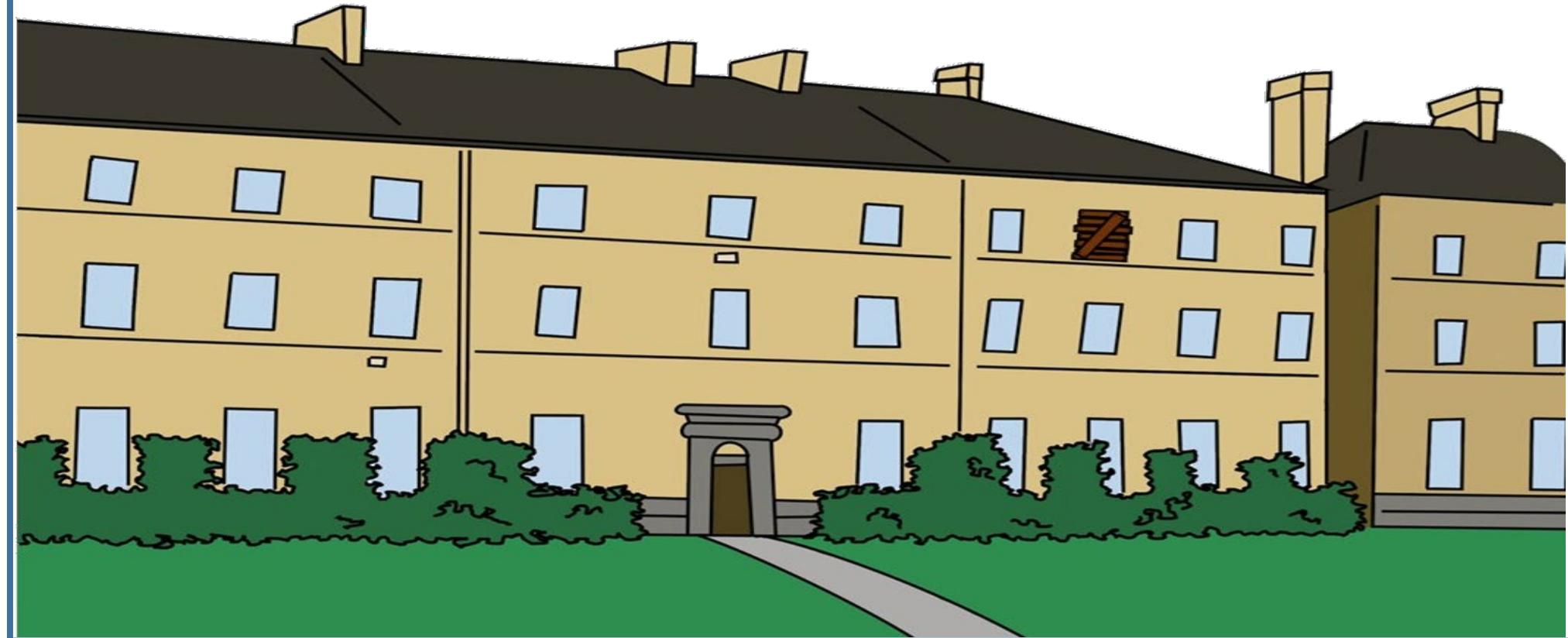


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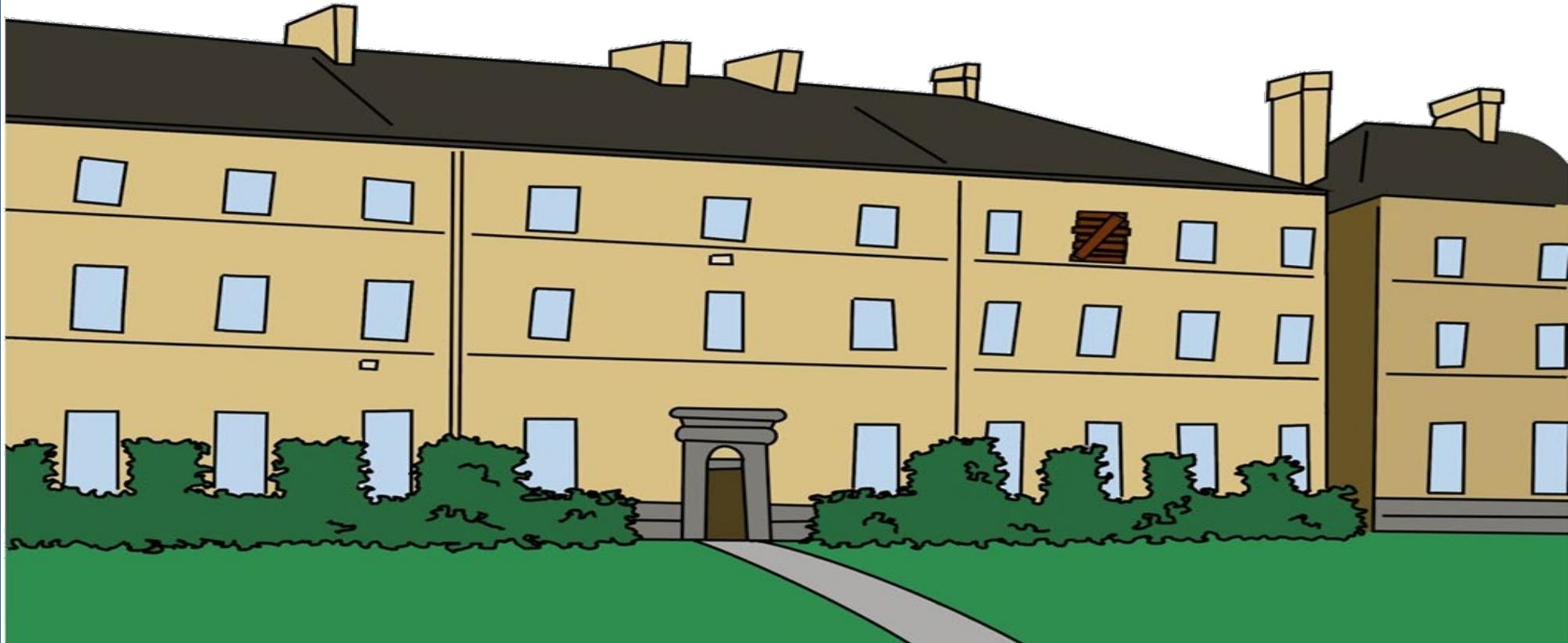
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"The Life and Times in Victorian London"



