

Laws of Her Majesty's Province of United Canada, passed in the year 1846. Montreal:
Stewart Derbishire & George Desbarats, 1846.

9 Victoria – Chapter 102

An Act for the relief of John Macara, of the City of Toronto, Esquire. 18th May, 1846.

Whereas an Act was passed by the Legislature of the then Province of Upper Canada, in the second year of the reign of His late Majesty King George the Fourth, intituled, An Act, to repeal part of and amend an Act passed in the thirty-seventh year of His late Majesty's Reign, intituled, *An Act for the better regulating the practice of the Law*, and to extend the provisions of the same; And whereas it is amongst other things enacted, that from and after the passing of the said Act, no person shall be admitted by the Court of Queen's Bench to practise as an Attorney in Upper Canada unless upon an actual service under Articles for five years, with some practising Attorney in Upper Canada; and whereas an Act was passed by the said Legislature, in the seventh year of the Reign of His late Majesty King William the Fourth, intituled, *An Act to amend the Law for the admission of Barristers and Attorneys, and to provide for the further relief of William Conway Keele*; And whereas it is by the said last recited Act amongst other things enacted, that from and after the passing of the said Act, it shall be lawful for the Court of King's Bench in its discretion, to admit any duly admitted Attorney or Solicitor of Her Majesty's Courts of Law or Equity in England or Ireland, or any Writer to the Signet or Solicitor before the Higher Courts in Scotland, to practise as an Attorney of the Court of King's Bench in Upper Canada upon sufficient proof being given that such Attorney, Solicitor or Writer to the Signet aforesaid, has served under Articles of Clerkship to a practising Attorney in Upper Canada for the space of three years, or if such Attorney, Solicitor, or Writer to the Signet, or Solicitor before the Higher Courts shall have taken a degree at any of the Universities in the United Kingdom, then for the period of two years only; And whereas it appears by the petition of John Macara, a native of Scotland, now resident in that part of this Province formerly Upper Canada, and by certificates and documents produced in support thereof, that the said John Macara served a Clerkship of five years with a Writer to the Signet in the City of Edinburgh, previous to entering upon which the said John Macara attended the Literary classes of the University of Edinburgh as required by the Society of Writers to the Signet from Members of their body; that he afterwards attended the Law Classes of the said University during his Clerkship, and that upon these qualifications which would have entitled the said John Macara to admission to the Supreme Court of Scotland, he was duly admitted to practise before the Sheriffs' Courts of Scotland: And whereas it further appears that the said John Macara has duly served under Articles of Clerkship to an Attorney at Law and Solicitor in Chancery in Upper Canada since the first day of June, one thousand eight hundred and forty-two, and that the said John Macara hath been a Member of the Law Society of Upper Canada for upwards of three years; and also that the said John Macara came to this Province ignorant of the existence of any Law debarring him from the practise of his profession or conferring on Practitioners before the English Courts any Privileges not enjoyed by Scottish Practitioners in this country; And whereas the said John Macara is desirous of being admitted to practise before the Courts of Law and Equity of Upper Canada, and it is expedient to relieve him from the disability imposed by any of the before recited Acts: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of

the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That any thing in any of the said recited Acts to the contrary thereof in any wise notwithstanding, the Court of Queen's Bench in and for that part of this Province formerly the Province of Upper Canada, may, in its discretion, admit the said John Macara to practise as an Attorney in that part of this Province last aforesaid, which shall be understood by the words, "Upper Canada," whenever they occur in this Act.

II. And be it enacted, That the Vice Chancellor of Upper Canada may, in his discretion, admit the said John Macara to practise as a Solicitor in the Court of Chancery of Upper Canada.