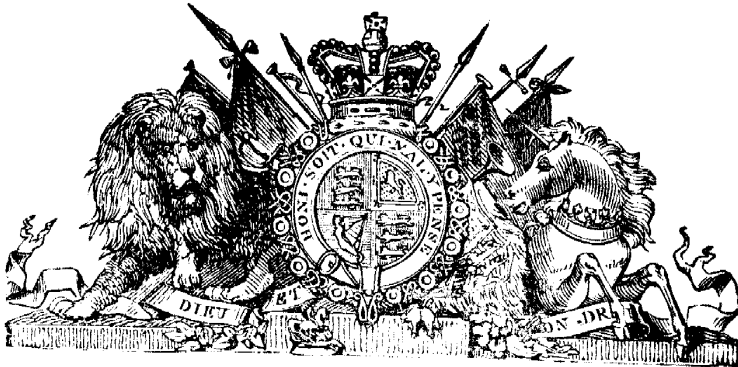


Repd No 332 of 14



1850.

No. 7.

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*ORDINANCE Enacted by the Governor of South Australia, with the advice and consent of the Legislative Council thereof.*

*To Regulate the Office of Coroner in South Australia.*

[19th March, 1850.]

**W**HEREAS it is expedient to provide certain rules and forms of proceeding for the taking of inquisitions, and to regulate the office of Coroner: Preamble.

Be it therefore Enacted, by the Governor of South Australia, with the advice and consent of the Legislative Council thereof— That the Sheriff, and any Deputy Sheriff of South Australia, and each and every Justice of the Peace throughout the Province, shall be, and the same are hereby declared to be, Coroners of the said Province: Provided always, that no such Justice shall be compellable to act as Coroner, if any Special or Stipendiary Magistrate shall be resident within twenty miles from the place where the inquest is to be held. Sheriff and Justice to be Coroners.

II. And

Notice of sudden or suspicious death to be given to the nearest constable.

II. And be it Enacted, That whenever any dead body shall be found, or any case of sudden death or of death attended with suspicious circumstances shall occur, then every person knowing or becoming acquainted with any such death, or of any dead body being found, shall forthwith give notice thereof to the nearest constable, or, in default, shall, on conviction for such neglect or omission, forfeit and pay a penalty of Ten Pounds.

Constable to inform the Coroner, who shall issue summonses for jurors and witnesses.

III. And be it further Enacted, That every constable receiving notice, or otherwise coming to the knowledge of any such death, or of any dead body being found, shall forthwith give such information thereof as he can obtain to the nearest Coroner, and such Coroner shall forthwith repair to the place where any such death shall have happened, or body shall have been found, if such place be convenient, or otherwise the nearest convenient place, and shall, if upon the receipt of such notice and information he shall deem it necessary to hold an inquest upon such dead body, issue summonses for a sufficient number of persons to attend and be sworn as jurors upon such inquest, at the time and place to be therein specified; and the said Coroner shall issue a summons for every witness whom he shall deem necessary to attend such inquest, at the time and place therein specified, for the purpose of giving evidence relative to such dead body; and he shall deliver, or cause to be delivered, all such summonses to one of the constables acting in and for the place where such inquest is to be held, who shall forthwith proceed to serve the same.

Qualifications of jurors upon inquests.

IV. And be it Enacted, That there may be summoned, as jurors upon such inquests, such persons as shall be qualified to serve as common jurors according to law: Provided always, that if the attendance of a sufficient number of jurors, qualified as aforesaid, cannot conveniently be had, it shall be lawful to summon such, and so many other fit and proper persons residing near the place where such inquest is to be holden, as shall be necessary to attend, and be sworn as jurors upon such inquest: Provided also, that no person who is now exempted from serving upon juries under and by virtue of any law now or hereafter to be in force in the Province relating to juries, shall be liable to be summoned as a juror upon any inquest to be holden under this Ordinance.

No person now exempted from serving on juries to be summoned under this Ordinance.

Coroner may summon Medical Practitioner to attend inquest.

