

"under the superintendency of the sovereign power whose duty it is to take care of the public interest, whereas corporation whose object is the distribution of a private benefaction, may well find jealous guards in the zeal or vanity of the founder, his heirs or appointees." (Angell & Ames s. 684.)

The principles which regulate this question are clearly given by the most eminent legal writers, and contrary to the pretention of Sir Alex. Campbell, they make no distinction between corporations erected by letters patent, by royal charter or by act of parliament. Tribunals have jurisdiction over all civil corporations, without any regard for the authority by which they were instituted.

The Hon. minister of justice admits truly that the Crown, through its courts, can, for good reasons, annul the letters patent which it has granted, but he is in doubt whether the Crown can, through the medium of these courts, annul a charter granted by act of Parliament. According to the quotations we have made, there is no difference between a body incorporated by letters patent and one by act of Parliament. Letters patent are granted by a person authorized by act of Parliament by a delegation of its powers, according to the well known maxim: *Qui facit per alium facit per se*. And in the case of a corporation created by parliament, the king, when giving his sanction, becomes thereby its founder and obtains the right of control given to him by common law, and which he exercises through the medium of tribunals.

However, as banks cannot be incorporated by letters patent by virtue of the general act concerning joint stock companies, the minister of justice comes to the conclusion that it was not the intention of Parliament to delegate its powers for their incorporation, and thereby established a distinction between the case of a bank incorporated by special act of Parliament and that of a company incorporated by virtue of the provisions of the general act. It is an unnatural conclusion drawn from a false principle, for Sir Campbell adds immediately after: "And even as to general