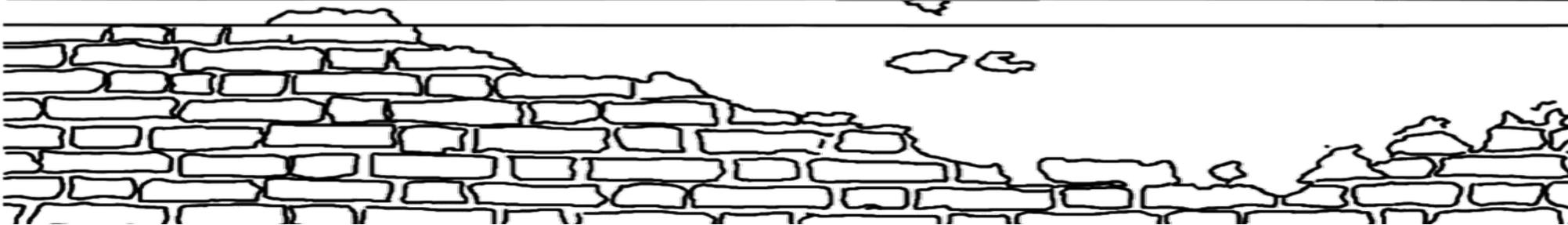
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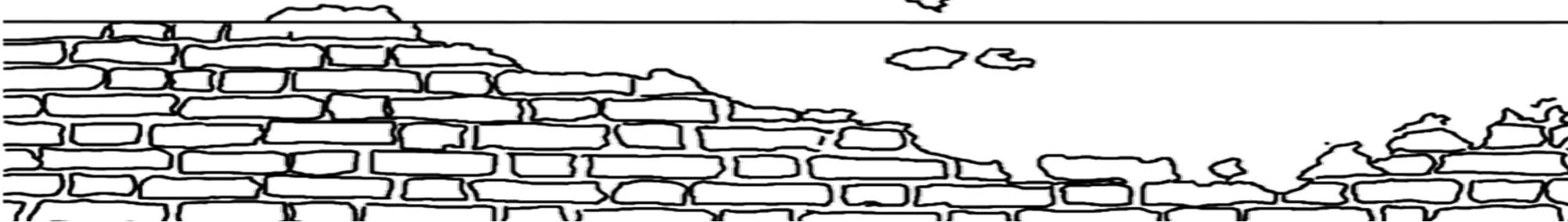
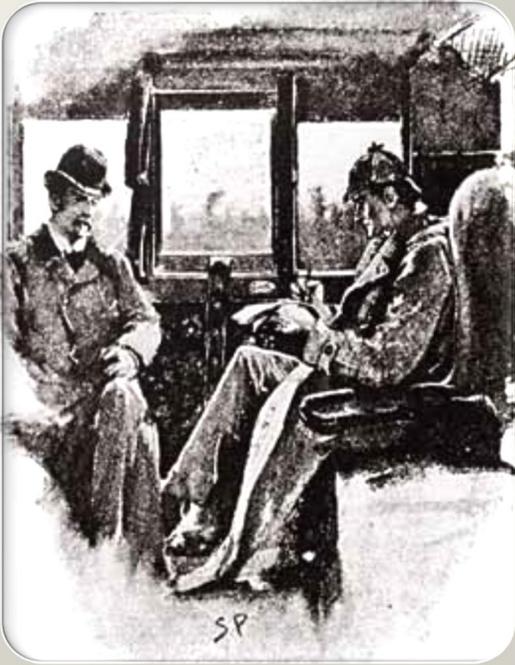
*# 114 - Keeper of the Pleas - The Coroner System -- 09/12/2020*



