

Laws of His Majesty's Province of Upper-Canada; Passed in the Third Session of the Provincial Parliament of Upper Canada, Met at Newark, on the Second day of June, in the Thirty-Fourth Year of the Reign of our Sovereign Lord George the Third (1794). Niagara: Gideon Tiffany, Printer to the King's Most Excellent Majesty, 1795.

34 George III – Chapter 4

An Act to authorize the Governor or Lieutenant-Governor to licence Practitioners in the Law.

Whereas much inconvenience may ensue from the want of persons duly authorized to practise the profession of the law in this province; Be it 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 province of Quebec, in North-America, and to make further provision for the government of the said province," and by the authority of the same, That the operation and effect of the provisions contained in a certain act or Ordinance of the late province of Quebec, passed in the twenty-fifth year of his majesty's reign, Entitled, "An Act, concerning advocates, attornies, solicitors and notaries, and for the more easy collection of his majesty's revenues," so far forth as the same regards the regulations, concerning advocates, attornies, solicitors and notaries be suspended, and the same is hereby suspended, for and during the term of two years from the passing of this Act.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the governor, lieutenant-governor, or person administering the government of this province, to authorize by licence, under his hand and seal, such and so many of his majesty's liege subjects, not exceeding sixteen in number, as he shall deem, from their probity, education, and condition in life, best qualified to act as advocates and attornies, in the conduit of all legal proceedings in this province; and that upon producing such licence to the proper officer, their names shall be inscribed on a roil for that purpose, to be provided, and to be kept among the records of the court of king's bench, and each and every person whose name shall be so inscribed, and no other shall be holden as duly authorized to receive fees for practising in any of his majesty's courts within this province.

III. Provided always, and be it enacted, That in case any person or persons so licenced and enrolled, shall be guilty of any malversation or corrupt practice, and the same shall be proved, by evidence, satisfactory to the court of king's bench, it shall and may be lawful for the said court to order his or their name or names to be struck off the roll.

IV. Provided also, and be it further enacted, That nothing herein contained shall prevent, or be confirmed to prevent any person duly qualified according to the provisions in the said Act or ordinance contained, from being admitted to the exercise of the practice of the law, conformably

to the said Act, and that at and after the expiration of the said two years, the said Act or ordinance shall again be in force, until other or further provision be made for the like purposes.

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the secretary of the governor, lieutenant-governor or person administering the government of this province, to demand and take the sum of forty shillings on the delivery of each and every such licence, and for the clerk of the court of king's bench, to demand and take the sum of thirteen shillings and four-pence, for inscribing the name of each and every person so licenced upon the roll.

VI. Provided always, and be it enacted, that the clerk of the court shall, and is hereby required to inscribe on the said roll the name of each and every person duly qualified, according to the provisions in the said Act or ordinance contained, without any gratuity or fee whatever.