

instance of private parties, and by them in an unauthorized way, which, when found, the Attorney-General has felt it his duty to direct should not be prosecuted, and in one of these, the bill was, I am informed, in the hands of the grand jury before the Crown officers were made aware of the fact, and in the other, the Crown officers were only informed as the deliberations of the grand jury were about to commence. Be the facts as they may in this regard, I have thought it my duty to say this to you, that when unauthorized persons come to you with bills, and without satisfactory explanation why the charges which they cover have not been made the subject of the usual preliminary complaint and investigation, or without the authority which the law provides in certain cases, which bills they desire you to pass upon, you should at once inform the representative of the Attorney-General or the court, not necessarily with the object of suppressing such investigations, but in order that the procedure may be regular and public and private interests safe-guarded. Permit me to add that I, personally, am of opinion that in all matters of criminal prosecutions it is much better to insist on the time-honored, straightforward practice which requires a complaint and a preliminary investigation before indictment be laid, unless some special reasons of public interest require a departure from the practice, and when this is the case, it is not too much to ask of the citizen who would avail himself of an unused and objectionable form of procedure, that he should ask for and obtain the sanction I have suggested, or that of the judge presiding over the court.

Another subject which was appropriately noticed by Mr. Justice Church, was that of private detective agencies. "I think," he observed, "it is a fair subject of inquiry and consideration whether a detective and a police force under executive control and available for such services as I have indicated is not a matter which should engage the serious consideration of those charged with the administration and execution of our laws. No system of law can long maintain public confidence and enjoy and enforce res-

pect unless it be manifested that its violators will be brought to justice, and this cannot, I fear, be longer efficiently and promptly done without the creation of some such force as I have indicated; but whether I am right or wrong in this regard there cannot, I think, be two opinions as respects the necessity of the executive receiving public endorsement in any efforts which it may think proper to make to bring about a better order of things than at present exists and in the direction I have indicated. I am informed that the private detective agencies no longer receive any official sanction or countenance from the police authorities or the Judges of the Sessions, and I suggest for your consideration that this is not a safe or healthy condition of things, and that such institutions, if they must, under our modern notions, be tolerated, should be licensed and inspected and made responsible to some public officer such as the Judge of Sessions for every proceeding they take, and that they should be obliged to keep a record of all they do and be compelled to report from time to time, and that this should be provided for by a carefully considered statutory enactment. Perhaps I attach too much importance to the present condition and practical irresponsibility of these agencies, but there is to my mind something incongruous in men assuming for a consideration to become paid spies over their fellow citizens in the interest of anyone asking their services; to shadow and track them down and to report without responsibility on the private lives of those whom they shadow, or to report respecting their families, and this too often for not the most laudable purposes. Such an organization notoriously exists elsewhere, and for aught I know, there may be some excuse for it; but I don't believe it is a condition of things which need exist here, and I would be sorry to see it engrafted on our institutions, or countenanced by our public men or by our courts."

#### CIRCUIT COURT.

HULL (County of Ottawa), Oct. 22, 1888.

Before WURTELE, J.

PAQUIN v. CITY OF HULL.

*Lease and hire of personal services—Notice of*