

SUDDEN DEATH

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Delivered at a meeting of the Medico-Legal Society held on Saturday, 20th March, 1948, at 8.30 p.m., at the British Medical Association Hall, Albert Street, East Melbourne.

[Editor's Note: This paper was delivered upon the same night as and immediately following a paper under the same title by Dr. Leo Doyle of which no record exists. The suggestions dealt with in the early part of Mr. Monahan's paper were put forward by Dr. Doyle.]

POSSIBLY the subject for discussion this evening serves better than most of those which come up for discussion before this Society to demonstrate the benefits which can flow from a piece of joint discussion and joint thinking on the part of members of our two professions. Lawyers, and possibly also legislators, though to a lesser degree, are notoriously wedded to precedent and equally notoriously slow to sponsor any departure from what, up to the moment, has been regarded as fundamental, as, for example, the requirement of a view of the dead body by the coroner as the basis of his jurisdiction to hold an inquest. So far as the subject now for discussion is concerned it might be said that, from the lawyer's angle, until this evening at all events, no change in regard to the procedure to be followed by those responsible for the investigation of sudden deaths is either indicated or necessary. The coroner's practice in relation to cases of sudden death is one which is well defined and has been followed without serious criticism for many generations.

However, I am constrained to admit that there is another side to this picture, and that that other side means something real to the medical profession, and is not an attempt at mere idle and gratuitous meddling with what I have already described as a satisfactory system of procedure. Therefore, it behoves us as lawyers to examine the suggestions which come from our medical friends with a view to determining whether or not any practical solution of the problem raised for discussion can be reached which would justify an effort on the part of this Society to have the law amended to meet the changed views resulting from our combined thinking.

It seems to me that two main criticisms of the present system emerge, and these are, firstly, that many cases of sudden death are finally adjudicated upon in the coroner's jurisdiction, unchecked by post-mortem examination; and secondly, many or possibly most of the cases in which post-mortem examination has taken place could, with great benefit to the medical profession, particularly to the teachers and students thereof, have been dealt with in the mortuaries of our public hospitals rather than by the coroner's surgeon in the privacy of the mortuary at the City Morgue.

I propose to examine these two criticisms from the point of view of the lawyer and make what comments seem proper thereupon.

As to the first matter, the question whether or not post-mortem examination is necessary at all is one for the discretion of the coroner, vide Section 6 of the Coroner's Act 1928. In all cases where the facts surrounding the death give rise to the slightest suspicion of foul play or death from unnatural cause or from accident it is undoubted that the coroner, in the exercise of his discretion, has always required a post-mortem examination. These examinations have, up till now, been performed for the most part by highly skilled pathologists whose names are well known to members of this Society and who are held in the highest esteem. Whether this practice should continue or whether a great number of these post-mortems might not, in the future, be done in our public hospitals and so be of benefit to the students thereof belongs to the second part of this discussion. But it is said that it is undesirable that the coroner should be prepared to accept so readily many of the certificates of death which are issued by the doctors in attendance at the death where it occurs in our public hospitals. I am speaking, of course, only of cases of sudden death. Glaister, in his 7th edition, at p. 138, may be quoted at this stage as follows:

"Sudden death has been aptly defined as the termination of life which comes quickly under circumstances when its immediate arrival is unexpected. Sudden deaths arise from a variety of natural causes, of which cardiovascular disease is the principal one. The more common causes may be grouped under the following heads:

- (i) Diseases of the cardiovascular system,
- (ii) Diseases of the respiratory system,
- (iii) Diseases of the central nervous system, and

- (iv) Other cases such as shock, extensive rupture of abdominal organs and occasionally epileptic fits."

That learned author goes on to say: "Medical practitioners should hesitate, unless upon the strongest evidence, to certify as to any particular cause of death without a post-mortem examination of the body."

Hamman has published statistics relating to sudden deaths, and has shown that 91 per cent of sudden death from natural causes were due to disease of the cardiovascular system, and that 65 per cent of all the cases were due to sudden heart-failure, 21 per cent to haemorrhage, and 5 per cent to arterial embolism and thrombosis. The percentage incidence of lesions in cases of sudden cardiac failure were:

Diseases of the coronary arteries	65 per cent
Valvular heart disease	21 per cent
Myocardial disease	10 per cent
Cardiac hypertrophy	3 per cent.

