

A letter addressed to Her Majesty's Justices of the Peace, for the county of Middlesex on the subject of the increase of inquests / by William Baker.

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Publication/Creation

London : Printed and published by Homan, 1839.

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A. J. Taylor

(24)

A LETTER.

ADDRESSED TO

HER MAJESTY'S

JUSTICES OF THE PEACE,

FOR THE

COUNTY OF MIDDLESEX,

ON

The Subject

OF

THE INCREASE OF INQUESTS.

By **WILLIAM BAKER, Esq.**

One of the Coroners of the County.

LONDON:

PRINTED AND PUBLISHED BY HOMAN, WAPPING WALL.

[PRICE SIXPENCE.]

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——— “ he thought how regularly things went on from day to day in the same unvarying round,—how youth and beauty died, and ugly griping age lived tottering on,—how crafty avarice grew rich and manly honest hearts were poor and sad,—how few they were who tenanted the stately houses, and how many they who lay in noisome pens, or rose each day and laid them down at night, and lived and died, father and son, mother and child, race upon race, and generation upon generation, without a home to shelter them, or the energies of one single man directed to their aid,—how, in seeking not a luxurious and splendid life, but the bare means of a most wretched and inadequate subsistence, these women and children in that one town divided into classes, numbered and estimated as regularly as the noble families and folks of great degree, and reared from infancy to drive most criminal and dreadful trades,—how ignorance was punished and never taught,—how gaol-door gaped and gallows loomed for thousands urged towards them by circumstances darkly curtaining their very cradle’s heads, and but for which they might have earned their honest bread and lived in peace,—how many died in soul and had no chance of life,—how many who could scarcely go astray, be they vicious as they would, turned haughtily from the crushed and stricken wretch, who could scarce do otherwise, and who would have been a greater wonder had he or she done well, than even they, had they done ill,—how much injustice, misery, and wrong there was, and yet how the world rolled on from year to year, alike careless and indifferent, and no man seeking to remedy or redress it.”—NICKLEBY.

ROYAL COLLEGE
OF
PHYSICIANS

LIMEHOUSE,

30th November, 1839.

TO HER MAJESTY'S JUSTICES OF THE PEACE
FOR THE COUNTY OF MIDDLESEX.

GENTLEMEN,

The very short interview allotted to me by the Committee, lately appointed by the Court of Quarter Sessions, to whom it was referred, to "inquire into the causes of the Increase in the Number of Inquests, since the passing of the Statute, 1 Victoria, c. 68, and to reconsider the Schedule of Fees now paid under that Statute," having rendered it quite impossible, that I could, with sufficient accuracy and clearness, point out the several particulars, I deemed it necessary to address a Letter on the 26th of October last, to your Chairman on the subject, which, I have reason to believe never reached the Committee previously to their report,

and which renders it therefore now imperative upon me, in my own vindication, on the subject matter of the Committees' Report, that I should embody the substance of my statement in another form, and address it to you generally, in order that you may see the whole bearings of a question involving matter of some importance to the county, as well as to the general administration of the law.

I shall begin by stating the Ancient Statutes which apply to the Office of Coroner, and then shew what has been the general acceptation of the law as respects the Coroner's Duties, not only by my predecessors in office, but by all other Coroners as far as I have been enabled to gather a correct summary of it.

Coroners are conservators of the Queen's peace, and become Magistrates by virtue of their election and appointment.

The Statute of the 4 Edward 1, Statute 2, enacts that the Coroner upon information, shall go to the place where any be slain or *suddenly dead* or wounded. The words of the Statute are "*statim* accedant et *statim* debent mandare," and shew that the duty is *not only* imperative, but must be instantly and promptly performed. This Statute also recognises the Law of Deodands, which imposes imperative duties on the Coroner, independently of crime. It was only directory and in affirmance of the Common Law, and did not excuse the Coroner from the execution of any portion of his duty, which was incidental to his office at Common Law, long anterior to that period.

Again "having received notice, it is the duty of the Coroner to cause the Jury to be summoned, and immediately, and without delay, to go to those slain,

thing is
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is Statute

“wounded, drowned, or *suddenly dead*; and if having
 “been sent for, he be remiss in doing his duty, and
 “do not within a convenient time view the body, and
 “take the inquisition he may be amerced by virtue
 “of the Statute de officio Coronatoris, and by the
 “provisions of the Statute 3 Henry 7, c. 1, is liable to
 “a fine of *One Hundred Shillings for every default*,”
 and as if this were not enough, by a further Statute,
 1 Henry 8, c. 7, he is liable to forfeit Forty Shillings.

So Coroners are liable to a criminal information, or may be indicted if they mis-conduct themselves in taking the inquisition, and last of all, comes the established Rule of Law, that if a Statute enjoin an act to be done without pointing out any mode of punishment, an indictment will lie for disobeying the injunction of the legislature.

What then has been the general rule of conduct under this extremely penal state of the Law, from the earliest period of time?

It has been propounded as follows:—

“By the Coroner’s Inquest many crimes are brought
 “to light, much evidence arises, and many important
 “facts are disclosed on view of the bodies of persons
 “who die suddenly, or by the hand of violence. The
 “law looks with an equal regard on the rich and
 “on the poor. The life of every fellow-subject is of
 “consequence not only to his immediate connections,
 “but to the country; and dying out of the ordinary
 “course, the cause of death must be inquired into,
 “*and it has been found from long experience, that para-*
 “*mount to all other inquisitions, those on sudden deaths*
 “*are of the utmost importance to the safety of the*
 “*subject, and ought in no case to be dispensed with, as*

“there is more suspicion attached to such deaths, than
 “to those by accidents or any casualties whatever.
 “Inquisitions are not only calculated for the redressing
 “of injury, if any be done to the party dying, but
 “also for the justification of any other persons at all
 “connected with the death, and for the protection
 “of all who survive, and they are more especially
 “requisite on paupers and lunatics, as very fre-
 “quently the Masters of Workhouses and others, who
 “have the care of insane persons, are accused of cruelty
 “or neglect, and but for such inquiries, would be
 “frequently censured without cause, and in many cases
 “where it has been proved, that blame has existed, by
 “means of an inquisition, the evil has been remedied.

“The administration and due execution of this
 “important office, depends greatly on the ability and
 “activity of the Summoning Officers, through whom
 “information must, for the most part, come to the
 “Coroner, of the proper objects within his jurisdiction,
 “and the following are by Act of Parliament, passed
 “upwards of Five Hundred years ago, uniformly acted
 “upon up to the present time, viz. :—

“ALL VIOLENT DEATHS,

“ALL CASUALTIES, BY WHICH DEATH
ENSUES,

“ALL SUDDEN DEATHS,

“PERSONS FOUND DEAD,

“PERSONS DYING IN PRISON,

“LUNATICS WHO DIE BY SUICIDE,

“AND FELONS OF THEMSELVES.”

