

EIGHTH PARLIAMENT, C. 5, IN THE 2d. YEAR OF GEORGE IV. A D. 1822.

Member to represent in the said House of Assembly, any County, Town or Riding within this Province, and he is hereby required at the instance and request of any one Elector of the County, Town or Riding in which such Election shall be held, to tender to every Candidate for the said Election the following Oath:—

“ I A. B. do sincerely and solemnly swear, that during my residence in the United States of America, I have not taken or subscribed any Oath of Abjuration of Allegiance to the Crown of Great Britain, and further, that during my said residence I have not held the Office or appointment of Senator or Member of the House of Representatives of the United States, or of either of the said United States respectively, or held or enjoyed any Office in any of the Executive Departments of State in the said United States or State respectively, so help me God.”

III. *And be it further enacted by the authority aforesaid,* That if any person shall wilfully forswear himself in the Oath taken by virtue of this Act, he shall be deemed guilty of wilful and corrupt perjury, and may be punished accordingly.

Oath to be tendered to any Candidate by returning Officers.

Persons taking Oath subject to the Penalties of Perjury.

C H A P. V.

An Act to repeal part of and amend an Act passed in the thirty-seventh year of His late Majesty's Reign, entitled “ An Act for the better regulating the practice of the Law,” and to extend the provisions of the same.

[Passed 17th January, 1822.]

WHEREAS it is expedient to repeal part of and amend an Act passed in the thirty-seventh year of His late Majesty's Reign, entitled “ An Act for the better regulating the practice of the Law and to extend the provisions of the same : Be it therefore enacted by the King's 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, entitled “ An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled “ An Act for making more effectual provision for the Government of the said Province,” and by the authority of the same, That the Treasurer and Benchers of the Law Society for the time being, and their Successors to be nominated and appointed according to the rules and by-laws of the said Society, shall be and

Preamble.

Treasurer and Benchers of the Law Society incorporated.

To have a Common Seal.

they are hereby declared to be one body corporate and politic in deed and in law, by the name of the Law Society of Upper Canada, and shall have perpetual succession and a common seal, with power to change, alter, break or make new the same, and they and their successors by the name aforesaid, may sue and be sued, implead and be impleaded, answer and be answered unto in all or any Court or Courts of Record and places of Jurisdiction within this Province, and that they and their successors by the name aforesaid shall be able and capable in Law to have, hold, receive, enjoy, possess and retain for the end and purposes of this Act, and in trust and for the benefit of the said Society all such sum and sums of money as have been paid or given, or shall at any time or times hereafter be paid, given, devised or bequeathed by any person or persons to and for the use of the said Society, and that they and their successors by the name aforesaid shall and may at any time hereafter without any licence of Mortmain, purchase, take, receive, have, hold, possess and enjoy any lands, tenements or hereditaments, or any estate or interest derived or arising out of any lands, tenements or hereditaments for the purposes of the said Society, and for no other purposes whatsoever, and may also in the same manner, sell, grant, lease, demise, alien or dispose of the same, and do or execute all and singular other matters and things that to them shall or may appertain to do.

May hold Lands to the use of the society.

II. *And be it further enacted by the authority aforesaid,* That so much of the fifth Clause of the said Act passed in the thirty-seventh year of His late Majesty's Reign, as respects the admission of persons to practice in this Province, who have been duly admitted to practice at the Bar of any of His Majesty's Courts in England, Scotland or Ireland, or of any of His Majesty's Provinces in North America, shall be and the same is hereby repealed, and that from and after the passing of this Act, it shall and may be lawful for any person having been duly called, to practice at the Bar of any of His Majesty's Superior Courts, not having merely local Jurisdiction in England, Scotland or Ireland, or in any of His Majesty's Provinces in North America, in which the same privilege would be extended to Barristers from this Province, on Producing sufficient evidence thereof, and also on producing testimonials of good character and conduct to the satisfaction of the Law Society of this Province to be called by the said Law Society to the degree of a Barrister, upon his entering himself of the said Society and conforming to all the Rules and regulations thereof.

Certain Persons coming from Great Britain Ireland or British Provinces in America may be called to the Bar in this Province.

III. *And be it further enacted by the authority aforesaid,* That the sixth Clause of the said Act passed in the thirty-seventh year of His late Majesty's Reign shall be and the same is hereby repealed, and that from and after the passing of this Act, no person shall be admitted by the Court of King's Bench to practice as an Attorney in this Province, unless upon an actual service under articles for five years with some practising attorney in this Province. *Provided nevertheless,* that nothing in this Act contained, shall extend or be construed to extend to any Student now serving with any person in this Province duly authorised to take a Clerk, and who shall have been proposed or entered on the Books of the Law Society as a Student.

No Person to be admitted to practice as an Attorney under 6 years actual service.