

(159)

1854.]

BILL.

[No. 159.]

An Act to provide for the Appointment of Crown Prosecutors in each District, and of Associate Coroners in each County in Lower Canada.

WHEREAS it would conduce to the proper administration of Justice in Criminal matters, that Crown Prosecutors and Associate Coroners should be appointed in Lower Canada: Be it therefore enacted, &c., as follows :

Preamble.

I. There shall be appointed in each District in Lower Canada, by a Commission from the Governor, a Crown Prosecutor, who must be an Advocate regularly admitted to, and of at least five years standing at the Bar of Lower Canada.

Appointment of Crown Prosecutors.

II. The Governor in Council may fix and from time to time alter the salary and remuneration to be paid to the Crown Prosecutor of each District, regard being had to the amount of business and labor which he may be required to perform.

Their remuneration

III. The Crown Prosecutor shall within the limits of his District represent, and exercise all the professional duties of, the Attorney General in all civil or criminal suits, proceedings and matters; and in performing such duties, he shall be held to act for, and to certify all indictments, informations, pleading or other documents, on behalf of the Attorney General.

They shall represent the Attorney General.

IV. It shall be the duty of the Crown Prosecutor to conduct before the Courts of Quarter or General Sessions of the Peace all the duties now performed by the Clerk of the Peace in his capacity of public prosecutor.

And the Clerk of the Peace.

V. In the performance of the duties hereby assigned to them, the Crown Prosecutors shall lay indictments before the Courts of Queen's Bench for the following crimes: Treason, Murder, Manslaughter, Arson, Rape, Forgery and Counterfeiting Coin, Personation, Burglary, Perjury, Robbery, Larceny accompanied by violence or other aggravation, or of value exceeding ten pounds and for all statutable and other felonies not hereinafter assigned to the Quarter or General Sessions of the Peace; and he shall lay indictments before the Quarter or General Sessions of the Peace for the following offences; Larcenies unaccompanied by violence or other serious aggravation, or of value not exceeding Ten Pounds, attempts to commit felonies, misdemeanors and assaults of all kinds not laid as statutable felonies: But this section shall not be construed to divest either of the said Courts of any jurisdiction they or either of them may now possess, but only as directory to the Crown Prosecutor; and provided always, that the Attorney or Solicitor General or Crown Prosecutor may depart from this Rule whenever in his opinion there be good reason for so doing.

Jurisdiction of Courts not to be affected.

Proviso.