It is not only however to this general exposition
 of the law, as regards the duty of the Coroner, that
 attention should be drawn, but it is necessary also, that it

*Beadles of
 glauco and
 Vales*

should be more minutely paid, than is ordinarily done, to the Law of Homicide, as it stands affected by the more recent statutes and decisions connected with that department of the law ; for without this application of the mind, no one can fully understand the nature and extent of the varied, arduous, and important duties, which the daily and almost hourly occurrences, in a densely congregated and pauperized district, such as that over which I preside, call upon the Coroner to fulfil in the execution of the law, and he cannot consequently truly arrive at the causes of that increase in the inquests, which has lately taken place ; and which if the law were still more fully carried out, would, I have no doubt, be found still further to increase.

It is laid down by the oldest and best authorities on the subject of Homicide, “that any unlawful means
 “ employed without warrant or excuse, are sufficient to
 “ constitute murder. In fact, the killing may be either
 “ by poisoning, striking, starving, drowning, or any
 “ of the thousand other forms by which human nature
 “ may be overcome, (for the means and manner of the
 “ death are immaterial,) with this reservation however,
 “ that there must be a corporal damage to the party.
 “ And this, although by care and skilful treatment, the
 “ party might have recovered from the stroke received,
 “ or cause of death administered ; or was at the time
 “ afflicted with a disease, which at a more remote period
 “ might, in the course of nature, have terminated his
 “ existence, if the hurt received, by *provoking and*
 “ *irritating the disease, hastened* his death, for then the
 “ death cannot be said to be *ex visitatione Dei, and the*
 “ *offender cannot apportion his own wrong.*”

Again—“ It is not only such acts as obviously tend

“ to cause death that constitute murder, but also such
 “ acts as may *apparently* endanger the life of another,
 “ and ultimately occasion his death if wilfully
 “ committed.”

“ So, although to put a person in such a passion of
 “ grief or fear, by working on his feelings that he
 “ suddenly dies, is not such a killing as the law can
 “ notice, yet threats may constitute such a force as will
 “ render the party threatening, answerable for the
 “ consequences of an act done under their influence
 “ if it lead to a corporal damage.”

This is the law as expounded in the Old Text Books.
 Without descending to all the minutiae of the several
 articles enumerated, I will content myself with an
 extract from a few of the leading sentences of the
 analysis and summary, of the learned Commissioners
 appointed to inquire into the Criminal Law, lately
 presented to the public, which from its conciseness,
 seems best adapted to the purpose I have in view.

Criminal Homicide is thus defined by them.

I.—Murder.

II.—Manslaughter.

III.—Self-murder.

Homicide not criminal, is justifiable, excusable, or
 by misadventure.

I.—Murder is of three kinds ;

First.—Voluntary Homicide not justifiable, excu-
 sable, or extenuated by circumstances.

Second.—Homicide in committing, or attempting to
 commit specified crimes.

Third.—Homicide committed in unlawfully resisting
 Officers or others acting in execution of the law.

Homicide is justifiable or excusable.

For the execution or advancement of the law.

For defence of persons or property.

For Self-preservation.

Homicide is extenuated where it is not deliberate but is committed,

Under the influence of provocation arising from a sufficient cause ;

Or, is attributable to the influence of fear or effect of surprise.

II.—Manslaughter, as laid down in the Old Text Books, “is, the unlawful killing of another without
“ malice, either expressed or implied, and is either
“ voluntary from some sudden transport or passion, or
“ involuntary as issuing from the commission of some
“ unlawful act.”

“ Involuntary Manslaughter” again described, “is
“ where one doing an unlawful act not feloniously, or
“ tending to bloodshed ; or doing a lawful act *without*
“ *proper caution* kills another *undesignedly*.

The Commissioners state it to be

First.—Voluntary but extenuated homicide.

Second.—Involuntary Homicide not merely by misadventure.

Involuntary Homicide not by misadventure, includes

First,—Homicide resulting from an act, or omission done, or omitted with intent to occasion bodily harm to any other person.

Second,—Homicide resulting from any wrong occasioned to the person of another.

Third,—Homicide in committing, or attempting to commit offences, attended with risk to the person.

Fourth,—Homicide resulting from any act or *unlawful omission* done, or committed without caution.

III.—Self-murder.

Homicide,

Of what Homicide the law takes cognizance.

Article 1. The law takes no cognizance of homicide unless death result from bodily injury, occasioned by some act *or unlawful omission*, as contradistinguished from death, occasioned by an influence on the mind, or by any disease arising from such influence.

Article 2. The terms “unlawful omission,” comprehend every case where any one being under any legal obligation to supply food, clothing, or other aid, or support, or to do any other act, or make any other provision for the sustentation of life, or prevention of injury to life, is guilty of any breach of such duty.

Article 3. It is homicide, although the effect of the injury be *merely to accelerate the death* of one labouring under some previous injury or infirmity, or although, if timely remedies or skilful treatments had been applied, death might have been prevented.

Article 5. It is essential to homicide, of which the law takes cognizance, that the party die of the injury done within one year and a day thereafter.

Article 11. The killing is of malice aforethought whensoever it is voluntary, and is not justified, excused, or extenuated as hereafter mentioned.

Article 12. The killing of another is voluntary, whensoever death results from any act or unlawful omission done with intent to kill, or do great bodily harm to any other person; or whensoever any one wilfully endangers the life of another, by any act *or unlawful omission* likely to kill, and which does kill any other person.

Article 13. In all other cases, the killing of any

other person is involuntary.

Article 14. The killing of another is of express malice where death results from a deliberate intention to kill, or do great bodily harm to the person killed.

Article 17. It is murder, whether the offender wilfully putting life in peril, intend mischief to the deceased, or any other person in particular, or wilfully do an act, or be guilty of an unlawful omission likely to occasion death, without intending the mischief to light on any person in particular.

And in addition to these heads of the Criminal Law, follows the Law of Deodands of extreme nicety, and *peculiarity* also, it being a principle of that law, that whether death occur casually, or by accident, or violence, the thing causing or moving, as the law expresses it, to the death of the deceased, becomes the subject of forfeiture to the Crown, if not annexed to the freehold. Without descending minutely to particulars, which are worthy of the researches of the curious, suffice it for my present purpose to say, that the general principle of the law is, "that all things which move to the death of
" the deceased are the subject of deodand ; and not only
" that part which immediately gives the wound, but all
" things which move with it, and help to make the
" wound more dangerous." And to such a principle of refinement has this ancient law been carried, that no deodands are due for accidents which happen out of the common law, as when a man falls from a ship in salt water, and is drowned ; but if a man fall from a ship or boat in fresh water, and be drowned, the vessel is forfeited.

To this is to be added the forfeiture which attaches upon the chattels, real and personal, of a *felo de se*, and

which comprises not only those which he has in his own right, but those which he has in right of his wife or jointly with her.

Here then is a field open of the most immeasurable extent for inquiry by the Coroner. Without dwelling on the higher cases of murder, the law upon which is shadowed out to a much wider extent, than is ordinarily put in execution to controul crime, let us only cast our eyes at the New Police Act. Who can do so, and not see, in almost every transaction of human life, amid the busy scenes, which are daily passing in the Metropolis, some liability or other to a case of manslaughter, under this most searching and peculiar law, frequently without even the slightest evil intention on the part of the misdoer, in case of a death unfortunately happening, from his want of caution, neglect, or laches, in doing any act prohibited by the law? How necessary is it then that the scrutinizing researches of the Coroner should not be held in check for a single instant. And how salutary is it for the preservation of human life, that he should be constantly in a state of requisition and vigilance.

