

GORDON DRUMMOND, ESQUIRE, PRESIDENT.

In all cases where the sheriff has made to the first writ of *capias*, the usual return of "non est inventus," upon which a second writ of *capias* ought to issue, and in all cases where writs of exigent have been awarded but have not yet been issued, it shall be lawful to continue the proceedings according to the provisions of this act, as if no lapse of time had intervened.

No chasm of time before the continuance of such proceedings, to be deemed a discontinuance.

Continuance of this act.

X. *Be it therefore further enacted by the authority aforesaid,* That in all cases where the Sheriff has made to the first writ of *capias* to him directed, the usual return of "non est inventus," upon which a second *capias* ought to issue; and also in all cases where writs of exigent have been awarded, but have not yet been issued or acted upon by reason of the difficulties above recited, it shall and may be lawful to continue the proceedings therein, according to the provisions of this act as if no lapse of time had intervened since the last proceedings in any such case, and to prosecute the parties to outlawry in like manner as if the *capias* had been returned according to this act, or the exigent had been awarded immediately before the next proceeding that shall be had therein, and that no chasm of time before the continuance of such proceedings in the cases before mentioned, shall be deemed in law a discontinuance, or shall vitiate or render null the process to outlawry therein, any law to the contrary notwithstanding.

XI. *And be it further enacted by the authority aforesaid,* That this act shall continue and remain in force for and during the term of two years, and from thence to the end of the next ensuing session of Parliament, and no longer.

CHAP. III.

An Act to afford relief to Barristers and Attornies, and to provide for the admission of Law Students within this Province, and for other purposes therein mentioned.

[Passed the 14th March, 1815.]

Preamble.

WHEREAS the glorious and honorable defence of this Province in the war with the United States of America, hath necessarily called from their usual occupations and professions most of the inhabitants of the said Province, and amongst them very many Barristers, Students at Law, Attornies and Articled Clerks of Attornies within the same, whereby the regular meetings of the benchers of the law society of the said Province being for many terms past interrupted, several young gentlemen have been prevented from making due application for admission on the books of the said society as students at law, and several students at law have in like manner been prevented from being duly called to the bar of the said Province, to their manifest and great injury: And whereas to obviate this evil as far as we then could, at a meeting of the said law society held as of helary term, in the fifty-fifth year of His present Majesty's reign, the benchers of the said law society did enter upon their books the names of several persons who have been prevented in manner aforesaid, from obtaining their due admission as students and barristers as aforesaid, therefore to remove all doubts as to the legality of such entry or entries, be it enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper 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, and to make fur-

ther provision for the government of the said Province," and by the authority of the same, That all those persons whose names are now entered upon the books of the law society; as students at law and barristers, shall be deemed and held to be legally and regularly entered on the said books, and are hereby declared to be students of law and barristers within this Province, and of such standing as to time, as is now allowed by each respectively upon the books of the society.

All those persons whose names are entered upon the books of the law society as students at law and barristers, shall be deemed legally entered on the said books.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the benchers of the said law society, or a quorum thereof, in Michaelmas term next, to make a further entry upon the books of the said society, of the names of other students or barristers who may have been and still continue to be prevented by the causes aforesaid, from making their proper application in due time for their respective admissions, and that all such persons so to be entered upon the said books in Michaelmas term next, shall be held to be legally and regularly entered on the said books, and shall in like manner be considered and held as to term and degree as students and barristers, according to the tenor of such entry so to be made in Michaelmas term next as aforesaid: *Provided,* That nothing herein contained shall be construed to be compulsory upon the said society to make such admissions, but that the same and every of them to be made by virtue of this act, shall be so entered and made only upon the approbation and unanimous vote of a legal quorum of the said benchers.

It shall be lawful for the benchers of the law society in Michaelmas term next, to make a further entry of the names of other students or barristers. And all such persons so entered in Michaelmas term, shall be held to be legally entered. Nothing herein contained to be compulsory upon the said society to make such admissions.

III. *And be it further enacted by the authority aforesaid,* That all those persons whose names are now entered upon the rolls of the Court of Kings Bench, as Attornies thereof, and who have by military or other public duty, been interrupted in their regular service, limited in their respective articles of clerkship, are hereby declared to be regularly entered and admitted as such attornies, any defect in such entry or entries as to the time of service, notwithstanding.

All persons now entered upon the rolls of the court of K. B. as attornies, &c. are declared to be regularly entered.

IV. *And be it further enacted by the authority aforesaid,* That in all future admissions of attornies clerks, who have been bona fide articulated as such, before the passing of this act, and who for any portion or portions of time, within the period limited in their respective articles of clerkship, have been withdrawn from the service of their masters, by any military or any civil or public duty, or by any other matter, cause or circumstance occasioned by the war, and preventing such regular service, it shall and may be lawful for the Court of Kings Bench to admit such articulated clerks to be attornies of the said court at the end of five years from the date of their respective indentures, without the usual affidavit of service, and that all such attornies so to be entered, shall be considered and held as attornies of the said court legally admitted, any defect by reason of interrupted service for the causes aforesaid notwithstanding.

In all future admissions of Attornies Clerks who have been articulated as such, before the passing of this act, and who for any portion of time during their clerkship, have been withdrawn from the service of their masters by any military or civil duty, &c. To be admitted without the usual oath of service.

CHAP. IV.

An Act for granting a Compensation to Thomas Merritt, Esquire, Sheriff of the District of Niagara, for Certain Extraordinary Services performed by him.

[Passed the 14th March, 1815.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it is thought expedient to compensate Thomas Merritt, Esquire, Sheriff of the District of Niagara, for the extraordinary trouble and expense

Preamble