So to the legal mind it all adds up to this: that the coroner, apparently, is prepared to accept the certificates of death which emanate from responsible practitioners at our public hospitals, and Glaister is of the opinion that those practitioners should hesitate except when the strongest evidence is available to certify as to any particular cause of death, without post-mortem examination. This is essentially a matter for discussion by medical men to which a lawyer can contribute but little. However, all the indications seem to me to point to the desirability of requiring post-mortem evidence in relation to most of the cases of sudden death occurring in our public hospitals. At the same time the feelings of an important class of persons, namely the bereaved relatives, have to be remembered when considering the desirability of increasing the number of cases requiring post-mortem examination.

Whether an alteration in procedure is desirable to enable these post-mortems to be conducted in the hospitals brings us to the second point in the matter raised for discussion by Mr. Doyle this evening.

In a recent paper which he read in connection with the Royal Melbourne Hospital Centenary Celebrations, Mr. R. S. Hooper, the well known neurosurgeon, in discussing complications which followed common head injuries, said this:

"To obtain satisfactory results a complete understanding of the mechanism and the results of the injury must be obtained. In many aspects we are far from achieving these ideals, but by the continued studies of those injuries throughout their early and late stages some help may be obtained in solving some of the problems of treatment. It is regretted that the solution of many of these can only emerge from the coroner's autopsy room, and it is further regretted that this avenue for research and instruction remains closed to the surgeons of this city who are making a real attempt to cope with injuries, which are now almost a prerogative of the days in which we all must live."

Mr. Hooper was also of the opinion that a large number of head injuries which in fact were subdural haematomas passed through the coroner's hands, the actual cause of death remaining unexplained; and further, that in regard to many head injuries the cause of death even after post-mortem examination could not be stated with any degree of accuracy. He went on to say:

"It is this group which requires—

- (i) Careful recording of significant facts before death.
- (ii) Close correlation with the findings of the formalin-fixed brain after death.

Many die of asphyxia and many of bronchpneumonia due to aspiration of blood and vomiting into the lungs while they remain comatose. The frequency of this is unrecognized. Its prevention is simple and elementary and would be obvious to all if the need were made clear."

He advocates the following modifications of the present routine:

1. That a post-mortem examination be done on accident and other cases when a reasonable request is made by a medical practitioner. That is, when the information is obtained, it may be correlated to give information which may be helpful in the treatment of these conditions.
2. In such cases, the medical practitioner may be allowed to remove portions or the whole of such organs for examination at established pathological departments for teaching or research purposes, provided this be done with the approval of the coroner and/or his medical examiner.

Whether the style of post-mortem examination with which the coroner's surgeon has up till now contented himself is sufficient to enable him safely to state the cause of death in

many head cases is one of the matters eminently suited for discussion by the medical members of this Society. But the moot question which remains for me is whether it is sufficient for the coroner's surgeon to satisfy himself as to his ultimate finding and so enable the coroner to bring his proceedings to a satisfactory conclusion, or whether, in the interests of science, an exhaustive post-mortem examination should not take place, and in the presence of advanced students in the profession. Most lawyers would answer the question by saying it is adequate if it enables the coroner to reach a correct conclusion.

The attitude of the law on the question of dissection of a dead body for the purpose of scientific study may be gleaned from the case of *Rex v. Lynn*, to which I will presently refer, but before doing so and approaching the problem from the typical lawyer's angle, let me begin by saying that as soon as a man's body is dead certain rights and duties arise. All rights and duties are correlative to each other. However, for the purpose of the present discussion, it becomes necessary to consider only some of these rights and duties. The question whether, consistent with these rights and duties, certain procedural matters may be altered goes to the root of our discussion, as we now require to know whether the same circumstances exist today as were responsible for these formalities in early times. I stress in this connection the matter of the coroner's view of the body. I am afraid that from this point on it will be necessary for me to become somewhat more academic in regard to our subject.

