

THE  
**CORONERS' DIRECTORY.**

DEDICATED BY PERMISSION,

TO

COL. SIR WM. GOSSET, K.C.H.

BY

JOSEPH MALACHY FALLON,

APOTHECARY EXTRAORDINARY TO HIS EXCELLENCY THE LORD  
LIEUTENANT.

MULGRAVE MEDICAL HALL,

MULGRAVE STREET,

ATHLONE.

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*Price Five Shillings.*



*Dublin Castle, 24th July, 1835.*

SIR,

In reply to your letter of the 19th inst. in which you proposed dedicating to me your treatises on the duties of Coroners, I beg to say that I accept your obliging attention, I have no hesitation in saying that from the official experience I have had of the manner in which the duties of those offices are frequently performed, a work that will guide to a more uniform and just system, will be of great public advantage.

I have no official list of the Coroners of the several counties and cities in Ireland, I enclose you such as the almanack affords.

I am Sir,

Your Obedient Servant,

WM. GOSSET.

To J. M. Fallon, Esq. Apothecary Extraordinary  
to the Lord Lieutenant.

TO COL. SIR WM. GOSSET, K.C.H.

*Castle, Dublin.*

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SIR,

Allow me to offer my grateful and sincere acknowledgements for the kind and polite manner in which you have been pleased to accept my dedication of the Coroners' Directory.

From the first moment I contemplated the task, you have evinced the most marked attention in forwarding to me any Acts of Parliament I might have required for my assistance, and if any thing connected with the Directory is calculated to

impress the public mind favourably in its behalf, it will be the name of its Patron. Wishing you a long and happy life.

I have the honour to remain,

Sir,

Your obedient, humble servant,

**JOSEPH M. FALLON,**

Apothecary Extraordinary to the  
Lord Lieutenant.

## THE CORONERS' DIRECTORY.

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IN offering the present little book to the Public, the writer has only one object in view, viz. a sincere desire to see the situation of Coroner as respectable as it was intended it should have been, and that the sheriffs of the different counties henceforward may be more particular in causing the qualification oath to be taken by each candidate previous to his being declared duly elected Coroner. Many errors of course may appear through the pages of the Directory, but the writer claims indulgence from a kind and patronising public; should it chance to meet the eye of a critic, let him do as he would wish to be done by, "for charity covereth a multitude of sins."

THE HOUSES OF THE OIREACHTAS



# THE CORONERS' DIRECTORY.

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## CHAPTER I.

IF it were required in olden times, that nones should be chosen Coroners, but persons possessing an estate sufficient to maintain the dignity of the office, it cannot be denied but at the present day, when the march of intellect is so much on the advance, that equal precaution is necessary—and the Legislature have most wisely provided an act in the third year of the reign of His late Majesty GEO. IV. cap. 115, “entitled an act to regulate the qualifications of persons holding the office of Coroners in *Ireland*,” by this act it was contemplated, that none but persons properly qualified should be elected to fill the office of Coroner; by the

term properly qualified are meant, three things ; first, qualification as to property ; secondly, as to residence in the county for which the Coroner may have been elected ; thirdly, as to the education, profession or buisness of the Coroner, these are the three essentials to which proper care should be paid by the sheriffs, as well as the electors generally.

In the present chapter I shall endeavour to explain the qualification as to property, which the candidate for the coronership should possess, and it is a matter to be regretted that latterly at elections for Coroners, the candidates have not been more scrupulously examiued on this particular point. In all cases when an election for Coroner is about to take place, regular notice should be given by the sheriff in the respective county, for the holding of such election in open court, and such Coroner is there and then to be elected by the freeholders solely, as in case of the election of a Member of Parliament, such election for the office of Coroner shall not continue longer than ten days, from the day of the