To mention only a few by way of example, and those only of the lighter kind of the Mala prohibita, happening as they do in thoroughfares, or other public places, and which are daily practised, and so common, as even almost to escape observation, viz. :—

“ The exercising, training, or breaking any horse.

Setting loose unmuzzled a ferocious dog.

Urging a dog or other animal to worry, or put in fear another person or animal.

Negligence or ill-usage in driving cattle, and causing mischief to be done by such cattle.

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Riding or driving furiously, or so as to endanger life or limb of any person.

Placing trucks, barrows, &c., horses, or carriages on a footway.

Leaving open any vault, or cellar, or flying a kite, or making a slide on a footway, &c. &c. &c."

Many might be inclined to smile, if a Coroner were to attempt to bring to condign punishment any person for the commission of any of these lighter offences, in a case of death being caused by either of them; *dictate?* but he sits to administer the law, as he finds it, and I contend that, it is his express duty to procure a verdict of manslaughter at the hands of his Jury, if death may have happened from any one of them. He is to inquire and place the criminal on his trial. It is not his province, to consider whether the circumstance be so trivial, that the Judge eventually fines the criminal a shilling and discharges him, or whether he transports him for life. The law is outraged and must be vindicated in either case, or why is it to be suffered to stand on the Statute Book?

a judge putting up procuring a verdict from a jury

Having thus explained the general nature of those laws which fall more immediately under my cognizance, it next becomes important, that I should go a little at large into the very peculiar character and constitution of the densely populous district over which I preside; the population of which, in some way or other, is constantly falling under the operation of these laws. It consists of nearly half a million of inhabitants, chiefly if not almost entirely of the very lowest and most degraded classes in society. It is moreover a population comprised of such mixed and peculiar classes of persons as is rarely congregated together in large masses in

any other portion of the inhabited globe. To give some idea of the motley group, I would mention, in addition to those classes, which constitute the mass of society in most localities, those of Irish labourers, river and dock labourers, coal whippers, lumpers, river dredgers, river pirates, watermen, and sailors, interspersed and mixed in squalid and filthy localities, with men and women of the most abandoned character, such as dealers in old rags and iron, costermongers, prostitutes, sharpers, thieves, receivers of stolen goods, utterers of base coin, mendicants and others, of the very lowest grade in society, who have no visible means of obtaining their daily subsistence, but by the plunder of the adjoining neighbourhood, by marauding abroad by day and stealing back to their filthy cribs at night, in these secluded haunts. The Rev. Mr. Stone, the Rector of Spitalfields, in his evidence given before the Committee of the House of Commons, in 1838, describes “the whole line as more or less the constant abode of fever, and other infectious disorders; and he states the whole route to be inhabited by an exceedingly criminal population;” and he adds, that “women of the lowest class, receivers of stolen goods, thieves, and the most atrocious offenders find in these obscure haunts concealment from the hands of justice, and the extreme poverty, the extreme unwholesomeness of the neighbourhood, and the extreme immorality render it necessary that they should be exposed to public observation.” Speaking of the same district, but more particularly of Spitalfields, Whitechapel, and Bethnal Green, Dr. Southwood Smith, in his last Report to the Poor Law Commissioners, 1839, describes the locality to which I allude thus; “these

“ neglected places are out of view, and are not thought
 “ of. Their condition is known only to the parish
 “ officers and medical men, whose duties oblige them to
 “ visit the inhabitants, to relieve their necessities and
 “ attend their sick, and even these services are not
 “ performed without danger, such is the filthy, close,
 “ and crowded state of the houses, and the poisonous
 “ condition of the localities in which the greater part of
 “ the houses are situate from the total want of drainage,
 “ and the mass of putrifying matters of all sorts, which
 “ are allowed to remain and accumulate ; that during
 “ the last year, in several of the parishes, both the
 “ relieving officers and medical men lost their lives, in
 “ consequence of the brief stay they were obliged to
 “ make in the performance of their duties. No returns
 “ can shew the amount of suffering which the industrious
 “ poor have to endure from causes of this kind during
 “ the last year ; but the present returns indicate some
 “ of the final results of that suffering. They shew that
 “ out of 77,000 persons, 14,000 have been attacked
 “ with fever, one-fifth part of the whole, and that out
 “ of the 14,000 attacked, nearly 1,300 have died.”
 And in a paper lately published, as to the moral
 condition of the poor in this locality, it is observed,
 “ that it is scarcely possible to imagine an equal amount
 “ of population in a christian country more destitute of
 “ the means of moral and religious instruction.”
 Indeed, so marked and peculiarly circumstanced is the
 district over which my duties extend, that it has not
 only called for the particular observations of Dr. South-
 wood Smith in this, as well as former Reports to the
 Commissioners, but for the especial notice of Mr. Farr,
 in his very able Letter to the Registrar General of

Births, Deaths, and Marriages, which will be found in the appendix to the first Report on the Registration. He describes "the inhabitants of these densely populated districts as extending from 123,904 to 186,046 on a square mile, and the greatest density as 243,000 inhabitants to a geographical square mile," adding, "that population increased but very slightly in those districts in the interval between the census of 1821 and 1831, whence it may be inferred that the ground is nearly all occupied."

In a series of valuable tables, he deduces the following extremely important facts, serving to illustrate the particular case we are inquiring into, namely, the Increase of Inquests and the consequent Expences ensuing therefrom.

The annual rate of mortality in these districts, will be found to be four per cent., whilst in others less crowded and of a better description it is only two per cent.

For instance,

	Annual Rate of Mortality per 100.
Whitechapel Union	4 - 5
Shoreditch.....	3 - 2
Bethnal Green	3 - 1
St. George's in the East.....	3 - 2
St. George, Hanover Square	2 - 0
Islington	2 - 2
St. James, Westminster	2 - 1
City of London.....	1 - 8
Lambeth, Surrey	2 - 1
Camberwell	1 - 9

“ In other words, the people in one set of circumstances (in the better localities) live fifty years, whilst “ in another set of circumstances (in the more distressed “ districts) they do not live more than twenty-five years. “ In these wretched Districts,” he adds, “ nearly eight “ per cent. are constantly sick, and the energy of the “ whole population is withered to the roots. Their “ arms are weak, their bodies wasted, and their sensations embittered by privations and sufferings ; half the “ life is passed in infancy, sickness, and dependent helplessness.” He adds “ that in the neighbourhood of “ Whitechapel, 3908 die annually, out of a population “ of 100,000, and that it will be found, *cæteris paribus*, “ *that the mortality increases as the density of the “ population increases.*” And he adds in a note, “ that “ the mortality in the city of London has been augmented “ ten per cent.”