And so let us turn to consider some of these rights first, and let us begin with the question "To whom does the corpse belong?". Lord Justice (then Mr. Justice) Kay in the case of *Williams v. Williams* (20 Ch. Div. 659) said: "The law of this country recognizes no property in a corpse The law in this country is clear that, after the death of a man, his executors have a right to the custody and possession of his body (although they have no property in it) until it is properly buried. It follows that a man cannot by Will dispose of his dead body." Therefore a corpse, being no man's property, cannot be made the subject of larceny at common law. But digging up and carrying away a dead body is an indictable misdemeanour and none the less so because the motive be the laudable one of adding to the sum total of our scientific knowledge by dissection. This was made clear in *Lynn's case* (2 Term. Rep. 733). There the defendant was convicted on an indictment charging him

with entering a certain burial ground and taking a coffin out of the earth, from which he took a dead body and carried it away for the purpose of dissecting it. The court was moved in arrest of judgment and the argument was that the offence was not cognizable in any court of criminal jurisdiction. Lord Coke was quoted in support of this argument where he said, in Vol. 3 of the Institutes, at p. 203: "It is to be observed that in every sepulchre that hath a monument two things are to be considered, viz., the monument and the sepulchre or burial of the dead; the burial of the cadaver is nullius in bonis and belongs to ecclesiastical cognizance; but as to the monument, action is given at the common law for defacing thereof." The court was further pressed with the argument that all the writers on this subject had considered the injury which was done to the executors of the deceased by taking the shroud, and the trespass in digging the soil, taking it for granted that the act of carrying away a dead body was not criminal.

Lord Kenyon, C.J., in delivering judgment of the court, said that common decency required that the practice should be put a stop to; that the offence was cognizable in a criminal court as being highly indecent and *contra bonos mores*, at the bare idea alone of which nature revolted; that the purpose of taking up the body for dissection did not make it less an indictable offence; and that as it had been the regular practice of the Old Bailey in modern times (the year was 1788) to try charges of this nature, many of which had induced punishment, the circumstance of no writ of error having been brought to reverse any of these judgments was a strong proof of the universal opinion of the profession on this subject. They therefore refused even to grant a rule to show cause, lest that alone should convey to the public an idea that they entertained a doubt respecting the crime alleged. But inasmuch as this defendant might have committed the crime merely from ignorance, no person having been before punished in this court for this offence, they only fined him five marks.

So, in considering the rights which arise after a body is dead, we begin with the position that the executors have the right to custody and possession with the correlative duty of decent burial.

But this right is subject to certain requirements of the law of the country to which the deceased, in his lifetime, belonged. And so when there is reasonable cause to suspect that a person

has died either a violent or an unnatural death, or has died a sudden death of which the cause is unknown, a coroner's inquest will be necessary. The law relating to this is to be found in the Coroner's Act 1928. Much of the old common law relating to such inquests and to the appointment and functions of the coroner has been put aside by this legislation, though by Section 7 of the Act it is provided that "Every Coroner shall have in respect to all inquests all the powers authority and jurisdiction which belong by the common law to the office of a Coroner in England except so far as the same are varied by or are inconsistent with this Act." Therefore, it may be well for us to take a look into the position in which these matters stood under the common law.

The office of coroner, which is one of the oldest offices extant in our present day system of jurisprudence, can be reliably traced back as far as the year 1194, when we find the title emerging from the phrase "custos placitorum coronae"—the guardian of the pleas of the Crown—where it appears in Article 20 of the Articles of Eyre under Richard I. The word "coronator" soon after appears and may be found in Magna Carta in the year 1215. The English words "corowner" and "coroner" first make their appearance in the fourteenth century. Henry de Bracton, an outstanding jurist in the second half of the thirteenth century, in describing the office of coroners concerning homicides, says: "It is therefore their office that as soon as they have received a mandate from the bailiff of the Lord the King or from his prudhommes of the neighbourhood, they ought to visit the slain, or the wounded or the drowned, or those who have died suddenly and the breakages into houses and the places where treasure was said to have been found and this they ought to do forthwith and without any delay and at their coming to those parts they ought to order four, five or six neighbouring townships that they come immediately before them and by their oath make an inquest concerning the man slain when they shall have been required by the coroner."

Britton, writing in the reign of Edward I, describes the coroner as "a principal guardian of the King's peace bearing record of the pleas of the Crown, of his own view on inquests, and of abjurations and outlawries. The primary object of his office appears to have been to keep watch over the profits of the Crown. He was bound to enquire concerning treasure trove, wreck, whales and sturgeons and to secure them for the King's use. The inquest in cases of sudden death had a similar purpose,

to see that the Crown was not deprived of its emoluments arising from the forfeiture of the chattels of felons and of outlaws." In another part of his work, under the title "Homicides", Britton says this: "If any man be found killed and another be found near him with the knife or other weapon in his hand all bloody, wherewith he killed him, the coroner shall be presently fetched, and in his presence the felon shall, upon the testimony of those who saw the felony done, be judged to death. The like when a person is found in a house or other place where one shall be found killed, and the person found alive is neither hurt nor wounded, and has not raised the hue and cry, and has not charged any with the felony and shall not be able to do so."