V. And be it Enacted, That, from and after the passing of this Ordinance, in all cases where any Coroner shall hold an inquest upon any dead body, and shall find grave suspicion as to the cause of death, and deem the attendance of some medical witness to be necessary

necessary at such inquest, he shall summon, as such witness, any legally qualified Medical Practitioner at or near the place where such death happened; and for the like reasons it shall be lawful for the Coroner, at any time between the issuing of such summons and the termination of such inquest, to direct the performance of a *post mortem* examination by such medical witness: Provided, that if any person shall state upon oath, before the said Coroner, that, in his belief, the death of the deceased individual was caused, partly or entirely, by the improper or negligent treatment of any Medical Practitioner, or other person, such Medical Practitioner, or other person, shall not be allowed to perform or assist at the *post mortem* examination of the deceased.

VI. And be it Enacted, that whenever it shall appear to the majority of the jurors upon any inquest, that the cause of death has not been satisfactorily explained by the evidence examined at such inquest, it shall be lawful for the said jurors, by a requisition in writing, to call upon the Coroner to issue his summons for the attendance of some other legally qualified Medical Practitioner, or Practitioners; and if the Coroner, on receipt of such requisition, shall refuse or neglect to issue his summons as aforesaid, he shall be deemed guilty of a misdemeanor.

Jury may require further medical evidence.

Penalty on Coroner for refusal.

VII. And be it Enacted, That when any inquest shall be holden on the body of any person who has died in any public Hospital or Infirmary, or in any building or place belonging thereto, or used for the reception of the patients thereof, or who has died in any Lunatic Asylum, or in any public Hospital or Infirmary, or other public Medical Institution, whether the same be supported by the Government of South Australia or by voluntary subscriptions, then, and in such case, nothing shall be construed to entitle any Medical Officer whose duty it may have been to attend the deceased person as a Medical Officer of such Institution as aforesaid, to fees or remuneration.

When any inquest shall be held on the body of a person who died in any Hospital, &c., no remuneration shall be allowed to any Medical Officer for the same.

VIII. And be it Enacted, That when any person shall have been duly summoned to attend as a juror or as a witness at any inquest, and such person shall fail or neglect to attend at the time and place specified in such summons, it shall be lawful for the Coroner to cause such person to be openly called three times to appear and serve as a juror, or to appear and give evidence at such inquest, and upon the non-appearance of such person, and proof that such summons had been served upon him, or left at his usual place of abode, to impose such fine upon the person so making default, not exceeding the sum of Forty Shillings, as to such Coroner shall seem fit;

Coroner may fine jurors or witnesses for non-attendance at inquest, and transmit the account of the same to the clerk of the nearest Court.

fit; and such Coroner shall make out and sign a certificate, containing the Christian and Surnames, the residence, and trade or calling of every person so making default, together with the amount of the fine which shall have been imposed, and the cause of such fine, and the same shall be levied, recovered, and applied by the nearest local Court having jurisdiction to the amount, in like manner, and subject to the like powers, provisions, and penalties, in all respects, as if such fine or fines had been imposed by such local Court: Provided always, that nothing herein contained shall be construed to affect any power now by law vested in any Coroner for compelling any person to appear as juror, or to appear and give evidence before him on any inquest, or other proceeding, or for punishing any person for contempt of Court in not so appearing as juror, or in not so appearing and giving evidence, or otherwise.

Proviso.

Coroner may order dead body to be deposited in nearest public house, until an inquest be taken thereon.

IX. And be it Enacted, That whenever any dead body shall be found, and any Coroner shall, in consequence of the information received by him, consider it necessary to hold an inquest thereon, it shall and may be lawful for such Coroner to order and direct that such dead body shall be brought into the nearest convenient licensed public-house; and the owner or occupier of such public-house, shall, and he is hereby required to permit and allow such dead body to be deposited within the same, or within some part of the premises thereof, until the inquest shall have taken place; and if such owner or occupier shall refuse to permit such dead body to be deposited within the said house or some part of the premises thereof, it shall be lawful for the said Coroner to impose such fine not exceeding the sum of Forty Shillings upon such owner or occupier for such refusal or neglect, as to such Coroner shall seem meet.

