

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 examination of witnesses, and the jurors may put any proper question to the witness, but the party suspected or charged with the crime shall have no right to produce witnesses on the inquest, or to cross-examine those produced on behalf of the people by himself or counsel; nor shall it be necessary that he be present during the examination. But it shall be the duty of the Coroner to examine any witness who he may have reason to believe may know anything concerning the matter pertinent to the inquiry, and to put to any witness any proper and pertinent question that such person may desire. Such party suspected or charged, however, may be attended by counsel on the inquest, to advise with him as to his right in answering any question that may be put to him when under examination. If the party accused of the crime be present at the inquest, and is then charged with the crime, or the testimony tends to criminate him, and he is called upon by the Coroner to testify, it is the duty of the Coroner first to inform the accused that he is at liberty to refuse to answer any question that he may put to him, otherwise his answer on such examination cannot be read in evidence against him when on trial for the offense. But if such person is not under arrest or charged with the crime, his answer may be given in evidence against him on his subsequent trial for the crime charged, though the Coroner may not have so advised him of his rights. The jury must hear all the evidence offered before them whether it be in favor of or against any party suspected of the killing.

SEC. 12. Upon the investigation the Coroner's jury shall not be limited in their inquiry like a jury upon the trial of one charged with a crime, their duties shall be to determine if a crime has or has not been committed; and if a crime has been committed, who perpetrated or caused the same to be perpetrated, and all the circumstances attending it; and any proper testimony tending in any degree to throw light upon the subject may be properly given. Matter of opinion, except of professional witnesses, or hearsay evidence, shall not be permitted.

SEC. 13. When the jury shall have agreed upon a verdict they shall reduce their inquisition to writing, which writing shall show before what Coroner the same was taken, and that the same was taken upon the oath of good and lawful men of the county who were first duly sworn and it must also show by whom and when the same was executed. They shall also find and certify how or in what manner and when and where the person so dead came to his death, and all the circumstances attending such death; and if a crime has been committed in the case, who were guilty thereof, either as principal or accessory, and in what manner. The jury shall not be required to find who were accessories after the fact—only those before the fact. If the person who is found dead is unknown, or the person who caused the death is unknown, the jury shall so find; and they shall find, if the fact so appears before them, whether the killing was accidental or suicide, murder or manslaughter, excusable or justifiable homicide; and if the manner of the death is unknown they shall so state. Such inquisitions shall be signed by such jurors, and the Coroner shall certify the fact that the inquest was held, and indorse under the verdict his approval or non-approval of the same.

SEC. 14. It shall not be necessary that the jury should be kept together until they have agreed upon a verdict. If there shall appear any irreconcilable opinion as to any material fact concerning which they are to make inquest, the jurors agreeing may find accordingly, and two or more inquisitions may be presented.

SEC. 15. If the jury find that any murder or manslaughter has been committed, the Coroner shall bind over the witnesses against the accused to appear and testify at the next Court of Grand Jury, or before any Court in which an indictment for such offense can be found and tried, that shall be held in the county, and obey all orders of said Court in the premises. Such recognizances shall be in writing, and shall be subscribed by the parties to be bound thereby. Said recognizances shall be made payable to the People of the State of California. The amount of the