It has often been said that human nature does not change, but the naiveté of the felon standing beside the body with the knife still dripping, waiting for the coroner, would surely gladden the heart of the present chief of the Melbourne homicide squad. However, my purpose in referring to these passages is to point out the judicial character (*inter alia*) of the coroner's office from the beginning, and to see what reasons, if any, are ascribed for the necessity of the coroner personally viewing the dead body.

The powers and duties of coroners first became the subject of legislative enactment by the Statute *De Officio Coronatoris* in the fourth year of the reign of Edward I. It is considered by Danford Thomas in his article on coroners that this statute was merely affirmative of the common law. It enacted that the coroner should go to the place where any person is slain or suddenly dead or wounded or where houses are broken or where treasure is said to be found and should, by his warrant to the bailiffs or constables, summon a jury out of the four or five neighbouring towns to make enquiry upon view of the body; and the coroner and jury should enquire into the manner of killing and all circumstances that occasioned the party's death; who were present, whether the dead person was known and where he lay the night before; they should examine the body to see if there be any signs of strangling about the neck, or of cords about the members, or of burns. Also all the weapons should be viewed and enquiry made with what weapons. And the coroner may send his warrant for witnesses, and take their examination in writing; and if any appear guilty of the murder he should enquire what goods, corn, and lands he hath, and then the dead body should be buried.

At the present day the law applicable to the office of coroner and his powers and duties in England is to be found in three Acts of Parliament, supplemented by the principles of the common law. It is conveniently summarized in the article by Danford Thomas hereinbefore referred to:

“It is the duty of the coroner to inquire into all cases where there is reasonable cause to suspect that a person has died a sudden death of unknown cause, or has died a violent or unnatural death. In all these cases the coroner is informed of the death by police, doctors, and by informants under various statutes, and, failing these persons, by the registrars of deaths under the rules issued to them by the Registrar-General. Speaking broadly, the cases reported include all sudden deaths of unknown cause, deaths from any form of violence, fatal street accidents, deaths in factories and workshops, deaths from accidents in mines and quarries, deaths from explosions, accidents on railways and tramways, and aeroplane accidents, deaths from industrial disease, suspicious abortion, poison, food poisoning, alcoholism, anaesthetics, suicides, murder, manslaughter, and infanticide. There are some 60,000 deaths inquired into every year in this country by coroners, and over 30,000 inquests.

When the coroner is informed of any such death he instructs his officer to make inquiries and to submit a report in writing. This report embodies details of all the circumstances of the death; where and when the deceased died or was found dead; by whom he was last seen alive; who was present at or who first saw the body after death; whether any known illness existed; whether any negligence or blame is alleged against anyone; whether the deceased had been seen recently by any medical practitioner; what is the supposed cause of death, either known or suspected; whether the death was sudden, whether caused by violence, as for example wounds, burns, ill-usage, poison or suicide; and whether any suspicion is attached to the case. Having considered the report, the coroner then decides whether an inquest is required or not.”

“By S. 21 of the Act of 1926, it will be seen that a coroner is empowered, instead of holding an inquest, to order a post-mortem examination in those cases where the deaths appear to be due to natural causes. This class of case refers to persons who die suddenly and unexpectedly and apparently from unknown causes, as where a person is found dead in bed, or drops down dead without having had any recent medical attention or history.

This procedure throws great responsibility upon the coroner, and it is customary for him to obtain the services of a medical practitioner who is skilled in performing post-mortems, and also to have as full inquiries made by his officer as would be made in inquest cases, since the absence of the provision of adequate medical attention may have contributed to the death. The coroner in such cases must always bear in mind the possibility of cremation being required.

The coroner orders the removal of the body for the purpose of a post-mortem examination to an appropriate place, and upon receiving the post-mortem report, and after carefully considering it, in conjunction with the report received from the coroner's officer and any other information obtained, if satisfied that the death was a natural one, issues a signed form to the registrar, who then issues his burial order.

