or misrepresented, at the time of registration, and where, therefore, reasonable cause of suspicion exists, I have been unwilling to have the body dug up, unless it is likely that some measure of public good will be gained by it. I am not sure that the excuse would be allowed on complaint, made to the Lord Chancellor, of neglect of the clear words of the Coroners Act, — that a Jury should be summoned, and an Inquest held. No discretion, — whether or not there shall be an Inquest, — is now left to the Coroner.

It may be a question, whether Medical men, in giving a certificate for registration in such cases, do not lay themselves open to prosecution for helping the burial of a body without the Inquest required by law.

In many cases, the cause of death certified and registered is as vague, and as far from representing the cause, as in the old Bills of Mortality. In the tabular list of deaths at the Radcliffe Infirmary, printed in the Annual Report for 1887, the cause of death in 35 is from exhaustion, in 7 from asphyxia, in 3 from syncope, in 3 from shock, and

in 2 from collapse: in 1888, the cause of death in 27 is from exhaustion, in 5 from asphyxia, in 2 from syncope, and in 2 from shock, — all, in plain English, from want of breath.

The system of Registration is defective; and facility is thus afforded for burial without the Inquest required. It may be doubted whether, in all cases, the family of a deceased person wish that the cause of death should be recorded in a public register. It is a defect in the printed forms supplied to Medical Practitioners that no opportunity is given, — and they are not asked, — to state whether the symptoms named in the Certificate as the cause of death, are the result of natural causes. The symptoms are in many cases certified, and registered, as being the cause of death, without reference to the disease, or injury, which was the cause of those symptoms. Sometimes the handwriting is so bad, that Registrars, and others, have a difficulty in reading the outlandish words given as the cause of death.

The particulars necessary for registration of a death are required from the relations, or other persons in attendance during the last illness, with the Certificate of the Medical Practitioner, stating the cause of death. In the case of an Inquest, the Coroner gets the particulars from the witnesses, and sends them to the Registrar.

This being the law, it seemed to me that the

same evidence, — or evidence more formal, — ought to be brought to the Jury. In Inquests at the Radcliffe Infirmary, I required that the Nurse, or other person present at the time of death, should come before me; and that the Physician or Surgeon, who had the Patient under his charge, should attend, to prove the cause of death.

Being afterwards in communication with persons connected with the Registrar General's office, I found their opinion to be that, if the particulars required for registration were proved by credible testimony, to the satisfaction of the Jury, the Coroner need not, as a general rule, call for other evidence of a formal character. Upon this, I was satisfied to take the opinion of the Physicians and Surgeons from the House-Surgeon; and so to release them from attendance at the Inquest.

But, in a criminal case, — one likely to be brought before the Superior Courts for trial, — such testimony, given at second hand, is not sufficient as evidence. The medical man, who undertook the charge of the deceased person, and prescribed the treatment for him, ought himself to attend, and give evidence in the Coroner's Court, that his evidence may be taken in writing, for production at the trial of the person charged by the verdict of the Jury.

At the Hospitals in London, and in the large towns, no objection is made by the Physicians and Surgeons to their attending, when desired by the

Coroner ; — nor, indeed, would any objection be allowed by the Governors of those Institutions. The duty "to conform to the requirements of the Coroner, and render him every assistance in the conduct of his Inquest," is acknowleged, — the duty, in short, "to honor and obey the Queen, and all that are put in authority under her."

The Managing Governors of the Infirmary solicited the intervention of the Secretary of State. He told them, that the Coroner is not only entitled, but bound, to summon every witness whose evidence he considers essential ; and that in the exercise of his discretion he is not to be interfered with : and he recommended that the Officers of the Infirmary should readily conform to the requirements of the Coroner, and render him every assistance in the conduct of his Inquest.

