

SUPPLEMENTAL IV.—*An Act in relation to Coroners in the City and County of San Francisco.*—Approved March 16, 1872.

SECTION 1. Every person elected or appointed to the office of Coroner, before he shall enter upon the duties of such office, shall take the constitutional oath of office, and give an official bond in the sum of five hundred dollars.

SEC. 2. The duties of Coroner shall be: first, to hold inquest upon the bodies of persons slain, or who shall have committed suicide, or been found dead under such circumstances as to lead to a suspicion of crime committed within the county in which such Coroner resides; second, to issue process for the arrest of one charged upon inquest with murder or manslaughter; to hold inquest on the body of every prisoner who dies in jail; and it shall be the duty of the Jailor, whenever a prisoner dies in his custody, to send for the Coroner who has jurisdiction, who shall hold inquest upon the body of such prisoner. The duties of Coroners upon inquests shall not be delegated.

SEC. 3. Whenever any Coroner shall receive notice that any person has been slain, or has committed suicide, or has died suddenly, or has been found dead under such circumstances as to require an inquisition, it shall be his duty to go to the place where such person shall be, or if the body shall have been interred, shall cause it to be disinterred, and shall forthwith summon not less than nine or more than fifteen persons to serve as jurors, to appear before him forthwith at such place as he shall appoint, and make inquisition concerning such death. The Coroner must summon the jurors in person. He shall summon none but persons duly qualified by law to serve as jurors, and no such person shall be exempt except at the discretion of the Coroner. No person shall be summoned who is related to the deceased or to any person who may be suspected or charged with the killing, nor shall any one be summoned who is known to be prejudiced for or against him; but the jurors who are selected and appear shall not be challenged by any party.

SEC. 4. Every person summoned as a juror who shall fail to appear without having a reasonable excuse, shall forfeit a sum not exceeding the sum of two hundred dollars, to be recovered by the Coroner, in the name of the people of the State, before any Justice of the Peace in the proper township, and when collected to be paid into the County Treasury for the use of the county.

SEC. 5. When six or more of the jurors attend they shall be sworn by the Coroner and charged by him to inquire how and in what manner and when and where such person came to his death, and who such person was, and into all the circumstances attending such death, and to make a true inquisition according to the evidence offered to them or arising from the inspection of the body.

SEC. 6. There shall be but one inquest upon a body, unless that taken be set aside by the Court; and there shall be but one inquest held upon several bodies of persons who were killed by the same cause and who died at the same time. Whenever it shall appear that an error in the identity of the body has been made by the jury, it shall be discretionary with the Coroner to call another inquest upon the body without reference to the Court, and a memorandum of the error shall be entered upon the erroneous inquisition.

SEC. 7. After the jury have been sworn and charged by the Coroner, they shall go together with the Coroner to view and examine the body of the deceased person. They shall not proceed upon the inquest until they have so viewed the body. After the jury have viewed the body they may retire to any convenient place to hear the testimony of witnesses and deliberate upon their verdict. For this end the Coroner may adjourn the inquest from time to time, as may be necessary.

SEC. 8. The Coroner may issue subpoenas for witnesses, returnable forthwith or at such time and place as he may appoint therein, which may be served by any competent person by reading the same to the witness or informing him or her of the contents thereof, and such witness shall not be entitled to any fee for attendance. Every person served with such subpoena shall be liable to the same penalties for disobedience thereto, and his attendance may be enforced in like manner as in case of subpoenas issued by a Justice of the Peace.

SEC. 9. The Coroner shall summon and examine as witnesses every person who, in his opinion or that of the jury, has any knowledge of the facts, and he may summon a surgeon or physician to inspect the body and to give a professional opinion as to the cause of death; and if it shall be necessary, the Coroner may cause a *post mortem* examination or chemical analysis to be made, and the expense of such examination or analysis shall be a county charge, to be fixed by the Board of Supervisors.

SEC. 10. Witnesses produced shall be sworn by the Coroner, and the whole of the testimony shall be reduced to writing by the Coroner, or under his direction, and signed by the witnesses in the presence of the jury, and each deposition shall have a jurat attached. The jury, after hearing all the testimony offered before them, shall retire as jurors in other cases and deliberate upon their verdict, suffering no one, not even the Coroner, to mingle with them in their deliberations; but they may, as in the case of jurors in the Courts of law, take the opinion of the Coroner upon any question of law that may arise upon the investigation.

SEC. 11. The Coroner may call upon the District Attorney to assist him in the examina-