If the coroner is not perfectly satisfied as to the death being a natural one, he holds an inquest. There are some cases where the death, although a natural one, has occurred under circumstances in which the coroner may think it expedient in the public interest to hold an inquest—for example: (a) deaths occurring whilst in the course of employment where the relatives are not satisfied with a private inquiry; (b) deaths of persons occurring away from their homes; (c) persons found dead after several days when there has been considerable local gossip; (d) cases where the relatives have some suspicion that industrial disease, or some slight injury, may have been a factor in the cause of death.

In cases where the coroner is satisfied after due inquiry that the death of a person reported to him was a natural one and does not require either an inquest or a post-mortem examination without inquest, he issues a certain form to the registrar. Instances of such natural death would be: (a) sudden deaths in the street, in a public conveyance, or an hotel, where inquiry shows recent medical attention sufficient to enable the coroner to authorize the registrar to accept the medical certificate; (b) deaths in private houses where a medical man in regular attendance may not have seen the patient recently, but would be prepared after seeing the body to certify the death with the consent of the coroner; (c) deaths in mental institutions or in some of those cases which must be reported to the coroner under certain statutes, but which on inquiry prove to be natural deaths. In all these cases full inquiry is made as in inquest cases.

Where an inquest is necessary the coroner gives instructions to his officer with regard to the summoning of the jury, if necessary, and witnesses, and issues to him a warrant and summonses for that purpose.

The coroner's officer takes statements from material witnesses, which he produces for the coroner's information. Medical witnesses are summoned, and where a post-mortem is required, instructions are given for it to be made. The coroner decides as to the appropriate practitioner to make the post-mortem, and orders the removal of the body to the mortuary for that purpose. Where necessary, steps are taken for the preservation of the viscera and their submission to an analyst for examination.

The coroner alone views the body, it now being unnecessary for the jury to do so since the Coroners (Amendment) Act 1926 (c. 59), s. 14, and in many cases examines the site of the fatality.

After hearing all the evidence the coroner sums up the material facts proved in evidence and directs the jury on points of law. The jury then return their verdict and sign the inquisition, as does the coroner, and the inquest is formally closed.

The inquisition includes the facts proving the identity, age and occupation of the deceased, how, when and where the deceased came by his death, and, if he came to his death by murder or manslaughter or infanticide, the persons, if any, whom the jury find to have been guilty of such murder or manslaughter, or of being accessories before the fact to such offence, if warranted by the evidence.

This is the procedure which is adopted when the coroner sits with a jury, as required by s. 13 of the Act of 1926. This section provides that the coroner must sit with the jury when there is reason to suspect (a) that the deceased came by his death by murder, manslaughter or infanticide; or (b) that the death occurred in prison or in such place or in such circumstances as to require an inquest under any Act other than the Coroners Act 1887; or (c) that the death was caused by an accident, poisoning or disease, notice of which is required to be given to a government department, or to any inspector or other officer of a government department, under or in pursuance of any Act; or (d) that the death was caused by an accident arising out of the use of a vehicle in a street or public highway; or (e) that the death occurred in circumstances the continuance or possible recurrence of which is prejudicial to the health or safety of the public or any section of the public.

Except in these cases a coroner can, if he wishes, conduct an inquest without a jury.

The only other provisions to which I desire to make particular reference are as follows: (1) Section 44 of the Act of 1877, which is in these terms: "A coroner shall not take pleas of the Crown nor hold inquests of royal fish nor of wreck nor of felonies except felonies on inquisitions of death; and he shall not inquire of the goods of such as by the inquest are found guilty of murder or manslaughter, nor cause them to be valued and delivered to the township," and (2) Sec. 1 of the Act of 1926 which makes it necessary to appoint to the office only a barrister or solicitor or legally qualified medical practitioner of not less than five years standing in his profession.

Our Victorian Coroners Act 1928 provides by Sec. 4 that the Governor-in-Council may appoint such and so many persons as he thinks fit to be coroners and deputy coroners, and by Sec. 8 provides that it shall not be necessary for any coroner, when holding an inquest, to have the same taken and made by jurors, unless he considers it desirable, or a law officer so directs or it is expressly provided by any other Act that an inquest shall be taken with jurors.

Sec. 9 provides that at the first sitting of an inquest the coroner or the coroner and jury, as the case may be, shall view the body.

So far, an examination of our Act would indicate that the legislature is concerned to preserve the old common law practice as to the basis of the jurisdiction to enquire. The new succeeding section (Sec. 10), however, demonstrates that this is not so. It provides (inter alia) that the Supreme Court or a judge thereof may, in certain circumstances, quash the inquisition on an inquest already held and order a fresh inquest by a different coroner without a view of the body. Section 23 is in line with Sec. 10. It provides that where a coroner's jury is unable to agree upon a verdict and is discharged, the coroner may proceed anew to hold an inquest without a view.

