

An Act for the Appointment of County Attorneys,
and for other purposes, in relation to the Local
Administration of Justice in Upper Canada.

WHEREAS it is expedient that Local Crown Attorneys Preamble.
should be appointed in Upper Canada, and that other
provisions should be made as hereinafter contained : Therefore,
Her Majesty, by and with the advice and consent of the Legis-
lative Council and Assembly of Canada, enacts as follows :

- I. In every County in Upper Canada, there shall be a County County At-
Attorney for such County, to aid in the Local Administration torney for
of Justice, and to perform the several duties by this Act assigned every County.
to County Attorneys.
- 10 II. No person shall be appointed as a County Attorney, or Who only may
shall act in that capacity, who shall not be a Barrister at Law of be appointed.
not less than three years' standing at the Upper Canada Bar,
and be a resident in the County for which he shall be appointed ;
provided that any person now holding the Office of Clerk of the Clerks of the
15 Peace, who is a Barrister at Law may be appointed to the Peace other-
Office of County Attorney, for the County of which he shall be wise qualified
Clerk of the Peace. may be.
- III. It shall be lawful for the Governor to appoint a County Governor to
Attorney for each and every County in Upper Canada, who appoint, re-
20 shall hold office during pleasure, and upon the death, resignation move, &c.
or removal of any County Attorney, to supply the vacancy.
- IV. No County Attorney shall, by himself or partner in Neither Coun-
business, act or be directly or indirectly concerned as Counsel ty Attorney
or Attorney for any prisoner or party in respect to any charge nor his part-
25 against such prisoner or party of treason, felony or other offence ner to be con-
punishable under the criminal Law of this Province, nor cerned in de-
shall such Attorney be capable of being elected or sitting fending per-
as a Member of the Legislative Council or Assembly of this sons charged
Province during the continuance of his appointment. with criminal
offences.
- 30 V. It shall be the duty of every such County Attorney : Duties of
County At-
torney.
First—To receive all informations, examinations, deposi- To receiving
tions, recognizances, inquisitions and papers connected with cri- and examine
minal charges which shall be transmitted to him by Magistrates informations,
and Coroners of the County,—to examine the same and to cause &c.
35 such charges to be further investigated where necessary, and To secure
additional evidence collected if required,—and also to sue out attendance of
process when necessary to compel the attendance of witnesses witness.