

Laws of Her Majesty's Province of United Canada, passed in the year 1851. Quebec: Stewart Derbishire and George Desbarts, 1852.

16 Victoria – Chapter 130

An Act to declare valid the Articles of Clerkship of Law Students enregistered within a certain period after the delay granted by the Act to incorporate the Bar of Lower Canada, and to amend the said Act. Assented to 23rd May, 1853.

Whereas by the operation of the Act to incorporate the Bar of Lower Canada, Articles of Clerkship of Law Students are required to be enregistered within a certain period therein provided, and certain of the said Students have omitted to comply with the requirements of the said Act, and it is expedient to provide a remedy for the same; and it is further expedient to set off the Members of the Bar practising in the District of Saint Francis into a separate Bar Section, and to enable the Section of the District of Montreal to extend the advantages of their Library as established by the said Section, and otherwise to amend the said Act: 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 it shall be lawful for the Council of any Section of the Bar of Lower Canada, to admit any Law Student to practice whose Articles of Clerkship were executed, whether before Notaries or *sous seing privé*, prior to the passing of the Act herein first above cited, provided it shall appear to such Council, that such Law Student has served a *bonâ fide* and continued Clerkship in conformity with the provisions of the said cited Act, and that his Articles of Clerkship shall have been duly enregistered six months before his application to practice.

II. And be it enacted, That any Law Student whose Articles of Clerkship shall have been entered into subsequent to the passing of the said Act herein first above cited but prior to the organization of the Council of the Bar in any Section, shall not on account of such want of organization be prejudiced in his right of admission to practice by reason of not having been in such case duly examined and formally admitted to the study of the Law as required by the said cited Act.

III. And be it enacted, That any Law Student, under Articles of Clerkship entered into prior to the passing of the Act herein first above cited, who shall have served any part or portion of his Clerkship in any section other than the section in which he shall have commenced his Clerkship, shall not be required to produce new Articles of Clerkship or a transfer of his former Articles of Clerkship, before the Council of the Section of the Bar where application is by him made for admission to practice, but it shall and may be lawful for the said Council of any Section of the Bar, to admit any such Law- Student to practice, provided it shall appear to such Council that such Law Student has served a *bonâ fide* continuation of such Clerkship and study in such other Section: And provided further that his Articles of Clerkship shall have been enregistered in the Section where application is made for admission to practice, at least six months before such application.

IV. And be it enacted, That from and after the passing of this Act, the Advocates, Barristers, Attornies, Solicitors and Proctors at Law, residing in the District of Saint Francis, shall constitute and form a Section of the Corporation of the Bar of Lower Canada, separate from that of the District of Three- Rivers, and may have, hold and exercise all the rights and powers, and be subject to all the liabilities and provisions, granted, prescribed and enacted by the Act herein first above cited, for the other Sections of the Bar of Lower Canada, as fully in every respect and to all intents and purposes, as if the said Section of the District of Saint Francis had been established and constituted in and by the said Act, and the enactments of the said Act expressly extended thereto.

V. And be it enacted, That the Council of the said Section shall be composed of a Batonnier, a Syndic, a Treasurer and a Secretary, and of five other Members who shall be elected in the manner provided in the said Act for the election of the like officers for the Section of the District of Three-Rivers, and shall hold, use and exercise all the authorities, powers and privileges now held, used and exercised by the Councils of the other Sections, for all and every the purposes of the said Act.

VI. And be it enacted, That if any Student at Law duly articed and otherwise duly qualified, shall in any incorporated University or College in which a Law Faculty is established, have followed a regular and complete course of Law as provided by the Statutes or regulations of the said University or College, and shall have taken a Degree in Law in such University or College, three years of Clerkship shall be sufficient, and such course of study shall and may be followed simultaneously with his time of service with a practising Attorney under his Articles.

VII. And be it. enacted, That as regards the Section of the Bar of the District of Montreal only, in lieu of the sum of One Pound currency, mentioned in the thirty-third Section of the said Act, there shall be paid and payable One Pound Ten Shillings currency, the payment whereof may be enforced in the manner and by the means provided by the said Act.

VIII. And be it enacted, That all Members of the Bar of the said Section of Montreal, paying such subscription of One "Pound Ten Shillings annually, shall have the use of the Library and Books of the said Section, subject only to such Rules as the Council of the said Section may enact for the regulation of the said Library and the payment of the said subscription and for enforcing the payment thereof, even by disqualifying to vote at meetings of the Section so long as the same shall be in arrear, and the said Council is hereby authorized to make such Rules and from time to time to change the same as to it may seem fit.