against Police Court proceedings by way of preliminary inquiry. The last-mentioned case was a decision of a Divisional Court. The subsequent amendments to the Code have left these decisions untouched. By sec. 720 A, which was introduced into the Criminal Code in 1909 (8 & 9 Edw. VII. ch. 9), the doubt that had previously existed as to the jurisdiction of a magistrate over corporations in cases where there might be a summary conviction against an individual (see In re Regina v. Toronto R.W. Co. (1898), 30 O.R. 214, and Ex p. Woodstock Electric Light Co. (1898), 4 Can. Crim. Cas. 107), was resolved in favour of such jurisdiction. By sec. 773 A, also introduced into the Criminal Code in 1909, provision was made for the summary trial of corporations in the cases of indictable offences where individuals might be tried summarily. The list of cases which may be thus tried is contained in sec. 773, and does not include a common nuisance. Whenever an offence is triable summarily under the Criminal Code, that fact is indicated by the section itself. Note the language, "Every one is guilty of an offence and liable, on summary conviction," of secs. 537, 542, etc.; and compare sec. 222. Crankshaw in his Criminal Code, at the end of Part XV., p. 878, gives a list of offences triable summarily. The nuisance sections are not included. Note also sec. 291, for an example of cases triable both summarily and on indictment. The annotators of the Code are all agreed that where an offence is not triable summarily there is no jurisdiction in a magistrate to hold a preliminary inquiry. Vide Crankshaw's annotations under secs. 916-920, 720 A, and 773 A.

E. E. A. Du Vernet, K.C., for the Crown, and G. R. Geary, K.C., for the city corporation, were not called upon.

MEREDITH, C.J.C.P.:—It is plain that the policy of the criminal law is to require a somewhat thorough preliminary investigation of every indictable offence. That is very apparent from many of the provisions of the Criminal Code. And the purposes of it are obvious. For one thing, it lays the facts in a proper manner before this Court so that they can be in a proper manner laid before the grand jury. It has been the practice in some cases not to make such an investigation, but to do what has been called "waive examination." I find no warrant for any practice of that character; it seems to me to be quite improper. What the law requires is a preliminary investigation; and it is only upon the facts thus brought out that ordinarily an indictment can be laid. The Code provides that there may be an indictment