

nion, that nothing can be forfeited but what *moves* to the Death of the Party, and the Post being fix'd in the Ground, was *immovable*; therefore a Motion was made for a *Melius inquirendum*. Some of the Jury were order'd to attend the Court, which they did; but there being no Misdemeanour proved against them, the Court refused to grant a *Melius inquirendum*, there being no other Reason alledged, but because they found a Post to be a *Deodand*.

Lastly, as to choosing this Officer, 'tis done by Vertue of the Writ *de Coronatore Eligendo*, directed to the Sheriff, who gives Notice of the Time and Place, and there he is chosen by the Freeholders of the County; and when he is chosen, the Sheriff is to certify it, and the Name of the Person.

He is likewise to administer the Oath of his Office to him; and because he is elected by the Freeholders, his Office is not determined by the *Demise of the King*.

When he is thus chosen, he is then a *judicial* Officer, and for that reason cannot make a Deputy; and being an Officer at Common Law, for the Administration of Justice, he was to have no Fee for executing his Office, till by the Stat. of 3 H. 7. he hath Authority to demand the Fee of 13 s. 4 d. of the Goods of the Slayer, *super Visum Corporis*; and if he hath none, or is fled, then the Town may be amerced, for suffering the Criminal to escape, and he may take his Fee out of that Amercement.

But he cannot demand any Fee upon *viewing the Body kill'd by any Misfortune*; and in such case, if he should refuse to do his Office without being paid his Fee, he forfeits 40 s. per 1 H. 8. cap. 7.

So