Owner or occupier refusing to admit the same may be fined.

Coroner nearest only, to hold inquests, except in certain cases.

X. And be it Enacted, That if any Coroner shall hold an inquest in any place to which he shall not be the nearest Coroner, except during the illness, incapacity, or absence of the nearest Coroner, he shall state, in the abstract of such inquest as aforesaid, the reason of his having held such inquest, and it shall be lawful for the Auditor-General, before whom the abstract and accounts of such inquest shall be laid, to refuse to certify any sum of money for the payment of such a Coroner who shall hold such an inquest.

All orders of Coroners, &c., to be signed.

Any order not signed, &c., not to be of any effect.

XI. And be it Enacted, That every order which, by and under the provisions of this Ordinance, any Coroner shall make and issue, shall be signed by such Coroner; and that any order which any Coroner shall make and issue, and which shall not be signed as aforesaid, shall be of no force or effect whatsoever, nor shall any person be subject to or visited with any fine or other punishment for disobedience thereof.

XII. And

XII. And be it Enacted, That every Coroner upon any inquisition before him taken, whereby any person shall be charged with murder or manslaughter, or as an accessory to murder before the fact, or as an accessory after the fact to murder or manslaughter, shall put in writing the evidence given to the jury before him, or as much thereof as shall be material, and shall bind by recognizance all such persons as know or declare anything material touching the offence, to appear at the next Sessions of Oyer and Terminer, or Gaol Delivery of the Supreme Court, then and there to prosecute and give evidence against the party charged; and every such Coroner shall certify the same evidence and all such recognizances, and also the inquisition before him taken, and shall transmit the same forthwith to Her Majesty's Attorney or Advocate-General.

Depositions before Coroners.

XIII. And be it Enacted, That every person charged with having caused the death of the deceased person, or with having been accessory or instrumental thereto, shall be at liberty to be present, and to cross-examine each witness produced against him, as well as to produce evidence in his defence; and the examination of every witness for the defence shall be taken down, in writing, by the Coroner.

Any party accused may be present at inquests.

XIV. And be it Enacted, That the Coroner shall be at liberty, having previously explained to any prisoner or party accused that he is not compellable to answer any questions which may be put to him, to take down in writing any statement voluntarily made by him; and such written statement, signed by the prisoner or accused, after having been distinctly read over to him, shall be admissible evidence against him: Provided always, that any voluntary statements or confession of the prisoner or party accused, made at any time to any person, may be verbally proved at the trial of such prisoner or party accused.

Power for Coroner to take statement of party accused.

Proviso

XV. And be it Enacted, That if any person shall be deemed guilty of having caused, or of having been accessory or instrumental to, the death of the deceased, such person, if present, shall be arrested and committed by the Coroner to safe custody, to be delivered over to the keeper of the nearest Gaol.

Power for Coroner to commit party accused.

XVI. And be it Enacted, That in all questions which may arise on any Coroner's inquest to be hereafter held in this Province, and which are not herein provided for, the Coroners and jurors shall follow as nearly as possible the practice which would be adopted by a Coroner and jury holding an inquest in England under similar circumstances.

Practice of inquests in England to be followed.

XVII. And

Returns of inquests  
by Coroners.

XVII. And be it Enacted, That every Coroner by or before whom any inquest *post mortem* shall be taken, shall make an abstract of the inquisition and finding of the jury, and shall state in such abstract the names of the jurors in any such inquest, and the names of all the witnesses who shall have been examined at the same, and shall annex thereto an account of all sums of money due to him, as herein mentioned, for or on account of such inquest, and also an account of the number of miles which he shall have been compelled to travel from his usual place of residence to take such inquest, and of the number of days during which such inquest, or any adjournment thereof (if any) shall have continued, and a statement of the grounds of belief which such Coroner may, at the time of holding every such inquest, have entertained of the necessity for holding the same; and shall certify such abstracts, accounts, and statements, to be true and correct in all particulars, and shall sign the same, and shall transmit the same to the Colonial Secretary monthly, or at such times, and to be filed of record in such manner, as the Governor may direct.

Allowance for remuneration of Coroners, and mileage.