As some observation has been made in your Court, in reference to the increased number of Inquests, as well as of expense, in my densely crowded district, over that of my Colleague, I have thought it necessary thus to point out, what has been the rate of mortality in several of the principal leading parishes in each district, which will shew, that in my district, as Mr. Farr has above stated, there is an increase from its density of nearly two to one in the most densely crowded parts which necessarily involves increased inquiry, and in such a neighbourhood, as I have described, it can by no means excite surprise, therefore, that there is an increase of expense in medical and other witnesses, who from their poverty are more likely to seek for a remuneration for their attendance, as well as being more liable to be called constantly into action, than in a less

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great mortality may exist without the necessity for coroners' inquests - the Cholera for example

crowded neighbourhood. It is however remarkable that in my district, upon an average taken for several years past, the Inquests in which verdicts of "Natural Death" have been returned, have been fewer than in the western district of the county.

I subjoin a summary from the Statistical Returns of the principal parts of my district estimated on the last census, now however materially increased.

District	Population in 1831	Deaths by Typhus
Whitechapel Union	64141	 495
Stepney Union	72446	 191
Bethnal Green	62018	 172
Shoreditch	68564	 173
St. George in the East	38505	 160
St. Luke	46642	 67
Hackney	34527	 20
Poplar Union	25066	 19
	411909	1297

I have introduced in the above table the column shewing the mortality by Typhus Fever, for two purposes;—first as an answer to a worthy Magistrate, who put to me, when I was before him, the question, as to holding Inquests on Deaths by Fever and Apoplexy; and secondly, to prove by the best data I have yet met with, that so far from having increased the number of Inquests, beyond the legitimate intention of our ancestors, I still, from a variety of causes, fall short of the absolute number that ought to be holden.

Mr. Farr, in his Letter to the Registrar General, to which, I have referred, states the following

truth. "If all the Violent Deaths had been entered
 "in the Abstract, the mortality of males, under this
 "head, would have probably equalled the mortality from
 "Typhus," and he adds emphatically, "*this deserves
 attention.*" Now the mortality from Typhus in my
 district, amounts (including the out districts not
 inserted in those specified above) to 1350 annually,
 about half of that number are males, this will give the
 amount of Violent Deaths among the males at 675,
 take then the Violent Deaths among the females at half
 that amount, or 337, the number of Violent Deaths
 will stand thus,

Violent Deaths among Males	675
Violent Deaths among Females.....	337

Total.....	1012
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and add to these, the Sudden Deaths apparently unac-
 companied by violence, but occasioned by privations,
 starving, and other mysterious circumstances, and *deaths*
 the primary cause of which has been some injury in-
 flicted in malice, or arising from carelessness, or want
 of caution, within the legal period for investigation
 and punishment, (viz. a year and a day,) the amount
 for inquiry by the Coroner in my district will be in-
 creased to about 1500, being double the amount
 of the Inquests actually held. With the First
 Class, Violent Deaths, I have of course no discretion to
 exercise, but must do my office instant. Of the last,
 all that I can say is, that the exercise of any discretion,
 is, at all times, in such a district as mine, of the most
 painful and embarrassing nature, arising from the extreme
 difficulty of acquiring the knowledge of any facts,

which may be safely relied on, the information being obtained from persons, who may seek to cover by concealment their own infamy and often guilt. Whenever I can avail myself of a Surgeon's Certificate or other undeniable information, I have never made any difficulty about doing so; but it should be borne in mind, that if the opportunity of inquiry is not seized in the first instance, decomposition of the body renders it ineffectual, as regards the dead, whilst malicious and ill-founded reports gaining credence, render it at the same time indispensable as regards the living; and in the exercise of discretion it must also be at all times considered, that as civilization increases the refinement in crime keeps pace, and calls for increased vigilance on the part of the Coroner, to endeavour to discover the delinquency. In the rude ages, the means resorted to, to gratify a deep lodged hatred, or to possess the property of others was always of a bold and violent description, and left its *traces* behind; but now villainy is so refined, and so many means have been discovered whereby life may be taken, and the murderer leave scarcely a clue to his discovery, that it seems almost indispensable, that every sudden death in such a district as mine, should be inquired into with the most searching scrutiny.

Mr. Farr in his letter to the Registrar General, to which I have above alluded, expresses himself on this subject, as follows. "It is certain, that sudden
 " death sometimes happens, without appreciable change
 " in the organization, at least any change which a rude
 " cursory post mortem examination can detect; and
 " it is not improbable that a certain number of cases
 " of poisoning escape undetected by the Coroners and
 " the Juries, who can be expected to know little of the

“ symptoms either of poisons or disease, and are very
 “ rarely assisted, as in other countries, in their decision
 “ by the information which a careful examination of
 “ the body, and an analysis of the contents of the
 “ stomach would furnish. The result of this negligence
 “ is, that little is known positively of the causes of
 “ sudden death ; and the facility of procuring all the
 “ more intense poisons, as well as the prospect, that the
 “ effects of poisoning may be confounded with natural
 “ causes, offers a strong temptation to the commission
 “ of that dreadful crime. Coroners’ Inquests are also
 “ held upon all prisoners who die in gaols, and the
 “ ordinary verdict is “ Natural Death.” whence it
 “ would appear that the inquest in gaols is at present
 “ very much a matter of form, although it was no
 “ doubt instituted, to ascertain the real cause of
 “ death, whether it were a common disease, or gaol
 “ fever, dysentery, or violence. The causes of death,
 “ registered as the result of solemn juridical investiga-
 “ tion, are the most unintelligible in the register ;
 “ as it is impossible to attach a specific idea to
 “ Natural Death,” to “ Visitation of God,” and to
 “ several other phrases in use in Coroners’ Courts.”

“ In order to render the Register as correct as
 “ possible, it is desirable that the cause of death should
 “ be directly certified in every instance by the medical
 “ attendant, who might either leave the certificate with
 “ the informant, or give it upon application to the
 “ Registrar. When the medical attendant is the
 “ informant, he will of course sign the register, as
 “ directed by the Act. The duration of the fatal
 “ disease should be stated, when known, in hours,
 “ days, or years, which should supersede the words

“Sudden,” &c. and in the end furnish many highly
 “important results. The Registrar should insert the
 “terms corresponding to those in italics in the column
 “of the register, headed “Cause of Death.”

“The nature of disease, and the parts affected should
 “be specified in cases of this kind.”

“*The primary and secondary diseases should be*
 “*specified in the registers.*”

A great stress has been laid upon the Increase of
 Expenses in holding Coroners' Inquests; but there is
 much reason to complain of the disingenuous manner, in
 which it has been broadly asserted, that the expense has
 increased from £1771. 13s. in 1836, to £4134. 16s. 5d.
 in 1838, without the causes which led to this seemingly
 extraordinary increase having been also stated. A
 totally different state of circumstances had arisen in
 the intervening period abundantly sufficient to account
 for the apparent increase. It should have been stated
 in fairness, that antecedently to the year 1838, the
 whole of the Expenses attending upon Inquests were
 paid by the Overseers out of the Poor's Rates, and not
 by the County Treasurer, and not only was this change
 created, which materially augmented the County Rate,
 but an entire new Scale of Fees had been settled by
 yourselves at the Quarter Sessions, nor was this all,
 but the Legislature had granted to Medical Men re-
 munerations for their services in attending Inquests and
 on Post Mortem Examinations, all amply sufficient to
 account for the increase.