The provisions of the Coroners Act in England and Victoria to which I have just referred demonstrate certain significant alterations in the practice prevailing in these two countries. Whilst in a very large number of cases of sudden death, of which the cause is unknown, a jury is necessary in England, the coroner in Victoria is given a discretion regarding summoning a jury in virtually all cases other than those arising under the Mines Act.

In these cases it is still considered desirable to have the verdict of a jury because this is usually accompanied by some recommendation by the jury for the future working of the mine which is designed to prevent a repetition of the particular type of occurrence under investigation. Though I am at heart a lover of the system of trial by jury and insistent that the safest verdicts on all questions of fact can only be reached thereby, I can see no real purpose to be served by the English practice of requiring the verdict of a jury upon a purely scientific matter such as is likely to be involved in the great majority of cases of sudden death from unknown causes. I am fortified in this view, I imagine, by the recent verdict of a jury in England where the deceased was shown by the medical evidence to have died from alcoholic poisoning. The jury's verdict in that case was: "We find that the deceased died from natural causes, self-administered."

Whilst referring to the difference in procedure between England and Victoria in these matters it is also interesting to note that the coroner in England must be a member of at least one or other of our two professions. It seems to me that the ideal is reached when the coroner is a member of both of our two professions, though, of course, to make that a requirement of the office would result in too great a narrowing of the field of selection left to those responsible for making these appointments. Enquiries recently made from the Secretary of the Law Department (Mr. C. F. Knight) have elicited some information as to the system in operation in Victoria under which coroners and deputy coroners are appointed. Deputy coroners are usually only appointed in country districts. This is because of the distance which often has to be travelled to view the body and which renders it impossible for the coroner for a particular district, who is usually the local Police Magistrate, to attend to his routine court duties and these other duties as well. These deputy coroners, it seems, are appointed on the recommendation of the Police Magistrate and he usually recommends the senior active member of the local Justices of the Peace, if such person is in his opinion fit to be appointed. I suppose this system, which at least is most economic, has something to commend it if the view of the body must continue to lie at the root of the jurisdiction to hold the inquest. At all events, this system probably is not half so bad as that in a neighbouring State which recently came in for some criticism at the hands of Mr. F.

Villeneuve Smith, k.c., of Adelaide, in the course of an appeal which he was conducting before the High Court in Melbourne. In that case Mr. Smith was explaining to the court the circumstances under which a coroner's report came into existence. He explained that, under the Coroners Act of South Australia, every Justice of the Peace was, by virtue of his office, also a coroner or, at least, a deputy coroner for his own Bailiwick. He went on to show how Justices of the Peace in South Australia were appointed by political favour and made it appear to the court that nearly every butcher, baker, and candlestick maker in South Australia was a Justice of the Peace for that State. At this point Mr. Justice Dixon enquired: "Was this report in writing, Mr. Smith?", to which Mr. Smith replied: "Oh, yes, Your Honour, this particular coroner could write."

So to sum up the position from the matters I have been discussing, members will probably agree that the necessity for taking the verdict of the jury in this jurisdiction no longer exists except in rare cases, as e.g. those under the Mines Act. Members will probably also agree that the administration of the Act by deputy coroners, such as those to whom I have referred, is not, to say the least of it, the most satisfactory style of inquisition, and that its continuance is only rendered necessary by the age-old requirement that the coroner must view the dead body.

It is submitted that it has been shown that the reasons underlying this requirement of a bygone era, when there was probably no medical profession as such, no longer remain, and that, therefore, there is now no justification for this requirement and that in its stead a new system might well be evolved. Under this the coroner could be given jurisdiction to hold his inquest once it had been proven to him that a dead body had been seen by a responsible witness. This might well be the senior medical officer in charge for the time being, in the case of our public hospitals, and in other cases the medical practitioner or some other responsible person in attendance at or soon after the death or the time when the body was found. This person should be permitted to give the necessary directions for post-mortem examination where the circumstances attendant upon the death make this course seem desirable. Were such a system evolved and sanctioned by law in Victoria, then the benefits to the teaching and student members of the medical profession about which Mr. Doyle has addressed us need no longer be denied them.