XVIII. And be it Enacted, That it shall be lawful for the Governor after examination and audit of such abstracts and accounts as aforesaid, to authorise the payment by the Colonial Treasurer out of the General Public Revenues of the Province, to such Coroner, of the sum of one pound sterling for each and every inquest held by him respectively as herein provided; and over and above such payment, such further and other sum at the rate of sixpence per mile for every mile which such Coroner shall have been obliged to travel from his usual place of residence for the purpose of taking such inquest: Provided always, that whenever any Coroner shall have held more than one inquest on the same day, then, in respect of every such inquest taken after the first, the said sum of sixpence per mile shall be computed and paid to such Coroner for every additional mile only which he shall have been compelled to travel in consequence of holding more than one inquest on the same day.

Proviso.

Mileage when no inquest is held.

XIX. And be it Enacted, That it shall and may be lawful for the Governor to authorise payment as aforesaid of such sum as to him shall seem fit, for the payment of the allowances for travelling as aforesaid to any Coroner who shall show, to the satisfaction of the Governor, that he had been compelled, in the discharge of his office, to travel from his usual place for the purpose of taking an inquisition, but which, in the exercise of his discretion, he deemed to be unnecessary, and declined to take.

XX. And

XX. And be it Enacted, That if any Coroner shall offend in anything contrary to the true intent and meaning of the provisions of this Ordinance, it shall be lawful for the Supreme Court, upon examination and proof of the offence in a summary manner, to set such fine upon such Coroner as the Court shall think meet.

Coroners offending against this Ordinance may be fined.

XXI. And Whereas it is expedient to make provision for supporting Coroners' inquisitions, and for preventing the same from being quashed on account of technical defects, be it therefore Enacted, That from and after the passing of this Ordinance, no inquisition found upon or by any Coroner's inquest, nor any judgment recorded upon or by virtue of any such inquisition, shall be quashed, stayed, or reversed, for want of the averment therein of any matter unnecessary to be proved; nor for the omission of the words "with force and arms," or of the words "against the Peace," or of the words "against the form of the Statute," nor for the omission or insertion of any other words or expressions of mere form or surplusage, nor for the insertion of the words "upon their oath," instead of the words "upon their oaths;" nor for omitting to state the time at which the offence was committed when time is not the essence of the offence; nor for stating the time imperfectly; nor because any person or persons mentioned in any such inquisition is or are designated by a name of office, or other descriptive appellation, instead of his, her, or their proper name or names; nor by reason of the non-insertion of the names of the jurors in the body of any such inquisition, or of any difference in the spelling of the names of the jurors in the body of any such inquisition, and the names subscribed thereto; nor because any juror or jurors shall have set his or their mark or marks to any such inquisition, instead of subscribing his or their name or names thereto; nor because any such mark or marks is or are unattested, provided the name or names of such juror or jurors is or are set forth; nor because any juror or jurors has, or have, signed his or their Christian name or names by means of an initial or partial signature only, and not at full length; nor because of any erasures or interlineations appearing in any such inquisition, unless the same shall be proved to have been made therein after the same was signed; nor for want of a proper name where the inquest shall appear or purport to have been taken by a Coroner; nor (except only in cases of murder or manslaughter) for or by reason of any such inquisition not being duly sealed; nor because the Coroner or jury did not all view the body at one and the same instant, provided they all viewed the body at the first sitting of the inquest.

Inquisitions not to be quashed on account of technical defects.

XXII. And be it Enacted, That the forms in the Schedule hereto, shall

Forms in Schedule.

shall be valid and sufficient for the several proceedings referred to in this Ordinance.

Commencement.