With a like disregard to the real circumstances of
 the case, my Expenses have been compared with those
 of the Coroner for the Western District, without it
 having been also stated, that during a considerable

new money
 has been
 added?

portion of the time, within which the computation is made, I performed the duties both in the Western and the Eastern Districts. It is also material to be taken into account, that there is in my district, comprising the River Thames, as well as the docks, basins, and canals, a very considerably larger proportion of cases of drowning than occurs in the Western District, a circumstance which greatly adds to the fees for bringing the body on shore and receiving it.

Another circumstance well worthy of notice, affecting the subject generally, is, that all the Coroners' Courts in the county put together, including those of Westminster, the City, and Southwark, having all the advantages of being itinerant Courts, and moving to the very spot in which justice is to be administered, still, do not incur so large an Expense to the Country, as a single Metropolitan Police Court.

I have felt it right to be somewhat minute in these particulars, because it is proper, that if persons are called upon by the law to discharge a painful and unpleasant duty, the nature of it and the circumstances attending it should be fully known, that they may have the protection of the public in the execution of it, and I seriously entreat you to bear in mind, that so far from throwing any impediments in the way of the Coroner in his inquiries, on the ground of any parsimonious feeling, it is your bounden duty, paramount to any other, sitting as you do as the Ministers of Justice, to afford him not only every protection, but every latitude and facility in the execution of his office.

Now I have been gravely asked, "do you hold "Inquests in cases of Fever and Apoplexy?" In the face of such statistical returns, as are now made public,

and which I have above stated, it surely must have been known to the Inquirer, that such had not been the course of conduct pursued by the Coroners.

If I had been asked whether cases of Fever and Apoplexy were not occasionally inquired into, when they were the proximate or immediate cause of death, the primary and original cause being an injury to the person, the question would have been a proper one and easily answered in the affirmative; and I should have added, that occasionally instances would occur, when the suddenness of the death even justified inquiry in the simple state of fever, such as, where death may have been caused or *accelerated* by the improper administration of drugs, improper treatment, (medical or otherwise,) privations, neglect, want, starvation, or other misconduct, and of which instances will occasionally be found of the most embarrassing character, and requiring the most rigid and strict investigation by a Coroner. As to the subject of Apoplexy, I feel at no loss, in grappling with it, however broadly it may be put; I should say boldly, that of all cases, those of sudden death by apoplexy, in my district, are by far the most important, and the very last to be exempted from inquiry on the ground of any fancied inexpediency, as I will immediately proceed to shew.

There is scarcely a street of any extent in the whole of my district, that has not its accompanying gin palace, or beer shop, in many there are half a dozen, and in some a dozen or more. No one, who does not frequent these scenes of vice and profligacy, can form any conception of the crime and wretchedness, which exist in the neighbourhood of these receptacles of mischief, or can form any notion of the means which are resorted

to, in order to excite the minds and bodies of the victims of these places of profligacy to acts of violence and crime. Whether the mind regards the high state of excitement, from which broils of the most fearful description are hourly arising, often terminating in death, or the low stage, which supervenes upon a season of debauchery, in which the mind and the body alike sink into a state of horror and prostration, producing suicide in all its varied forms, it can only dwell in either case on those results, which furnish daily and almost hourly materials for the inquiry of the Coroner; and it requires, as I know by experience, something more than medical knowledge or practice, it requires inquiry into previous conduct, to distinguish, under the complicated evils which befall these wretched victims, whether the deadening effects produced on the system are the result of violence, or proceed from natural causes. Many have been the instances in which Medical Men well practised in cases of this description have attributed coma, which takes place, to the effects of mere inebriation, which the post mortem examination has discovered to have proceeded from a fractured skull, exhibiting no traces of external violence; and constantly are cases occurring before me, in which persons, in an apparent state of drunkenness, have been taken to Station Houses, whose lives have been closed in apparent apoplexy, which have been subsequently traced, either to have been terminated by some injury to the person, or by something of a deleterious nature administered to, or taken by the unhappy sufferer. To close the door upon cases of this kind, by stifling inquiry in any case of apoplexy, would only be opening another door to the commission of crime, and affording the criminal the most facile means of escaping punishment.

and thereby limiting the coroner's power
and no opinion be formed.
And no knowledge can be ascertained without this
inquiry into previous circumstances.

I have often been struck with the great number of cases of suicide committed at an early hour of the morning after an apparently quiet night's rest, or committed even during the hours of rest, and I have had many conversations with Medical Gentlemen of experience on the subject. They generally attribute it, to what is called the low stage, supervening upon over excitement, in which the head is racked with pain, or the mind so stung by remorse and worn down in its energies, as to cause the unhappy sufferers to seize in a moment of despair or phrenzy the long cherished poison, the razor, or the rope, as opportunity or the phrenzied fancy may enable them. Who is proof against these calamities, and who is to distinguish between the most active poisons used on such occasions, and mere apoplexy?

*to a coroner
fully ignorant
medicine*

But this is only one class of cases, look at others. Look at the mind over-burthened by extreme fatigue, arising from various occupations into which a spirit of speculation, or an immoderate thirst for gain, has driven the unhappy adventurer; look at loss of character, unmerited attacks upon character, loss of property, domestic troubles, and the bereavements of domestic affections; look at the body wasted by disease and pain, and the mind worn down by cares and vexation; who is to measure all the consequences resulting from sudden death under these complicated evils in society without inquiry into every case in a neighbourhood so peculiarly circumstanced as mine is? I have thought much and deeply on this subject, but I have never yet been able to discover how or where the line is to be drawn as respects inquiry in such cases.

Besides all this, I have six miles of water frontage

on the river Thames in my district, extending from the Tower, to the River Lea in Essex, the whole extent of the crowded neighbourhood adjoining which, is more or less the abode of persons of the very lowest description, getting their scanty means of subsistence upon the river, and of crimps and sailors, and not only of sailors who dwell in wretched and loathsome lodgings amongst women of the most drunken and abandoned character, but of sailors from all parts of the world, who are the temporary inhabitants of the courts, alleys, and receiving houses in the vicinity of the water. They are located there during the time the vessels, to which they belong, remain in the river Thames, which is often so densely thronged as almost to impede the River-passage; and my district also includes the East and West India, the London and St. Catherine Docks, and the Regent's Canal Basin, in some of which the sailors are not even allowed to sleep. I ask you, is inquiry as to cases of apoplexy, or as to sudden death of any kind, to be restricted in such a neighbourhood as this? What are the daily and nightly scenes which are exhibited in these recluse and loathsome receptacles? They are notoriously those of the most brutal drunkenness, and debauchery, where excessive gin drinking (alone a sufficient cause of apoplexy and death) prevails every hour of the day and night, without the slightest check upon its inordinate exercise, accompanied by hocussing, drugging, and a thousand other wily arts, by means of which, the hard earned pittance of these miserable men is robbed and plundered to the last penny, by women of the most abandoned character and crimps; and the inhuman wretches not only leave their victims a prey to the most vile and loathsome

disease from ill treatment and intoxication, but often cause them to sink under a slow and lingering poison, caused by drugs or by excessive draughts of alcohol, to cover the fraud and felony they have committed.

