

reach of suspicion of being influenced by improper motives in the discharge of their duties. The appointment of a violent party man, of any side, would scarcely secure proper confidence in such an officer. We hold that the County Attorney should be selected from that class of persons from whom the local judiciary should be supplied, and that as the Attorney Generalship is considered a step towards the bench, so should the County Attorneyship be regarded as an approach to a County Judgeship, if the officer have performed the duty of the minor office with ability and fidelity.

The legal qualification for the office is—being a barrister of not less than three years standing at the bar of Upper Canada—but a barrister who is also Clerk of the Peace may be appointed for his own County, whatever may be his standing at the Bar.

We are not enabled to say how many Clerks of the Peace are Barristers; but looking at the Act and remembering the observations respecting the measure when it was before the Legislature, there seems to be good ground to conclude that these officers (clerks of the peace) will be appointed county attorneys, if possessed of the professional knowledge and fitness necessary to enable them to fulfil the duties with advantage to the County.—There is nothing however to tie down the Executive to the appointment of a Clerk of the Peace when not so qualified; and the absence of such a qualification, we take it, would be a bar to their nomination.

The nature and extent of the knowledge required will be seen by reference to the 5th section of the Act, under which the duties of the County Attorney are set down; these duties are partly as an attorney and partly as counsel; those mentioned under the second, fifth and sixth subdivisions appear to be the most important.

The office is new in Upper Canada, and it will depend in a great measure upon the manner its duties are discharged for the next three or four years whether the office of County Attorney will be numbered amongst the settled institutions of the country. We sincerely trust that professional standing and moral fitness will be the sole test in determining who shall fill these most important offices in the administration of justice.

NEW JURISDICTION TO COUNTY COURT JUDGES.

The 21st section of the Act to amend the C. L. P. Act gives jurisdiction to County Judges over certain matters in suits instituted in the Superior Courts—namely, to issue summonses and orders—for copy or inspection of documents—particulars of demand or set off—security for costs and time to plead—with same effect and authority, as if issued by the Judges of the Superior Courts.

This jurisdiction however is specially limited to cases “where the attorneys of both plaintiff and defendant reside in the same county.” The delegation of this authority will be a matter of convenience to the country practitioners and a saving of expense to suitors, and to the extent to which it goes may be considered a safe provision; but with all our predilections in favor of local administration we are not prepared to say it would be wise to enable County Judges to perform all the Chamber business in suits in the Superior Courts as some of the profession urge. We have adopted an entirely new system of procedure; it has yet to be settled, and until adjusted by decisions of the Courts above, it might, in our judgment, lead to much difficulty; it would certainly produce dissimilarity of practice throughout the country. Besides, the County Judges have abundant work in their own Courts, which demands the greater part of their time to do as it ought to be done, and a large increase might compel them to neglect certain portions entirely, or to do all in a superficial manner. After some years portions of the Chamber business of the Superior Courts may gradually be given over to the County Courts; but at present we think the Legislature have reached the bounds of safety.

CONFESSIONS OF JUDGMENT.

We would draw the attention of practitioners to the provisions in the Act of last session, chapter 57, with respect to confessions. It is important that the practitioner should bear in mind that confessions of judgment given before the 18th June, 1857, will be valid to support a judgment or writ of execution, unless the same or a sworn copy thereof be filed in the proper office of the Court in the county in which the person giving it shall reside within four months from the 10th June; and that all con-