Welcome to topic number 114... today we will be looking at the role of the Coroner during the Victorian period.



*In "The Boscombe Valley Mystery," I will read a local newspaper's partial account of the coroner's inquest into the death of Mr. Charles McCarthy.*



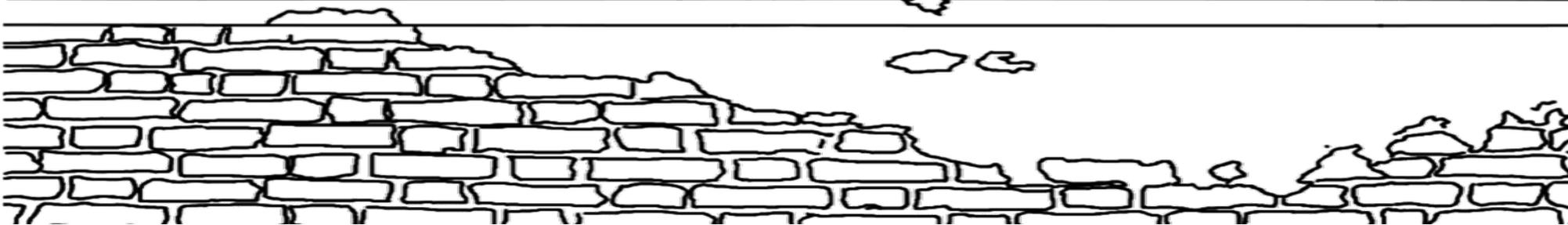
*The article will include the responses of his son James McCarthy to questions by both the coroner and one of the inquest's jurymen. By the time of Mr. McCarthy's murder, the coroner system was more than seven hundred years old.*