Again as to *fights*, and to injuries arising to the person from *blows* and *falls*, occasioned by the squabbles and disturbances, which this state of profligacy gives rise to; as well as those which arise out of trades-union contests, public house, and family cabals. The injuries are not at first apparent, but in a few days, or even in a few hours, they may, without communication made by the unhappy sufferers, all partake of the character of, and terminate in apoplexy. If any doubt is entertained on the subject, or the picture I have drawn is supposed to be too highly coloured, I need only refer you, to what Messrs. Paris and Fonblanque say, in their excellent work on Medical Jurisprudence, vol. II. p. 436, as to the effects of drinking ardent spirits, in corroboration of my statement. Those who live in the neighbourhood know too well its practical results to doubt it for a moment.

“The ordinary effects of an excessive dose of any
 “spirituous liquor are too well known to require
 “description and generally pass off without the necessity
 “of professional interference. In cases however where
 “the draught has been very large, the person has
 “suddenly fallen down in a state of complete insensi-
 “bility, and has exhibited all the phenomena of
 “apoplexy; or in some instances, he has expired
 “almost immediately. The insensibility of the patient
 “may render it difficult for the practitioner to
 “distinguish the immediate cause of the symptoms;
 “although his history for the last few hours and the

“ spirituous odour of his breath, will generally announce
 “ the true nature of his situation. Mr. Brodie ob-
 “ serves, that there is a striking analogy between the
 “ symptoms arising from the injection of spirits and
 “ those produced by injuries on the brain, con-
 “ cussion of the brain, which may be considered the
 “ slightest degree of injury, occasions a state of mind
 “ resembling intoxication, pressure on the brain which
 “ is more severe than concussion, produces loss of
 “ motion, insensibility, dilation of the pupils, laborious
 “ and stertorous respirations and death.”

“ Large draughts of liquids containing alcohol would
 “ appear to destroy *at once*, the functions of the brain,
 “ without occasioning that previous stage of excitement,
 “ which is produced by smaller quantities of spirit—
 “ whence coma and insensibility are the immediate conse-
 “ quences; and the nervous energy being no longer
 “ conveyed to the muscles of respiration, the breathing
 “ becomes laborious, and the patient dies as he does in
 “ apoplexy for the want of those changes in the blood
 “ which are produced by the respiratory functions.”

How then I would ask is a Coroner to exercise his
 judgment or even to attempt to draw the line of dis-
 tinction in cases of apoplexy without the strictest and
 most minute inquiry upon oath, into previous conduct?
 I pronounce it to be impossible, and that the attempt to
 suppress inquiry, would be productive of no other than
 the most injurious and fatal consequences; for let it be
 understood and never forgotten, that after all it is the
 moral effect of the *certainty* of inquiry, in all such cases,
 and not inquiry into any particular case, which produces
 the real benefit and operates as the most salutary check
 upon crime and profligacy.

I proceed now to point out (and I will do so, as briefly as the subject will admit of) the several means, by which an increase has more immediately taken place in the Coroner's duty, and the Fees incidental thereto, and I would mention.

First. *The increase of local population* and the great *daily influx of the casual visitors* caused by the facilities and cheapness of locomotion by steam vessels, stage coaches, rail roads, cabriolets, and omnibusses, each contributing more or less to the danger of persons, by locating them in this dense district, in positions more or less of danger; and all these three latter modes of conveyance, be it observed, were unknown in the metropolis, till within the last few years, and they have been almost constantly increasing since they have been established. To exhibit this more forcibly, in one road alone, in my district, I am old enough to recollect only one coach moving every hour, where there are now nearly fifty, and travelling at intervals of every seven or eight minutes during the day and evening.

Secondly. *The Police*, who by day and night in the exercise of their duty, pervade the whole district, and by keeping daily registers and reporting faithfully every injury to the person, and eventually the death, detect and lead to the punishment of crime, which under the old system was altogether neglected.

Thirdly. *The Registration Act*. The Registrar General seeks to acquire, for statistical and other purposes, the real cause of death in all cases. Hence by a judicious arrangement, he has made with the Royal Colleges of Physicians and Surgeons, he accomplishes, through the agency of Medical Men, not only the means of arriving at the proximate and secondary cause of

death, but the primary cause also, frequently originating in neglect and privation, as well as in injury to the person, causing necessarily an inquiry into circumstances by information being rendered to the Coroner which, but for this mode of deriving information, would be, and no doubt heretofore has been, wholly lost sight of. Death, before the operation of this most salutary law passed into oblivion, although primarily arising from injury to the person, under the secondary cause set forth in the registration, viz. delirium tremens, lock jaw, convulsions, mortification, apoplexy, fever, &c. &c.

A considerable increase, no doubt, has arisen from this source, in cases of Inquests before the Coroner, as well as in consequence of the able suggestions of Mr. Farr, in his letter to the Registrar General, to which I have before adverted. Indeed I consider this to be a fruitful, but at the same time very legitimate and salutary cause of increase.

That a great neglect arose under the old system, in calling upon the Coroner, to exercise his office, may be gathered from the remarkable fact that in Bethnal Green Parish, alone comprising a population of 70,000 persons, in one year of my office I was only called to eight cases.

✕ Fourthly. *The Medical Witness Act.* Under the Old System there was much laxity in medical attendance, on account of loss of time and no remuneration for it, for which there is now a wholesome provision made by law, whereby activity and due diligence are produced and life thereby in many instances preserved, and by the prompt attendance of the Medical Man, not only is crime detected, but its punishment assured by immediate inquiry, and cases of a suspicious and mysterious nature, (such as those to which I have above alluded) are brought

✕ In how many inquests for cause does Mr B.
summon Med & witnesses? 10 per cent?

to light and made the subject of inquiry. A more salutary law, in relation to the Coroner's duties, was never passed, and it was naturally to be expected, that the new Schedule of Fees thereby created, would operate as a powerful increase to the county rate, when the poor rate was relieved from it, without the slightest necessity for imputing motives to men of education and character, that they instituted inquiries for the sake of fees. It is well known to those who see the practical working of this law, that no such unworthy motive attaches, but that on the contrary, the fees allowed by the act are not more than are sufficient to enforce an ordinary attention to a fixed and positive duty. It would be as unjust and uncharitable to a highly respectable and intelligent body of men to attribute to them unworthy motives, on account of one or two instances, (if any such should be found to exist, of that character,) as it would be absurd to say, that the exception to a general rule, was the rule itself.

An almost insurmountable difficulty which arises to the Coroner under this act, is, that if he should find an inquest to be unnecessary, when he arrives to discharge his duty, he has no means of paying witnesses summoned, (who are expressly entitled to their fee if they attend upon summons) unless the inquiry be gone into and the Inquisition be duly returned to the Sessions. However, willing therefore a Coroner might be to dispense with the inquiry, he has thus no alternative but to proceed with it.

Fifthly. *The Coroner's Expenses Act.* This Act has the same tendency as the former, to detect and punish crime, and its provisions have been found wholesome in every respect. Witnesses formerly would not come

Why is this?
by does he
inquest in
case?

forward, on account of loss of time and wages, and often would conceal, rather than expose injuries done to the person, on that account. A reasonable scale of allowance has been made by a former Committee of your own body, upon the most mature reflection (for they had a proposed scale for consideration before it was finally fixed), and the fullest information rendered by me as Coroner from the best practical information, I was enabled to obtain, of the fees which had previously been payable in the different parishes.