XXIII. And be it Enacted, That this Ordinance shall commence and take effect from and after the passing thereof.

H. E. F. YOUNG,  
Lieutenant-Governor.

*Passed the Legislative Council, this }  
Nineteenth day of March, One }  
Thousand Eight Hundred and }  
Fifty.*

W. L. O'HALLORAN,  
Clerk of Council.



## SCHEDULE.

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### *The Coroner's Precept to Summon a Jury.*

*South Australia* } TO  
 (*to wit*). } of South Australia. and all Constables

By virtue of my office, these are in Her Majesty's name to require and command you, immediately upon sight hereof, to summon and warn twenty-four good and lawful men, to be and appear before me, one of the Coroners of the Province aforesaid, at in the said Province, on the day of at of the clock in the noon, then and there to inquire of, do, and execute all such things as on Her Majesty's behalf shall be lawfully given them in charge, touching the death of A.B.; and be you then there to certify what you shall have done in the premises, and further do and execute what in behalf of our said Lady the Queen shall be then and there enjoined you. Given under my hand and seal the day of

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### *Form of Oath to be administered to Jurors.*

“You shall diligently enquire and true presentment make, on the behalf of our Sovereign Lady the Queen, how and in what manner A.D. (or a person unknown, as the case may be), here lying dead, came to his death, and of such other matter relating to the same as shall be lawtully required of you, according to the evidence—So help you God!”

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### *Form of Oath to be administered to Witnesses.*

“The evidence which you shall give to this inquest on the behalf of our Sovereign Lady the Queen, touching the death of A.D., shall be the truth, the whole truth, and nothing but the truth—So help you God.”

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### *Inquisition of Murder.*

*South Australia* } An inquisition indented, taken at in the Province  
 (*to wit*). } aforesaid, the day of in the year  
 of the reign of Her Majesty Queen Victoria, before me A.C., gentleman, one of the Coroners of our Lady the Queen for the Province aforesaid, upon the view of the body of A.D., then and there lying dead, upon the oaths of A. B. C. D. E. F. &c., good and lawful men of the Province aforesaid, who being sworn and charged to enquire

enquire on the part of our Lady the Queen, when, where, how, and after what manner the said A. D. came to his death, do say upon their oath, that one A. M., late of aforesaid, gentleman, not having the fear of God before his eyes, but being moved and seduced by the instigation of the devil, on the day of in the year of our Lady the Queen aforesaid, with force and arms at , in the Province aforesaid, in and upon the aforesaid A.D., then and there being in the peace of God and of the said Lady the Queen, feloniously, wilfully, and of his malice aforethought, made an assault; and that the aforesaid A.M. then and there, with a certain sword, of the value of five shillings, which the said A.M. then and there held in his right hand, the aforesaid A.D. in and upon the left part of the belly of the said A.D., a little above the navel of the said A.D., then and there violently, feloniously, wilfully, and of his malice aforethought, struck and pierced and gave to the said A.D., then and there, with the sword aforesaid, in and upon the aforesaid left part of the belly of the said A.D., a little above the navel of the said A.D., one mortal wound, of the breadth of half an inch and of the depth of three inches, of which said mortal wound the aforesaid A.D. then and there instantly died: And so the jurors aforesaid, upon their oath aforesaid, do say, that the said A.M. him the said A.D., in manner and by the means aforesaid, feloniously, wilfully, and of his malice aforethought, did kill and murder, against the peace of our said Lady the Queen, her Crown and Dignity:

And the said jurors further say upon their oath aforesaid, that A.A., of yeoman, and B.A., of , yeoman, were feloniously present at the time of the felony and murder aforesaid, in form aforesaid committed, that is to say, on the said day of in the year aforesaid, at aforesaid, in the Province aforesaid, then and there comforting, abetting, and aiding the said A.M. to do and commit the felony and murder aforesaid, in manner aforesaid, against the peace of our said Lady the Queen, her Crown and Dignity:

And, moreover, the jurors aforesaid, upon their oath aforesaid, do say, that the said A.M., A.A., and B.A., had not nor any of them had, nor as yet have or hath any goods or chattels, lands or tenements, within the Province aforesaid, or elsewhere, to the knowledge of the said jurors. [Or, And the jurors aforesaid, upon their oath aforesaid, do say, that the said A.B., at the time of the doing and committing of the felony and murder aforesaid, had goods and chattels, contained in the inventory to this inquisition annexed, which remain in the custody of B.C.]

In witness whereof, as well the aforesaid Coroner as the jurors aforesaid, have to this inquisition set their hands and seals, on the day and year, and at the place first above mentioned.