delivery of the writ for holding such election —and it is the bounden duty of such sheriff there and then to cause such candidate to take the oath of qualification as required, agreeable to the act of Parliament in this case made and provided viz. I, A. B. do swear, that I truly and bonâ fide, have such an estate in law or equity, to or for my own use and benefit, of or in lands, tenements or hereditaments over and above what will satisfy and clear all incumbrances that may affect the same, of the annual value of two hundred pounds, or four hundred pounds, (as the case may be) as doth qualify me to be elected and chosen to serve the office of Coroner for the county of Roscommon, according to the tenor and meaning of an act passed in the third year of the reign of His late Majesty GEO. IV. “entitled an act to regulate the qualification of persons holding the office of Coroner in Ireland”—and that my said lands, tenements or hereditaments, are lying or being in the parish of St. Peter’s, in the barony of Athlone and county aforesaid.

One of the chief inducements the

Legislature had in passing the late act for the regulation of Coroners, was, as the act itself stated, that for many years past the office of Coroner in Ireland has been suffered to fall into disrepute, and get into low and indigent hands, for remedy whereof be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lord's Spiritual and Temporal and Commons in the present Parliament assembled, and by the authority of the same, that from and after the passing of this act, no person shall be capable of being elected, or chosen to the office of Coroner for any county in Ireland, who shall not have an estate of inheritance of the annual value of two hundred pounds or an estate of freehold for his own life, or the life or lives of some other person or persons either at law or in equity, to and for his own use and benefit, of or in lands, tenements or hereditaments over and above what will satisfy, and clear all incumbrances that may affect the same, lying and being within the county for which such person shall be elected or chosen Coroner; of the annual value of four hun-

dred pounds, and if any person who shall be elected or chosen to serve the office of Coroner for any county in Ireland, shall not at the time of such election be seized of or entitled to such an estate in lands, tenements, or hereditaments as is herein before required, such election shall be null and void.

Any person reading over carefully the foregoing extract from the Coroners' act, must clearly perceive how particularly exact the Sheriffs ought to be, in and at the election for Coroners; and how much society is likely to suffer by any neglect in such respect. However in some instances it cannot be denied but Sheriffs have overlooked this particularly requisite enactment, and suffered persons to be put in nomination, and actually elected as Coroners, who were in no one manner qualified for the office. I shall not stop here to make any unkind or invidious remark on the conduct of Sheriffs, as I have the pleasure of an acquaintance with some of them, and more amiable, excellent or upright men do not exist, all I will remark is simply this much, that

through their simplicity in this instance, they have been imposed upon, and have actually been induced to return persons every way unfit for the office of Coroner; in the spirit of good nature I would advise the Sheriffs of Ireland to beware, how in future they may be misled on such occasions, and what a weighty responsibility they are likely to incur from any non-observance of this point; for instance, if a candidate should offer not duly qualified, and through some unhappy manœuvre be declared duly elected Coroner, without having taken the oath of qualification as required by the act of Parliament, (as might have been the case) what an awkward predicament the Sheriff must find himself in, when written to by the Lord Chancellor's Secretary, to know if Mr. Suchabody had been elected Coroner for such a county, without having been required to take the oath of qualification in such case made and provided.

Mark gentle reader, this is a case in point, and has been a subject of investigation up to the present moment; where the Coroner is well known not to possess a

particle of qualification, either as to property, information, education, or any of the ordinary essentials—the Sheriff must either inform his Lordship's Secretary, that the home made Coroner has taken the oath of qualification, or he has not, should he have been so unfortunate as to take the oath, and it a matter of notoriety that he could not have done so with safety to his conscience; an indictment for perjury should be preferred against him, and the Crown Solicitor would proceed against him as the law in such cases provides; should the Coroner however be elected without having been obliged at all to take the oath of qualification, (as occurred in this county, very lately) and suffered to go at large, with all the authority of a regularly chosen officer, then observe what a dilemma the Sheriff is placed in, the acts of such a Coroner become a perfect nullity, the public money he presents for completely lost on him, (should the Grand Jury be so far regardless of facts, as to allow such presentments) the medical men who may have been employed by him to attend at inquests, incurring a