The only person who has failed to attend, when I have sent to him, that his evidence would be wanted, was one of the Surgeons of the Infirmary at an Inquest held there ; and that without giving, then or afterwards, any explanation of the cause of his absence. An other of the Surgeons attended at two Inquests there, each time accompanied with a Solicitor ; not the way to make a Jury think well of his evidence. The House-Surgeon does not always attend ; and, when he does, he is not often present, — as he ought to be, — at the opening of the Court.

Attention has been directed in some weekly papers to an Inquest held at the Radcliffe Infirmary; and the opportunity was taken to make remarks on the expense of Inquests generally, and on what, in two or three letters in one of the papers, are called unnecessary Inquests.

It is remarkable that some letters printed have been from the only Medical men who in conversation with me have shown an interest in the payment of members of the profession, — two who had interrupted the proceedings during an Inquest in a way to deserve reproof from me; and that an other letter was the work of the only Registrar of deaths, whom I have reported to the Registrar General for registering certificates, which ought to have been referred to me before registration.

A young woman, upon sudden symptoms of illness, was taken to the Infirmary. Being insensible at the time of admission, she continued so till death. She was not seen by any Physician or Surgeon of the Infirmary. After death, her friends were told that the certificate of the cause of death could not be given without opening the body. The friends sent to my Officer; and put the case into my hands. A question of neglect of duty undertaken called for enquiry.

Each week the Committee of Management publish in the local newspapers the names of the Physician and Surgeon, who undertake the charge of the Patients admitted the next week. On the

faith of this, the Patients, — "poor and real objects of charity," — are sent into the Infirmary for treatment in illness. On this occasion, the Committee named Dr. C. and Mr. M. Neither of them saw the Patient. In my view of duty, the gentlemen residing in the house ought to have sent to one, or other, of them, — all the Physicians and Surgeons now receiving public money for their services, — to tell him that a case of that importance was in the House. That it was not done, may be what the Committee call "inadvertence." To me, — a Governor of forty years standing, — it seems neglect of a duty binding on every officer of the House. Thus, the Committee, — "servants of the Public," — keep faith with "Subscribers."

When a Patient dies in a Lunatic Asylum, in a retreat for Habitual Drunkards, or in a house licensed for the care of Infant Children, a statement of the case, and of the cause of death, is required by Act of Parliament to be sent to the Coroner by the Superintendant, or the Practitioner in attendance. It has been suggested publicly that the same should be done when a Patient dies in a Hospital. The Coroner is the only independent authority standing between the Managers of those Institutions and the persons in their keeping. That the Coroner of the City is an Officer independent of the Governors of the Radcliffe Infirmary, and superior to them, was an

objection publicly made by the Chairman of the Committee of Management: and at a public Meeting at the Infirmary, one of the Governors openly suggested, — without reproof from any one present, — that Patients were sent to Hospitals, for their bodies to be experimented upon.

Some persons think the Coroners do not carry the enquiry far enough; that scientific evidence, — medical especially, — ought always to be taken, and the body opened, and examined, at the wish of Medical men: others think the enquiry is carried too far. Some think there need not be any Inquest at all: some, like a late Lord Chancellor, think there ought to be more Inquests. At present, the law leaves it to the discretion of the Coroner, — except in the cases named in the Coroners Act of 1887.

The enquiry before the Coroner is for the purpose of finding out, by evidence brought before him, whether the death was caused by the visitation of God, or by the act of man, and whether any one is to blame. The enquiry is not for the purpose of making out, for the satisfaction of science, by what means a known disease brought about death. The evidence before the Coroner is often defective; and it is not always trustworthy. The Coroner receives it, and records it, if admissible. It is not the duty of the Coroner to collect evidence. It is the duty of every one having knowlege of the circumstances, to

give all the information at once to the Coroner, or his Officers. "It is an offence against the law," said the Lord Chancellor Selborne, "to delay giving notice to the Coroner."

I have the honor to be, my dear Sir,
Your faithful Servant,
E. L. HUSSEY.

WINCHESTER ROAD, OXFORD,
January 1890.

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