A. C., Coroner.

A. B. }  
C. D. } Jurors.  
E. F., &c. }

*An Inquisition where one Hangs himself.*

As above, to not having the fear of God before his eyes, but being seduced and moved by the instigation of the devil, at aforesaid, in a certain at aforesaid, standing and being, the said A. D. being then and there alone, with a certain hempen cord, of the value of threepence, which he then and there had and held in his hands, and one end thereof then and there put about his neck, and the other end thereof tied about a of a certain himself then and there, with the cord aforesaid, voluntarily and feloniously, and of his malice aforethought, hanged and suffocated: And so the jurors aforesaid, upon their oath aforesaid, say that the said A. D. then and there in manner and form aforesaid, as a felon of himself, feloniously, voluntarily, and of his malice aforethought, himself killed, strangled, and murdered, against the peace, &c.

*An*

*An Inquisition where one Drowns himself.*

at aforesaid, in the aforesaid, then and there being alone in a common river, there called , himself voluntarily and feloniously drowned: And so the jurors aforesaid, upon their oath aforesaid, say that the aforesaid A. D., in manner and form aforesaid, then and there himself, voluntarily and feloniously as a felon of himself killed and murdered, against the peace, &c.

*An Inquisition on one Drowned by Accident.*

that the said A. D., on the day of in the year aforesaid, at the and in the aforesaid, going into the river , there to bathe himself, it so happened, that accidentally, casually, and by misfortune, he the said A. D. was in the water of the said river, then and there suffocated and drowned, of which said suffocation and drowning he the said A. D. then and there instantly died: And so the jurors aforesaid, do say, that the said A. D., in manner and by the means aforesaid, accidentally, casually, and by misfortune, came to his death and not otherwise. In witness, &c.

*An Inquisition where one Dies a Natural Death.*

that the said A. D., on the day of in the year aforesaid, at the and in the Province aforesaid, to wit in a certain place called was found dead; that he had no marks of violence appearing on his body, and died by the visitation of God, in a natural way and not otherwise. In witness, &c.

*An Inquisition upon one who Dies in a Gaol.*

who say upon their oath, that the aforesaid A. D., on the day of the taking of this inquisition, being a prisoner in the Gaol at in the Province aforesaid, then and there died of the visitation of God, and then and there in manner and form aforesaid came to his death, and not otherwise. In witness, &c.

*An Inquisition on one Non Compos Mentis.*

who say upon their oath, that the aforesaid A. D., on the day and year aforesaid, and at the time of his death, to wit, from the day of to the time of his death, and at the time of his death aforesaid was a lunatic and a person of insane mind; and that the said A. D., being a lunatic and a person of insane mind as aforesaid, did on the day of come alone to a certain river called , in the said Province, and did then and there cast himself into the said river, and drowned himself in the water of the said river: And so the jurors aforesaid, upon their oath aforesaid, say that the aforesaid A. D., from the cause aforesaid, in manner and form aforesaid, came to his death, and not otherwise. In witness, &c.

*An*

*An Inquisition on one for Cutting his Throat.*

by the instigation of the devil at \_\_\_\_\_ aforesaid, in the Province aforesaid, in and upon himself, then and there being in the peace of God and of the said Lady the Queen, feloniously, voluntarily, and of his malice aforethought, made an assault; and that the aforesaid A. D., then and there, with a certain knife, of the value of one penny, which he, the said A. D., then and there held in his right hand, himself, upon his throat, then and there feloniously, voluntarily, and of his malice aforethought, did strike and gave to himself, then and there, with the knife aforesaid, upon his throat aforesaid, one mortal wound, of the breadth of four inches and the depth of one inch, of which said mortal wound the said A. D., at \_\_\_\_\_ aforesaid, in the \_\_\_\_\_ aforesaid, languished, and languishing, lived from the said \_\_\_\_\_ day of \_\_\_\_\_ in the \_\_\_\_\_ year aforesaid, to the \_\_\_\_\_ day of \_\_\_\_\_ and that the said A. D. on the \_\_\_\_\_ day of \_\_\_\_\_ aforesaid, in the \_\_\_\_\_ year aforesaid, at \_\_\_\_\_ aforesaid, in the Province aforesaid, of that mortal wound died: And so the jurors aforesaid, &c.