Those who have most watched, and are therefore best able to appreciate, the working of the New System, know, that no institutions require more vigilance, and more cautious jealousy, on the part of the inhabitants, then the police, and the establishments under the New Poor Laws. Let the police on the one hand, and the subordinate officers appointed under the Poor Laws on the other, act upon each other as regards the duties of the Coroner, or even as respects their other duties, and it requires no great foresight to bring the mind to the conclusion, that each will be disinclined to interfere with the other, and that they will seek to throw a veil over each other's defaults ; but leave the third power, that of the Churchwardens and Overseers, with their attendant Officers in full efficiency, acting as mediators and guardians of the people, and you will ensure, as the necessary result, not only the prompt execution of duty, but the certainty of its being fully attained. It is in the wholesome and correct exercise and working of this system as at present established, where all parties are jealous of each other, that you have an increase, but I trust a just, a legitimate, and by no means an inordinate increase, in the duties of the Coroner. Indeed a

moment's reflection must convince any one of you of the extreme injustice of making the alteration suggested in the present schedule of fees, in the particular point required, as to the paid officers of parishes. It is well known to all practically acquainted with the subject, that the Poor Law Commissioners had expressly forbidden any payment or allowance out of the Poor's Rates in respect of the duties, either in salary or otherwise, and that that was the very ground work of the Act of the 1st Victoria. The immediate result of the determination of the Poor Law Commissioners was, an abandonment of the fees, the salaries of the paid officers having previously always been regulated with reference to the allowance of them. I happen to know in my own parish, that in the year 1837, in contemplation of the alteration of certain duties and on the full assurance that the allowance would be made to the paid constable of the parish, that his Salary was actually reduced from £80. to £52. 10s. at which it now remains. And that in an adjoining parish a similar reduction also took place, and no doubt the same has occurred in other parishes, so that a man brought into this new state of things, by having quitted an occupation which might have afforded him a tolerable maintenance, is now to be turned round upon, and told, that he is a paid officer of the parish, and is to have a diminished salary, and to lose his fees in respect of these duties. It is trusted, that the funds of the county are not reduced to so low an ebb, as to work an injustice of this kind, to a very useful but humble class of individuals, whose remuneration, after all, for the service rendered, is but a miserable pittance, and frequently inadequate to meet the bare expenses incurred

*expense of
household
nubbles of
England!*

in obtaining the attendance of witnesses, and most assuredly can never, by any one, be considered as sufficient to encourage the calling of unnecessary Inquests; nor can it be supposed, that a departure from a strict line of duty in this respect can at all take place, when it is constantly held in check by the parochial authorities, to whom they are accountable for their conduct, and to whom they are bound to report.

The proposition of the Committee seems to arrogate to itself, this extraordinary supremacy, that it virtually declares the Act of Victoria to be an Act of folly and inexpediency, and the wisdom of the Committee to be paramount to it, and I trust that as you sit to administer Justice, and not to contravene the law, that you will withhold your sanction to a proposition so manifestly unjust.

Instead of abridging the fees which were allowed under the old schedule, if any alterations were to be made therein, it would seem to be more consistent, to follow the steps of the county of Surrey, and other counties, in granting an allowance to Coroners' Juries, for their loss of time and labour. It seems a singular and somewhat hard adjudication, that no allowance should be made to Juries in this county, whilst in the adjoining county (Surrey), the old scale of allowance has been augmented by an express order of Session from 10s. 6d. to 12s. It is this partiality and inequality in the administration of the laws, which cause general dissatisfaction and at the same time bring the Institutions of the country into disrepute.

Sixthly.—*The Poor Law Amendment Act.*—It will be immediately seen, that, by this important measure, and by those Acts to which I have above alluded,

the whole frame work of society, as regards the performance of the duty of Coroner, has been altered and remodelled; and that in the proportion, that the ancient Officers, the Churchwardens, and Overseers have been deprived of their superintendence of the poor and thereby of the means of acquainting themselves with crime committed in the district, the duties attaching thereto, have been transferred to the Registrar General, the Police, the Board of Guardians, the Union Clerks, the Relieving Officers, and the Medical and other Parochial Officers appointed under the new system. But where is the man who will be found hardy enough to deny, that any small increase of expense, which may have been entailed on the county by the change, is not immeasurably more than compensated, by the benefits derived to the community, from these additional aids afforded, the consecutive knowledge acquired thereby, and by the fixed and regular habits of these trustworthy Officers, whose duty it is to visit daily, or to receive reports from these haunts of wretchedness and crime? Here then is abundance to shew, not only the increase but the paramount necessity for this increase, and I pledge my reputation as a man of some experience, that the system is daily improving and working well; and I do therefore most earnestly conjure you, as you can have but one feeling and one object in view, namely the public good, to pause before you attempt to make any inroad on the present state of things so newly established, from an ill-timed and more than ill-placed parsimony, and by any hasty and ill-advised proceeding, plunge the county into a state of additional crime, by removing those safeguards which it at present possesses.

Much as every one must admire, that change in the

management in parochial affairs, which gives to a continuous board and to able and efficient officers, the consecutive knowledge of duties so essential to parochial management, we still ought to watch with some degree of jealousy, the great inroads that have been made on the liberty of the subject, and the still greater ones, that appear to be in contemplation, all having, for their end, the wresting of power from the people, and placing it in the hands of the government. The signs of the times and this spirit of centralization, but too plainly indicate, that one by one our ancient courts, offices, and privileges are departing from us, and that the time will shortly arrive when we shall have nothing left of them, but the name. Trial by jury, the last bulwark of our liberties, has been often assailed of late, both covertly and directly, first by extending the power, formerly exclusively exercised by Jurors, to the Sessions, then to *two* Justices, and now to *one*.

Again frequent attempts have been made to reduce the number of Jurors from twelve to some smaller number, according to the fancy of the proposer, thus endeavouring, by an indirect course to accomplish that, which no one would dare to attempt openly, the annihilation of the Trial by Jury.

It is easily foreseen by the wary innovator, that a variety of causes would operate to bring into contempt, the trial by jury when composed of a small number. But perhaps, the most direct attack that has yet been attempted to be made, is that of endeavouring to stifle inquiry in the Coroner's Court, by objecting to the payment of witnesses, by the proposed regulation of refusing payment to paid officers of parishes, and attempting to make the Police *the only source through* which the Coroner shall receive his information.

Our fore-fathers wisely instituted a Court which sits at the very door of the cause of inquiry, in which the immediate neighbours of the deceased, should he suddenly die in his own house or neighbourhood, or those living adjacent to the spot, where a sudden or violent death has occurred, could be immediately summoned to inquire into the cause. If, in the early ages of civilized society in this kingdom, such a course was deemed indispensable, for the protection of human life, to award the different degrees of punishment to *the careless*, the culpable, and the *murderer*, how much more has it now become necessary, from the increased chances of death by steam and other vessels, locomotive engines, and the increased traffic in our crowded streets, docks, and manufactories, where experiments of the most dangerous character are frequently tried, as well as from the altered habits of the population, and the increased facilities afforded by the advancement of science, for the wicked and designing to practice on the life of their fellow creatures. While the legislature is continually making laws to check the evils of society, it does seem strange that you who have the execution of these laws, should be urged by imposing checks upon inquiry into crime, to controul the power of a Court, whose chief and only duties are to watch over the lives of the people.

x !! I hold whilst it stands as part of the law of this land, that "Coroners are liable to Criminal Information, or may be indicted if they misconduct themselves in "taking the Inquisition," that this is the constitutional course to be pursued, when occasion requires it, and that no man has a right to catechize me, why I have presumed to hold this or that particular Inquest.

