

The Provincial Statutes of Lower-Canada, Being the first session of the ninth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1817.

57 George III – Chapter 27

An Act for the relief of the Students in Law, for the profession of Advocate, Attorney, Solicitor and Counsel, who served during the late War with the United States of America. (22 March, 1817.)

Whereas an Ordinance was passed in the twenty-fifth year of His Majesty's Reign, intituled, "An Ordinance concerning Advocates, Attornies, Solicitors and Notaries and for the more easy collection of His Majesty's revenues," it is amongst other things ordained and enacted that no person shall be commissioned, appointed or permitted to practice in any of His Majesty's Courts of Civil Jurisdiction in this Province as a Barrister, Advocate, Solicitor, Attorney or Proctor at Law who shall not have bona fide served a regular and continued Clerkship, for and during the space of five years, under a contract in writing for that purpose made or entered into with some Advocate or Attorney, duly admitted and practising in the Courts of Civil Judicature in this Province, or in some other part of His Majesty's Dominions, or with some Clerk or Register of any Court of Common Pleas or Court of Appeals within this Province, for and during the space of six years, unless such person shall have been already called to the Bar, or entitled so to be, and to practice as an Advocate or Attorney in some Court of Civil Jurisdiction within some part of His Majesty's Dominions, neither shall any person so entitled to be commissioned or admitted to practice as aforesaid, be commissioned or admitted to practice in any of the several capacities aforesaid, until after he shall have been examined by some of the first and most able Barristers, Advocates and Attornies of the Courts of Judicature in this Province, in the presence of the Chief Justice or two or more Judges of some of His Majesty's Courts of Common Pleas, and that such person so examined, shall be by the said Chief Justice or Judges approved and certified to be of fit capacity and character to be admitted to practice the Law in the several Courts in this Province. And whereas many Clerks duly bound to Advocates or Prothonotaries for the study of the said profession have been obliged to interrupt the course of their Clerkship in order to march to the frontiers for the defence of the Province during the late war with the United States of America, whereby they have to their material injury been disabled from being commissioned and admitted to practice the said profession. And whereas by an Act passed in the fifty-fifth year of His Majesty's Reign, intituled, "An Act for the relief of such Students in Law preparing themselves for the profession of Advocates and Attornies or Notaries as have served in the embodied Militia during the late War with the United States of America," it is among other things enacted that all Students at Law preparing themselves as Advocates and Attornies and all Clerks of Notaries who regularly commenced the time of their Clerkship according to the Ordinance made and passed in the twenty-fifth year of His Majesty's Reign, intituled, "An Ordinance concerning Advocates, Attornies, Solicitors and Notaries and for the more easy collection of His Majesty's revenues;" and who shall prove that such time of Clerkship was interrupted by their having entered into the embodied Militia, and having therein served for the defence of this Province, at or subsequently to the declaration of the said War and during the same, shall and may be admitted and received as Barristers, Advocates, Solicitors, Attornies or Proctors at Law, or as Notaries in this Province. Provided, that on or before the first day of June then next, they do respectively enter into a Notarial agreement immediately to enter upon the performance of the

remainder of their respective terms of five years and to complete such remainder according to Law any thing in the said Ordinance contained to the contrary notwithstanding. And whereas it is just to prevent their sustaining injury by reason of their having served their King and Country; Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and content of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great-Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the government of the Province of Quebec in North-America;' to make further provision for the Government of the said Province;" And it is hereby enacted by the authority of the same, that every person who shall have served in the Militia during the late War with the United States of America, and who before the said War, has been duly bound as a Clerk for the profession of Advocate and shall have served as such according to the said Ordinance, and who after the said War shall have continued his Clerkship or whose Clerkship may have expired during the said War, shall be entitled to be commissioned as a Barrister, Advocate, Solicitor, Attorney or Proctor at Law, after five years from the date of his engagement as Clerk before the said War, upon undergoing an examination and obtaining a certificate of fit capacity and character in the manner in the said Ordinance prescribed, any thing in the said Ordinance contained to the contrary in any wise notwithstanding.