*For Killing another in his own Defence.*

upon their oaths say, that A. K., late of \_\_\_\_\_ gentleman, at \_\_\_\_\_ aforesaid, in the said \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ in the \_\_\_\_\_ year of \_\_\_\_\_ in the peace of God and of our said Lady the Queen then being, A. M., late of \_\_\_\_\_ in the \_\_\_\_\_ at the hour of \_\_\_\_\_ in the afternoon of the same day, did come, and upon him the said A. K., then and there, of his malice aforethought, did make an assault, and him the said A. K. did then and there endeavor to beat and kill, by continuing the assault aforesaid, from the house of one W. H., in \_\_\_\_\_ aforesaid, to a certain place called \_\_\_\_\_ in the \_\_\_\_\_ aforesaid, and the said A. K. seeing that the said A. M. was so maliciously disposed, to a certain wall in the said place, called \_\_\_\_\_ did flee, and from thence for fear of death could not escape, and so the said A. K. himself, in preservation of his life against the said A. M., continued to defend, and in his own defence him the said A. K., upon the right part of the breast of him the said A. M., with a certain sword, of the price of one shilling, which the said A. K. then and there held in his right hand, did strike, then and there giving to the said A. M. one mortal wound, of the breadth of one inch and of the depth of three inches, of which said mortal wound the said A. M., at \_\_\_\_\_ aforesaid, in the Province aforesaid, languished, and languishing, lived from the said \_\_\_\_\_ day of \_\_\_\_\_ to the \_\_\_\_\_ day of \_\_\_\_\_ from thence next ensuing, and that the said A. M. on the said \_\_\_\_\_ day of \_\_\_\_\_ in the \_\_\_\_\_ year aforesaid, at \_\_\_\_\_ aforesaid, in the said Province, of that mortal wound died; and so the said A. K. did then and there kill him the said A. M. in his own defence.

*An Inquisition where the Murderer is unknown.*

The same as before, only say, \_\_\_\_\_ that a certain person unknown, &c., and add: And the said jurors upon their oath aforesaid, further say, that the said person unknown after he had committed the said felony and murder in manner aforesaid, did flee away, against the peace, &c.

*Warrant to Bury.*

*South Australia* } TO the Constables of the Province of South Australia, and to  
 (to wit). } all others whom these may concern:

Whereas, I, with my inquest, the                    day and year hereunder written, have taken a view of the body of I. D. who, not being of sound mind, memory, and understanding, but lunatic and distracted, shot himself [or agreeably to the finding of the jury], who now lies dead in your                    and have proceeded therein according to law: These are, therefore, to certify, that you may lawfully permit the body of the said I. D. to be buried; and for so doing this shall be your warrant.

Given under my hand and seal, the                    day of

Coroner.

*Warrant to take up a Body interred.*

*South Australia* } TO the Constables of South Australia, and to all others whom  
 (to wit). } these may concern:

Whereas complaint hath been made unto me, one of Her Majesty's Coroners for the said Province, that on the                    day of                    the body of one G. R. was privately and secretly buried in your                    in the said                    ; and that the said G. R. died not of a natural but violent death: And whereas no notice of the violent death of the said G. R. hath been given to any of Her Majesty's Coroners for the said Province, whereby, on Her Majesty's behalf, an inquisition might have been taken on view of the body of the said G. R., before his interment, as by law required: These are, therefore, by virtue of my office, in Her Majesty's name, to charge and command you, that you may forthwith cause the body of the said G. R. to be taken up, and safely conveyed to the                    in the said                    that I, with my inquest, may have a view thereof, and proceed therein according to law. Hereof fail not, as you will answer the contrary at your peril.

Given under my hand and seal, the                    day of

Coroner.

\* \* \* Depositions of Witnesses, Statements of Parties accused, Recognisances, and Warrants, may be in the like forms as before Justices of the Peace, *mutatis mutandis*.