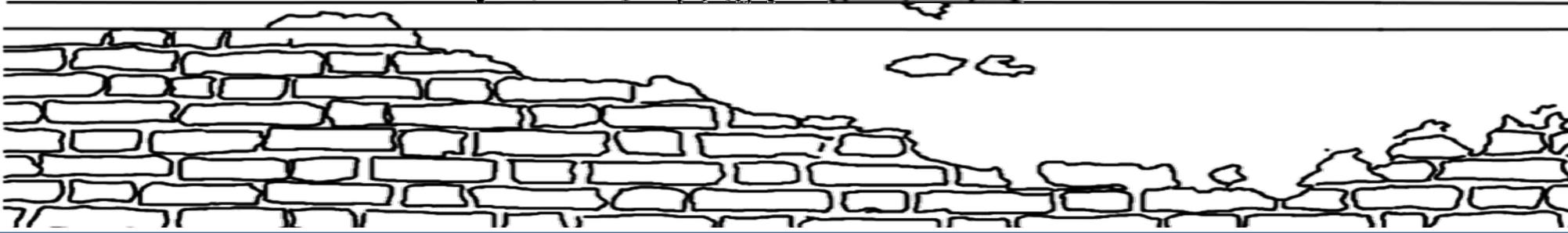
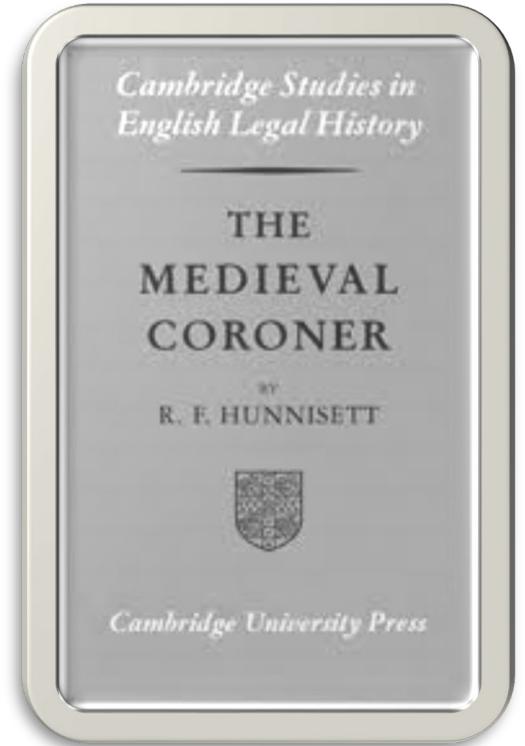
*During the Victorian period, however, its role shifts with the introduction of a more organized law enforcement system, which set the two processes into conflict.*



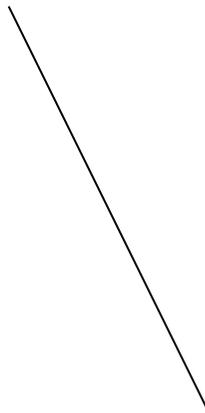
*The British coroner system dates back to 1194. The position was created as a means of representing the Crown's interest against the corrupt practices of many provincial sheriffs.*



**Such sheriffs used tax and other laws to enrich themselves from the fines and monies they were to collect for the King.**



*Because the crown created this new position of "keeper of the pleas," this person was often referred to as the "crowner," or "coroner."*



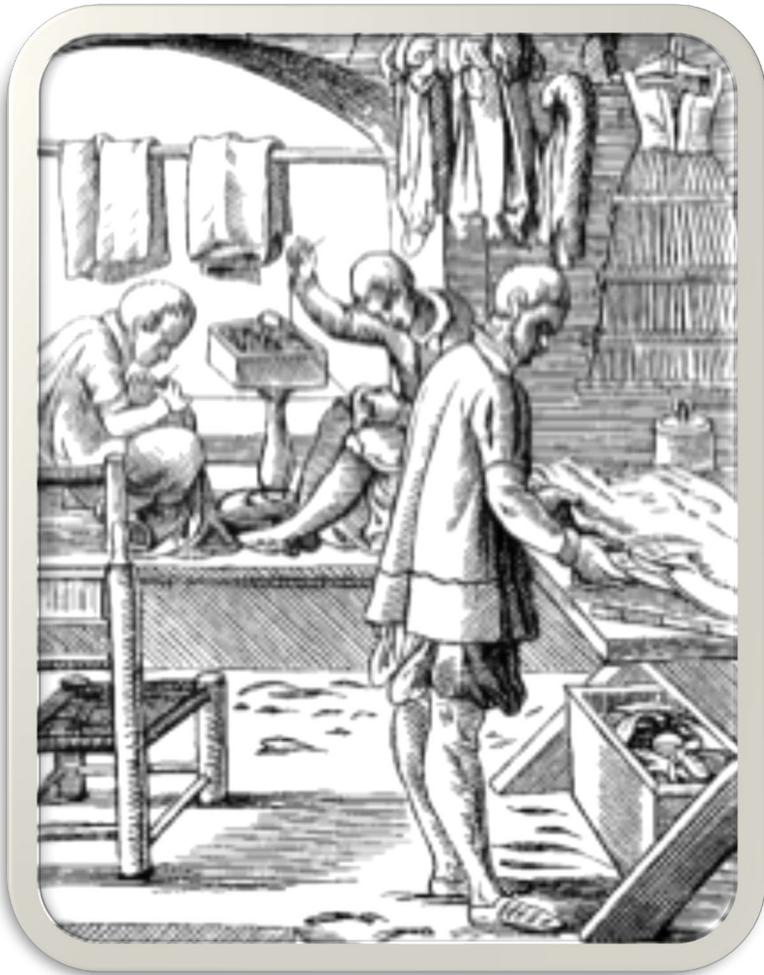
*The first coroners were knights or other men of substance who owned property or had other income to reduce the corruption associated with the sheriffs and were never expected to determine who committed a crime.*