great risk of their presentment not being allowed. Mark the conduct of the Westmeath Grand Jury on a late occasion, rejecting the presentments of a mushroom Coroner, notwithstanding the claim for long and faithful services he might have had on a member of the grand panel, whilst the Roscommon Grand Jury with all their disposition for œconomy have suffered the presentments of the same functionary to pass, with a slight appearance of dissatisfaction, the money in such a case I most unhesitatingly assert has been misapplied, and the Grand Jury as well as the presiding Judge in all such instances should be more particular at the ensuing assizes, the public are sufficiently well taxed without any such incumbrances; and it would be desirable if the Grand Juries of Ireland, but of Roscommon in particular, would imitate the conduct of Westmeath at the approaching assizes. If in future any neglect on the part of Sheriffs should be discovered, as to omit causing each candidate for Coronership to take the oath of qualification, the Lord Chancellor will



visit such officer with his marked displeasure. Let me now ask what possible use can any person have in offering himself as candidate for the office of Coroner, when he well knows he dont possess any one requisite for the situation, and that he only leaves himself liable to be removed on the representation of a few of the freeholders of the county, by memorial to the Lord Chancellor. In point of fact every shilling of money, such a Coroner may receive by presentment, he is liable to be called on to refund to the Treasurer of the County ; such are the results likely to ensue from the election of a disqualified Coroner, and which should be guarded against at every forthcoming election. I shall now close this chapter, with a sincere and well intended advice to the Sheriffs of Ireland to be more cautious in future, otherwise they may meet with trouble, they little anticipate.

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## CHAPTER II.

THE object of the second chapter, is to point out the actual necessity of the Coroner's residing in the County for which he has been elected. For it cannot be expected a Coroner could possess with every other qualification, that of ubiquity; for instance if a Roscommon Coroner were also elected Coroner for Westmeath, how is it possible he could reside in the two counties at one and the same time, as an extract from the Attorney General's opinion will at once shew how absolutely and indispensibly necessary it is that, the Coroner should reside solely in the county for which he has been elected; the following opinion was given by the Attorney General in reply to a letter sent to the

Under Secretary of state, relative to a Roscommon and Westmeath Coroner, who had been elected contrary to the 3rd of GEO. IV. cap. 115,—the Attorney General states “that a petition from two or more freeholders of the counties of Roscommon and Westmeath, ought to be presented to the Chancellor, to quash the returns of the Sheriffs to the writ *de Coronatore Elegendo*, and to have new writs for the election of Coroners issued. The grounds of these applications will be the profession, or buisness of the Coroner, his want of qualification, and his *omission* to qualify, and non-residence in the County in which he does *not* reside, is an objection to his election to the office in that County; these petitions must be verified by affidavits.” The Attorney General presumes that the Coroner in question did not take the oath prescribed by the 3rd GEO. IV. cap. 115, as the Sheriffs do not, as they ought, state that he did; but that, if in fact he took the oath, there ought to be an indictment for perjury preferred against him; the Crown Solicitor if required by the Petitioners,

should institute these proceedings, such are the terms of the Attorney General's opinion, and it deserves the attention of the Sheriffs, as well as the Grand Juries of Ireland; after the foregoing opinion, it is to be hoped the Grand Juries of Westmeath and Roscommon will be cautious in their distribution of the public money, on persons having no claim whatever; this is a point must be attended to, as the act of Parliament is very explicit on the subject. With the exception of the ubiquitous Coroner of Roscommon and Westmeath, I believe there is no other Coroner in Ireland that is likely to become the subject of the Lord Chancellor's Supersedeas. Convenience also as to residence, is a very desirable thing as regards Coroners, for in cases of sudden deaths, a Coroner should if possible be always at hand, in some instances where the attendance of a Coroner cannot be had, a neighbouring Magistrate will be quite sufficient; a case occurred very lately within a mile of this town, a boy died rather suddenly, and although the County and Borough Coroner were both within