They are more easily elected, than displaced, and when
 in is indicted for misconduct, a hundred escape, they
 'scape within the dry law and yet be guilty of gross injustice
 in their proceedings.

As a sworn officer of the crown, independently of those high and more important duties which relate to the inquiry into crime, (which I contend in the present state of society, in my district, so far from being diminished requires to be extended and increased,) I have duties to perform to HerMajesty, which I shall fearlessly discharge, while the Law of Deodand not only forms a part of the ancient law of this realm, but is sought to be more rigorously enforced by recent statutes.

On that part of your Committee's Report which recommends to the Coroners to make preliminary inquiries into cases, I think it right to say, that I cannot bring my mind to the belief, that it is either prudent or right in the Coroner, to make himself acquainted with the subject matter of the inquiry he is about to enter into, from those extraneous sources, which are recommended, and that it can never be safely exercised in so dense and pauperised a neighbourhood as that over which my district extends.

I consider, that it is his imperative duty to keep his mind unprejudiced and unbiassed by any previous impressions, and that he can, with no consistency or propriety, caution Juries to abstain from inquiries out of doors, into particular cases which are brought before them, and to attend solely and carefully to the evidence, which may be delivered to them upon oath, (as he is frequently called upon to do,) and be himself the instrument of an abandonment of this necessary and wholesome duty, by a premature prying into the facts, and gathering the crude and ill-digested statements of persons not upon oath.

I think the doctrine is too dangerous to be practically entertained by any Coroner, circumstanced as I am.

Unless this were done an inquest might be held in every case of death

*a parish
adl!!!*

I claim for myself the exclusive right, as Coroner, when duly called upon, in any cases of sudden death, if I entertain a reasonable doubt in my own mind, that a felony may have been committed, to enter the private dwelling of any man, however high his station in society may be. And here let me caution such of you as may have heard clamours from others, that unnecessary Inquests are sometimes held, that no man so well knows as a Coroner the important truth, which should be known by all, that those who make such complaints, or are most busy and anxious to prevent inquiry, are almost invariably found to be those, who have something to cover or conceal in their own misconduct or neglect, in the particular case in which the investigation is about to take place.

*very
notable
circumstances!*

Fortunately I am in possession of a document, which will shew the course I have uniformly pursued, in regard to the holding of Inquests, and I appeal to it the more readily, as it was put forth by me, long before the feeling, now prevalent, was entertained in your court, and it is the more valuable, as it was adopted by me, upon the very opposite principle to that, which now prevails, namely, in vindication of myself against a charge, for not holding an Inquest when called upon to do so. It is a letter written by me to the Editor of the Dispatch, in reply to some harsh observations which were made in that paper, and it is as follows:—

x

“MR. EDITOR,—My attention has been drawn to a paragraph in your paper, in which some censure is attempted to be cast upon me for not having held an Inquest on the body of a female named Lofts, who died at Mile End, and whose death was supposed to have been occasioned by taking Morrison's pills. I trust that you will do me the favor of inserting this letter in your

*they
in
sup
en*

next number, as the best means I have, of justifying myself in the course which I adopted on that occasion; as I should be very sorry that it should, for a moment, be supposed that I had abstained from holding the Inquest in question, from any corrupt or improper motive.

“Whenever a communication is made to me in writing, signed by any respectable inhabitant of my district, and sufficient ground is laid for an inquiry, I hesitate not, in the first instance, to issue a Warrant for an Inquest, to the Constable or Beadle of the parish, and send the document with it, as I consider promptitude necessary, and much time is saved by this course; but in the case of an anonymous letter, I am of opinion that it is most prudent and proper, that an inquiry should be instituted by me in the first instance, and that I should exercise a discretion on the report made to me, as to the course to be pursued, as documents of this kind are, not unfrequently, the offspring of a malevolent and vindictive feeling, and adopted to gratify some malignant motive. If the person who signed the letter Z instead of his own name, had communicated to me his real name and place of abode, and expressed a wish that his name might not appear in the transaction, from any motives which he might have explained, he might have relied upon my dealing with it as a privileged communication, and have rested satisfied, that I would not unnecessarily have exposed him: but as he has chosen to adopt a different course, he must not blame me, but himself, that the Inquest has not been held.—The moment I received the letter in question, I dispatched it to the Beadle, to make the necessary inquiries, and in due season obtained from him a letter under the hand of

the Registrar of the district, in which he states, "that he felt himself perfectly satisfied in registering the death of the deceased, upon the annexed certificate, (which certified that the Medical Gentleman had seen the deceased, who died on the 13th instant, from convulsions coming on subsequent to uterine disease;) and he availed himself of that opportunity of informing me, that he made it an invariable rule of possessing himself of similar documents before he gave the burial certificate." Being satisfied with this official communication, I thought an Inquest unnecessary.

"Whilst a Coroner should on the one hand, be diligent and unflinching in the discharge of his duties, he should on the other hand be cautious that he discharges it with justness, fairness, and impartiality, and without unnecessarily obtruding himself into the privacy of domestic life. I have endeavoured, as much as possible, to pursue this course, and I have considered the system I have adopted most conducive to that end. If any better method of discharging my duty can be pointed out to me, I shall not be found wanting in attention to it: but, until better advised, I shall steadily adhere to my own plan, which I have generally found to work well and satisfactorily.

WILLIAM BAKER,

One of the Coroners for Middlesex.

NO. 3, CROSBY SQUARE, CITY,

AUGUST 1, 1839."

Seeing then, nothing in what has hitherto taken place, of a character calculated to shake the rule for my conduct which I have thus laid down, I need scarcely add, that I shall proceed in the course I have pointed out, until I am taught a better system, and should it be

my misfortune, at any time hereafter, to have the purity of my motives impugned in any particular case, or the propriety of my conduct so scanned and scrutinized, as to lead to the withholding of the small pittance which the Coroner is allowed for this painful and often loathsome duty, (which the Commissioners, appointed by His late Majesty to inquire into the County Rate in 1837, were then of opinion should be nearly doubled,) I must solace myself by the reflection, that I shall have conscientiously discharged my duty, and endeavour to catch some portion of that chivalrous spirit of the olden time, which induced the ancient knight to buckle his sword upon his thigh, and to go forth to his behests, with no other meed for his labours, than the reward of his own conscience, the high honor of his office, the gratitude of his country, and the animating reflection, that he was rendering some service, in aid of those laws, which afford protection to person and property.

I have the honor to be,

GENTLEMEN,

Your most obedient Servant,

WILLIAM BAKER,

One of the Coroners for Middlesex.