*Their duty was to enforce adherence to all procedures with regard to a suspicious death, assessing fines when they were not followed (often the case) and providing judges with a duly recorded list of witnesses, neighbors, property, and chattel.*





*In the 1500s, coroners were no longer collecting such fees, and their responsibilities had been reduced to investigating suspicious sudden deaths.*

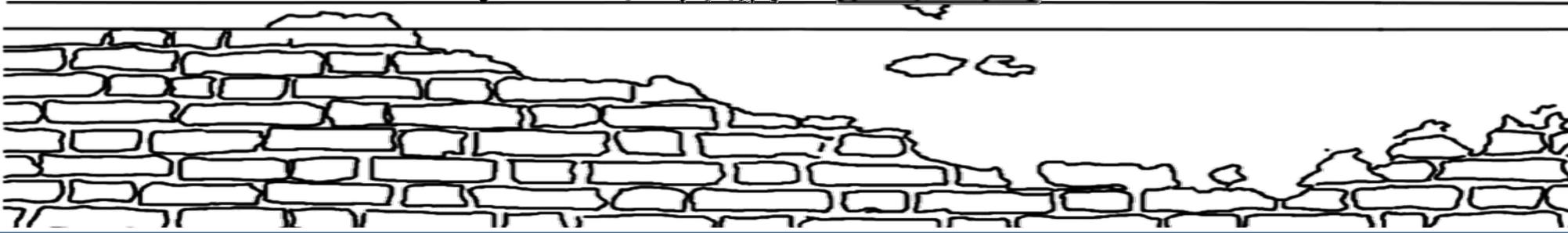


*Richard Sewell provided a guide to coroners in 1843, clearly noting their judicial and ministerial obligations as well as detailed information for determining various causes of death. As a judge during an inquest, the coroner's role was to determine the cause of death in the case of sudden or violent deaths.*

MOML Legal Treatises, 1800-1926

A treatise on the law of coroner : with copious precedents of inquisitions, and practical forms of proceedings.

Richard Clarke Sewell



*As the crown's representative, he became a magistrate and would execute writs from the sheriff. When a suspicious death occurred, an official, such as a peace officer, was to contact the coroner who determined whether to summon a jury to review "when, how, and by what means the deceased came by his death."*



*The inquiry began with a viewing of the body and the place where the deceased was discovered. If someone was identified as being the cause of the death, the coroner was expected to complete an inventory of the accused's property.*



*The inquest itself involved the coroner and a jury of twelve to twenty-four men who would hear from the "first finder" of the body as well as other witnesses, including, occasionally, a medical witness.*



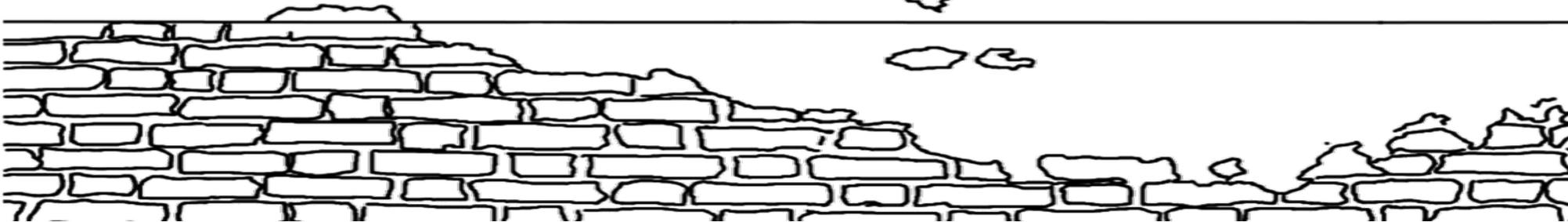
*As in "The Boscombe Valley Mystery," the jury could also question witnesses, but it was the coroner's duty to take notes and summarize the evidence to the jurors—who then returned the verdict. Their final determination involved providing the identity of the deceased; the time and place of the death; and means of death, including murder or manslaughter.*