call, the boy was buried without an inquest being held, although it is reported the Coroner refused to attend notwithstanding being called upon; this is an odd state of affairs in a civilized country; yet so it is; and calls loudly for the Lord Chancellor's interference, what makes the Coroner's refusal to attend the more remarkable, in a few weeks afterwards he attended an inquest in the same neighbourhood and county; how such strange conduct can be accounted for, I leave the reader to surmise, thus ends the second chapter of the Coroners' Directory.

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### CHAPTER III.

THIS chapter comprises in my opinion, by far the most requisite of the three essentials; namely, the education, and profession or business of the Coroner, let me dwell for a moment on the necessity of a Coroner being a well educated man, and I question much if any of my readers will doubt the truth of my statement, how frequently does it happen that Coroners are called upon to act where the liberty of the subject, the dearest of all earthly privileges is concerned; and if he happen to be an uneducated man, as occasionally may happen, what lamentable consequences may result, the guilty offender may escape with impunity, whilst the innocent man may be visited with the severest infliction

of the law ; Coroners may be called upon to preside where an uneducated or perhaps partial Jury can only be procured, and in such cases the Coroner must be a man of information, sound judgment, and common sense, otherwise how can it be expected that truth can be elicited, and the ends of justice satisfied, some persons may think these extreme cases, even so, it is not the less desirable that every Coroner should be a person of liberal education and discernment, I shall conclude my observations on this part of the chapter by giving an account of an adventure of a Coroner, an acquaintance of mine, as illustrative of the truth of my remarks, as my friend the Coroner, on one occasion happened to be passing across a field, he observed a dead cat lying on the pathway, which from the lateness of the hour he considered to be a child, it occurred to him that this was too good a chance to let pass in bad times, and he immediately consulted one of his companions who kept a hotel, the advice of Boniface was, that a jury should be sworn, and an inquest held

the Coroner gladly acquiesced to the friendly suggestion, and adjourned to the house of *mine host*, where immediately thirteen persuasive draughts were ordered for the Jury and President, the first libation had but little effect on the Jury, as to whether the subject of the inquisition was a cat or a child, but after two repetitions of the anodyne mixture, the Jury to a man said it must have been a child that was deserted, and the Coroner drew up a verdict to the following effect; "we find that deceased came to its death in a green field from the inclemency of the weather," signed for self and brother Jurors, thus terminated the funniest inquest on record.

Can it be denied but such a Coroner is unfit for office, and will it be believed he is still allowed to enjoy all the priveleges, although it is as clear as the sun at noon day, that he is unfit for the situation, the following is an exact copy of the same Coroner's committal of three persons, against whom a verdict was one time found at an inquest, for murder.

"I herewith enclose you the bodies of



James John and Ned Suchaperson, who stand committed before me this day, for having on the night of the 12th *proximo*; committed a bodily offence on the person of such a man, with an intent to take his life, which they have accomplished; you are them to keep in safe custody, until discharged by law, as may appear fit; for which this shall be your warrant.

Given under my hand and seal,

&c. &c. &c.

This is specimen the second, of the uneducated Coroner, contrary to the 3rd of GEO. IV. cap. 115. Freeholders of Ireland look well to yourselves, if there should be any disqualified Coroner amongst you, act in the same manner as the freeholders of Roscommon have, memorial the Lord Chancellor for the removal of such an incubus; and speedily you will be relieved from the nuisance, nuisance is rather a harsh term, but when a man becomes a public pensioner on a county, contrary to peace and statute, he can be considered little less than a *nuisance*.

