

*Court of Sessions*

*Fortune Bay*



ANNO TERTIO

**GULIELMI IV. REGIS.**

**CAP. VI.**

*An ACT to declare the qualification and character  
of Persons admitted to practise as Barristers  
and Attornies of the Supreme Court of this Island.*

[17th April, 1833.]

**W**HEREAS by a certain Act passed in the Imperial Parliament, in the fifth year of the Reign of His late Majesty King George the Fourth, entitled "An Act for the better administration of Justice in Newfoundland, and for other purposes," it is declared and enacted that it shall and may be lawful for His Majesty, his Heirs and Successors, by his Charter or Letters Patent, or by any Order or Orders to be issued by and with the advice of his and their Privy Council, to make and prescribe, or to authorize the Supreme Court of Newfoundland, as His Majesty shall deem proper, to make and prescribe such Rules and Orders touching and concerning the admission of Barristers, Attornies, and Solicitors in the said Supreme Court, as to His Majesty, His Heirs and Successors, shall seem meet, and such Rules and Orders from time to time to alter, amend or revoke, as to His Majesty his Heirs and Successors shall seem requisite: And Whereas, in and by the Charter or Letters Patent of His said late Majesty, issued under and by virtue of the said Act, bearing date at Westminster the nineteenth day of September, in the year one thousand eight hundred and twenty-five, it is declared that in case there shall not be a sufficient number of Persons having been admitted Barristers at Law or Advocates in Great Britain or Ireland, or having been admitted Writers, Attornies or Solicitors in one of His Majesty's Courts at Westminster, Dublin, or Edinburgh, or having been admitted as Proctors in any Ecclesiastical Court in England, or of Persons having served a Clerkship under Articles in writing for the term of five years at least to any Barrister, Advocate, Proctor, Attorney or Solicitor of the said Supreme Court, and admitted and enrolled as Barristers, Advocates, Proctors, Attornies or Solicitors, to act as such within the said Colony, competent and willing to appear and act for the Suitors of the said Supreme Court, that then and in that case the said Supreme Court was and is thereby

Preamble.

authorized to admit so many other fit and proper persons to appear and act as Barristers, Advocates, Proctors, Attornies, and Solicitors, as may or might be necessary, according to such general rules and qualifications as the said Supreme Court should for that purpose make and establish: And Whereas, in and by an Act of the Imperial Parliament passed in the tenth year of the Reign of his late Majesty King George the Fourth, the aforesaid recited Act was continued until the thirty-first day of December in the year one thousand eight hundred and thirty-two; And Whereas, in and by a certain Act passed in the Imperial Parliament in the second and third years of the Reign of His Most Gracious Majesty King William the Fourth, entitled "An Act to continue certain Acts relating to the Island of Newfoundland, and to provide for the appropriation of all Duties which may hereafter be raised in the said Island," it is enacted that it shall and may be lawful for His Majesty, or for any Governor, Lieutenant Governor, or Officer administering the Government of Newfoundland, in pursuance of any Commission or Instructions to him for that purpose addressed by His Majesty, with the advice and consent of any House or Houses of General Assembly, which His Majesty may hereafter be pleased to convoke from among the Inhabitants of the said Colony, by any Act or Acts to be from time to time for that purpose passed, to repeal in whole or in part, or to amend, alter, or vary the said recited Act, or any part thereof, and that until so repealed, amended, altered or varied, the said recited Act shall be and continue in full force and effect: And Whereas, in pursuance of the said Act of the Imperial Parliament passed in the fifth year of the Reign of His late Majesty King George the Fourth, and of the said Royal Charter, divers Persons of the profession of the Law were, on the institution and opening of the said Supreme Court, and have been at divers times and periods since, admitted to practise in the said Courts as Barristers, Advocates, Proctors, Attornies and Solicitors of the said Supreme Court; And Whereas doubts have arisen whether the Persons so admitted, shall be deemed to be Barristers, Advocates, Proctors, Attornies and Solicitors fully admitted and enrolled, and it is necessary that all such doubts should be removed:

Barristers who have been admitted to practise in the Supreme Court declared to be Barristers-at-Law admitted and enrolled.

*Be it therefore enacted*, by the Governor, Council and Assembly, in Colonial Parliament assembled, that every person who hath been admitted to practise as a Barrister or Advocate, Proctor, Attorney or Solicitor, as aforesaid, in the said Supreme Court of Newfoundland, and hath continued to practise as such in the said Supreme Court or Circuit Courts from the period of his admission until the present time, shall be deemed to have been from the period or date of his respective admission to practise as such Barrister or Advocate, Proctor, Attorney or Solicitor, and is hereby declared to be to all intents and purposes, a Barrister at Law and Advocate, Proctor, Attorney and Solicitor of the said Supreme Court of Newfoundland, duly admitted and enrolled;—*Provided always*, that any Person who may have been admitted to practise as aforesaid, and hath been appointed to act in the capacity of Clerk in the Supreme or Circuit Courts of this Island, shall be considered a practising Barrister, Advocate, Proctor, Attorney and Solicitor, within the meaning of this Act.