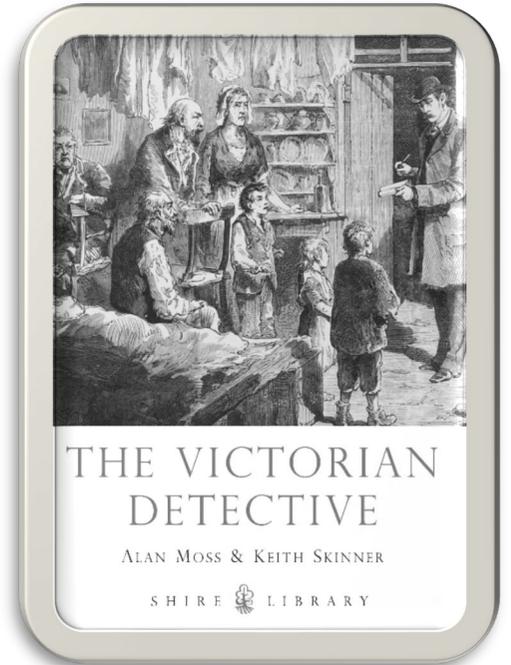
*This verdict as well as any evidence was passed on for trial. Given the coroner system was originally conceived to ensure the correct application of criminal fines—often misappropriated by the sheriffs—this system was often at odds with both the local constabulary as well as other parish officials.*



*Until 1860 when they became salaried officials, coroners were paid by inquest, and some cost-conscious parish officials were reluctant to ask for an investigation of a death.*



*In addition, as a more modern police system is introduced, these officers also investigate suspicious deaths — further cutting the need and cost of a coroner's inquest. This clash between coroner and police most often comes to a head with respect to suspects and witnesses.*

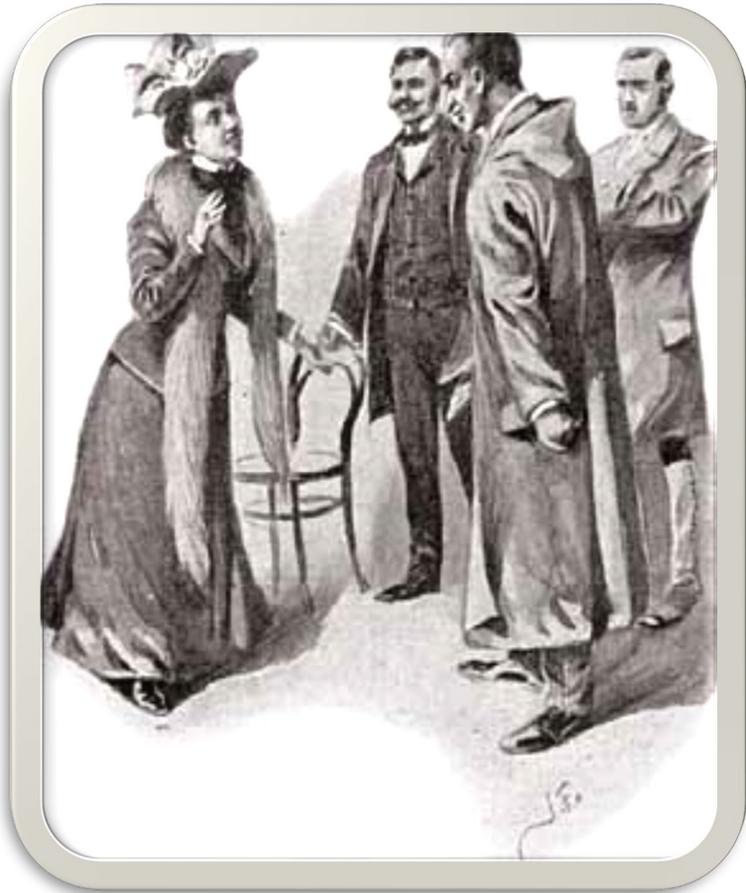


*If the police arrest a suspect prior to the inquest, they can refuse to provide him or her as a witness at the inquiry. The parishes go so far as to create a "coroner's officer" within the police force who can collect evidence and present it to the coroner.*