By the 6th of ANNE, cap. 7, Coroners

were empowered to receive any mesne process or execution, in cases where the Sheriff was an interested party, or where the Sheriff might be supposed partial, and in such instances every Coroner to whom such process or execution might have been directed, was authorised and empowered to take bail for the appearance of such person or persons, taken by him on such process, as the Sheriff might have done, and should be liable to an action in case of any escape of any person in his custody on such mesne process or execution, as the Sheriff should have been, if the said writ had been executed by him, and that the said Coroner should and might take such fees, and no other or more, for execution of the said several writs, than as was by the said act appointed, and should the said Coroner commit any person or persons so taken by them to the county gaol, the gaoler was thereby directed and required to receive and detain them. As a further proof of the danger of allowing any uneducated or disqualified person to be admitted as Coroner ; the foregoing extract from the 6th of

ANNE, cap. 7, will sufficiently clear up the point, as any low or indigent person holding or permitted to hold the office, may indulge the worst or most vindictive feelings, should he be entrusted with such a writ ; a case of this sort happened some time past, not a hundred miles from this Town. The Legislature have acted wisely in being so far particular as to the qualification required by candidates for the Coronership, and it is to be hoped the Sheriffs will be rigidly exact on all such points ; if we only look back to the inquests at the ill-fated Rathcormack, and consider the exertions of the Gentlemen who acted there as Coroners, it would give some idea of the necessity of having men of information presiding at inquests, or if we read Mr. O'Brien's (Coroner for the county of Cork,) charge to the Jury at Inniscara, we cannot avoid admiring the tact of that Gentleman, in giving his opinion about the compromise, his address to the Jury at once shewed him to be a man of a liberal and enlightened understanding, having a perfect knowledge of medical jurisprudence,

such Gentlemen as the County of Cork Coroners, deserve well of their Grand Juries, as they are a credit to the constituency who have elected them; I shall conclude these remarks by assuring my Readers, that I have not been actuated by any unkind or illnatured motives in making my comments on the conduct of Coroners, every person who goes before the public in print, has a right to say and write what he pleases, provided such be truth, I do most solemnly declare, what I have written is founded on facts, and if any person may think otherwise, I will feel great pleasure should he or they think proper to call on me, to put them in possession of all particulars connected with the transactions. The act of Parliament is equally strict, as to the profession or business of the Coroner, and in my humble opinion with great justice, for you seldom will find a man amongst the minor trades, ever possessing a liberal education, consequently he is doubly unfit for the office; for instance a butcher, or as it is more elegantly expressed victualler is not fit to be a Coroner, for

their habits and education (if the latter they at all happen to possess) are of the most moderate description, their ideas confined, scarcely ever extending beyond the stall, and their information only sufficient to bring them in and out of Smithfield, I know there are some of the trade respectable in their way, and possessing in cities the confidence and esteem of their fellow citizens, but I still deny they are fit to be Coroners, nay more if any such have been, or are likely to be elected Coroners, I tell the Freeholders of Ireland it is at variance with the act of Parliament 3rd GEO. IV. cap. 115, and to beware of such a Coroner, *nam fenum habet in cornu*; this shall terminate the third chapter, and should it meet the killing eye of a Butcher and Coroner, I hope he will only laugh at the frolic of dame Fortune, to whom he may be indebted for thus appearing in print.

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## CHAPTER IV.

THE fourth and last chapter, is principally intended for the guidance of Coronors, as to the precaution required in procuring at inquests, the attendance of medical gentlemen of experience and professional reputation, this is a point in very many instances neglected by Coronors, most shamefully, and is a further proof of the necessity of every candidate for the office of Coroner, being a man in every way qualified, agreeable to the act of Parliament. I have no intention to insinuate any thing disrespectful to any branch of the medical profession, it would be the last of my intentions, as I entertain the highest respect for every one of the faculty, but I do unhesitatingly declare that Coronors should call on the most eminent practitioner in the district where the inquest is to be held, by the 10th

