

All such Coroners as are remiss in their Office, or Duty of their Place, and make not their respective Inquisitions upon the View of the dead Body, and certify not according as aforesaid is ordained, every Coroner, for such Offence, forfeits to the King *5 l.* by *3 Hen. 7. c. 1.*

And now, that the Coroner may not be ignorant what is Murther, I shall briefly lay it down in general, and many material Particulars.

Of Murther.

This is the killing any Person within the Realm upon Malice forethought, the Death ensuing within a Year and a day after the Fact.

Which Definition is thus explained; and first as to Killing: This may be done by *Famishing*, *Poisoning*, *Smothering*, *Strangling*, and by several other Means, and with several Instruments; as by laying a sick Man in the Cold, by Reason whereof he died; by hiding an Infant under Leaves of Trees, who was afterwards destroyed by Vermin; by setting a Dog at a Man, accustomed to bite or to do mischief, he knowing thereof.

And, as to the Person killed, it must be in *Re-rum Natura*; for if a Woman take Poison to destroy the Child within her, tho' she is quick, 'tis not Felony if it die with that Poison, unless 'tis first born, and die afterwards by that means; but 'tis a great Misprision.

But he who advises her to destroy it before 'tis born, and if it happens afterwards to be born, and then killed, the Adviser is accessory to the Death.

(2.) the Killing must be within the Realm; for if a Man is wounded and dieth beyond Sea, the Criminal cannot be punished at Common Law, but