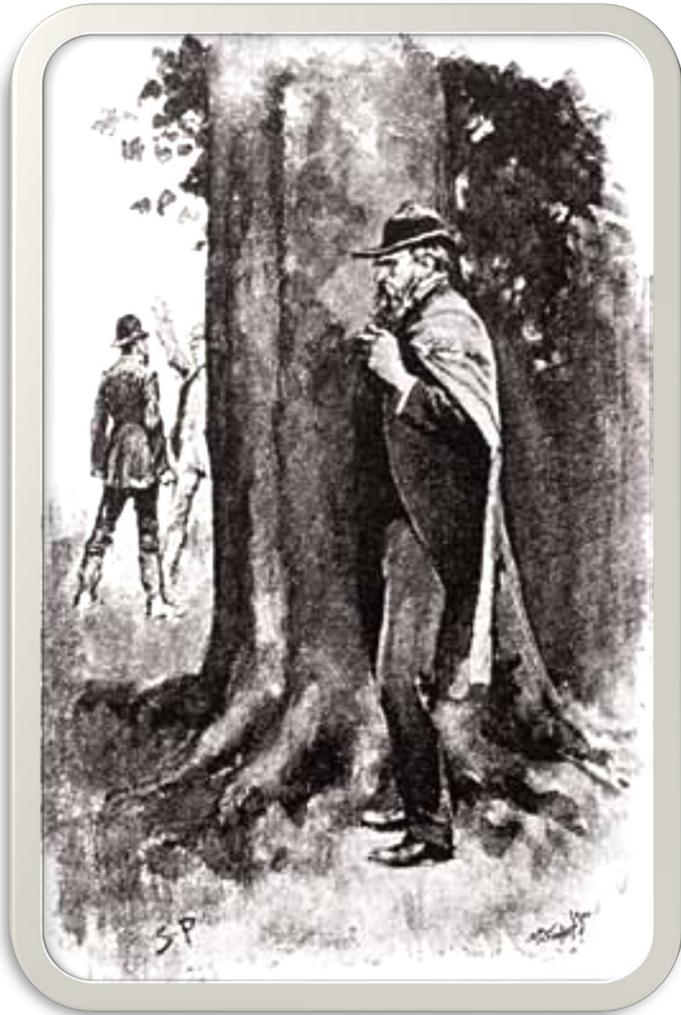
*Reforms, based on such issues, restructure coroners' responsibilities and procedures. No longer elected officials, local authorities appoint the coroner, often providing him with a staff of one to two coroner's officers.*





*Even following such reforms — as Charles McCarthy's death will illustrate — this position still has jurisdiction over violent, unnatural, or other suspicious deaths as well as those that will occur in prisons.*





*Their determination, conducted during an inquest, will be limited to determining who and how a person died without applying criminal or civil liability. As in the case of James McCarthy, decisions related to any charges following an arrest with guilt to be determined at a trial (Assizes).*



*For the son of Charles McCarthy, while the coroner's inquest will provide some damning evidence shared at the trial, thanks to additional evidence Holmes will provide to the defense, his story will end there and not in prison.*



*So we have completed  
topic 114 in our series...*

*Yes, but we'll be  
back with another  
topic soon...*



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- 4) Richard Clarke Sewell, *A Treatise of the Law of Coroner*. London: Owen Richards, Law Bookseller and Publisher, 1843, page 23.
- 5) Ian Burney, *Bodies of Evidence: Medicine and the Politics of the English Inquest, 1830-1926*. Baltimore: Johns Hopkins University Press, 2000, page 5.
- 6) Sewell, page 205
- 7) [https://victoriandetectives.wordpress.com/2013/11/06/coroners-vs-police/#\\_ftnref1](https://victoriandetectives.wordpress.com/2013/11/06/coroners-vs-police/#_ftnref1)
- 8) <https://legalhistorymiscellany.com/2016/07/30/deaths-gatekeepers-the-victorian-coroners-officer/>
- 9) Nigel Meadows, "A Guide to the Coroner's Inquest System," October 2002, page 1.



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