of GEO. IV. cap. 37, Coroners are empowered to call on a Physician, Surgeon, Apothecary, or Chemist, or any person practising medicine, it goes on as follows ;  
“ And whereas at inquests held by Coroners on the bodies of deceased persons, great difficulty exists in procuring the attendance of witnesses duly qualified to give evidence, as to the cause of the death of such persons, by reason of the want of any power to remunerate such witnesses for their trouble and loss of time, be it enacted, that it shall and may be lawful for any Coroner, before whom any Physician, Surgeon, Apothecary, Chemist, or other person practising medicine or surgery, shall in pursuance of a summons from such Coroner attend and be examined relative to the death of any deceased person, to grant to such witness an order signed by such Coroner upon the Treasurer of the County, or County of a City within which such inquest shall be held, for such sum not exceeding five pounds, as to such Coroner shall seem fit, and the Treasurer upon whom such order shall be given, shall pay the same to the person

presenting it; and the amount of every such payment shall be raised off the County, or County of the City by the Grand Jury, in like manner as other sums authorised to be presented and levied by such Grand Jury;" notwithstanding the Coroner's power to employ whom he pleases at inquests, he must at once see the necessity of having the most experienced medical attendant on such occasions, for it may happen that much difficulty would arise at inquests to discover the cause of death, and notwithstanding the intelligence of a Jury or the Coroner, unless the medical attendant be a man of experience and anatomical information, (particularly where post-mortem examinations are requisite,) together with medical jurisprudence, the greatest possible mistakes may occur, this is the most serious part to be attended to, as any neglect upon that point may become grievous, and involve an innocent party in trouble and perplexity. The testimony of the medical man may and should have a great weight with a Jury, and why not call on a Doctor whose professional character



may entitle him to additional confidence ; let not my young medical friends for a moment suppose I mean any disrespect towards them, I esteem them all, some of them have been my companions in my schoolboy days, and I am proud to say our friendship has grown with our growth ; but I make the observation on general grounds, and with a sincere view to universal good ; it may happen that Coroners often have a selfish view in their selection of a Doctor to attend at an inquest, I would advise all Coroners in the name of justice, to lay aside such practices, let them not blend up politics or religion with their office, but let them attend solely to their duty, without favour or affection, having done this they will fulfil the sacred obligation, and be esteemed and respected in their districts ; at inquests, should a person through curiosity or otherwise attend, the Coroner ought to conduct himself with becoming propriety, of course he is the Judge of the Court, and as such, ought if he at all knew how, conduct himself in the manner becoming such ; a friend of mine

attended lately at an inquest, through a mere wish to observe how such are conducted, and he received the most marked incivility from the Coroner, however as my friend remarked to me, he was appointed contrary to act of Parliament, and what could he expect from such a Functionary; I advised him not to take further notice of the affair, as he would soon see him reduced to the rank from which nature never intended to remove him; any person looking at the Coroner when presiding, might exclaim with the poet,

“Tho’ to his lot some vulgar errors fall,  
Look in his face and you’ll forget them all.”

I shall now take my leave of the Coroners of Ireland, and wish them every happiness this world can afford. To the Noblemen and Members of the Imperial Parliament, who have patronized the Directory, as well as the neighbouring Gentlemen of my acquaintance; I beg leave to tender my grateful and respectful thanks for their kind and prompt attention, and I hope in the spirit of good nature and charity, when the Coroners’ Directory may meet the scrutinizing

eye of the critic, he will remember it is only the simple production of a Country Apothecary, and should any of my brother knights of the pestle, as they cast a glance over its pages, condescend a sneer at the writer, I will only reply to their clumsy vulgarism, by crying out with the Fox, "Sour grapes," wishing the whole world every sort of good luck, I will close my book and say "*vale longum vale.*"

JOS. M. FALLON.

"*Vale longum vale.*"

FINIS.

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 vi-ganers, crying out with the Fox,  
 "Some stripes, washing the whole world  
 every sort of good luck, I will close my  
 book and say 'tis done'."

Jos. M. Fallon.

Houses of the Oireachtas