

for the offence for which the accused has been committed for trial; and that there may be an indictment for any other offence founded on the facts disclosed in the preliminary inquiry. The policy of the law plainly is, that cases should pass through an inquiry of that sort before being presented to the grand jury. It is true that power is given to the Attorney-General, and to the Judges, to permit an indictment in cases which have not come up in that manner; but I cannot think that that power was intended to be exercised in any but unusual cases. It is necessary sometimes where magistrates have not done their full duty, not made that inquiry into the case which the law required; and there are other cases in which it is plain that, if there were no provision of that character, there might be delay in the administration of criminal justice, if not eventually a miscarriage. That being so, I am not to authorise a departure from the ordinary course without good cause; I am not to permit a departure simply because some person may desire it for his own convenience or any other selfish purpose. There is no royal road for any one; every one must take the common road up to this Court. The only excuse that I can imagine for seeking to proceed in the manner here sought is based upon the assertion that an indictment cannot be had in any other way. It is easy to say that, but I would be very much better satisfied with an application in a case in which the ordinary way had been tried and in which some difficulty had been encountered. The private prosecutors are, I think, beginning at the wrong end. But it is not necessary that I should consider that question yet. It is my duty to turn them back to the Police Court and let them begin there.

There should not be any difference in the criminal law applicable to a person and that applicable to a corporation—fish should not be made of one and flesh of another. Reading the Code from one end to the other, no substantial indication of any other intention will be found. Then what is the difficulty? There is no dispute as to the jurisdiction of the preliminary Court; the only point made is in the assertion that a corporation cannot be compelled to come there. But the corporation may be quite willing to go there, and to have the case investigated there. It will be time enough to take these troubles seriously when they really arise; and they have not arisen in this case. I think it clear that I should refuse this application; that I should say to these persons, who desire to lay a criminal charge: "Take the same course which every one else has to take, and then,