

certain extent, independent of the other, though generally the one person practises in both. They are *barristers*, or persons authorized to "plead at the bar" of the courts of law or equity, and to take upon them the advising and defence of clients, and from whom all judges, Queen's counsel, and attorneys and solicitors general are selected; and *attorneys* and *solicitors*, or persons authorized to "appear in the courts" in the place and on behalf of others, to prosecute and defend actions on the retainer of clients. The only distinction between these two latter is, that "attorney" is the title adopted in the courts of common law, and "solicitor" the title adopted in the courts of equity.\*

In the study of law, the course prescribed by the Law Society for Upper Canada takes precedence.†

Students who have already passed through a three or four years' university course of law studies are still required, if they wish to become barristers at law, to begin *de novo*, and continue as students of the Law Society for three years longer. While those who are not university graduates are only required to remain on the books of the Law Society as students for five years. All students must be at least sixteen years of age; they must attend term lectures, and must receive their professional education under the superintendence of some barrister.

In order to facilitate the education of the students, the Law Society has arranged "that the tuition of the pupils attending the law school shall be by means of lectures, readings, and mootings; that there shall be four readers, viz.: the reader on common law, the reader on equity, the reader on commercial law, and the reader on the law of real property; that in addition to the lectures in term, there shall be lectures during the three educational terms of each year, which shall continue for six consecutive weeks each. The attendance on the lectures of the educational term is, however, voluntary. In order to give an additional stimulus to the study of law in Upper Canada, the society has established four scholarships (one for each year's course) which are open to any student on the society's books, whether pupils of the law school or not. These scholarships are of the respective values of one hundred and twenty, one hundred and sixty, two hundred, and two hundred and forty dollars per annum, and are payable quarterly. The readers deliver the lectures, hold readings, and preside at mootings or the moot courts. The charge for attendance at the law school is one dollar per term. Students of the Law Society are admitted upon examination in one of the three following classes, viz.: the university class, the senior class, and the junior class. The examination in the university and the senior classes is the same, and includes Greek, Latin, mathematics or metaphysics, astronomy, ancient and modern geography and history; the examination in the junior class is in Latin, mathematics, English history, and modern geography.

#### II.—UNIVERSITY OF TORONTO LAW COURSE.

No lectures are delivered in the faculty of law in this university; but the following are the requisites for obtaining the degree of LL. B. in the ordinary course:—

- Having matriculated in the faculty of law;
- Being of the standing of four years from matriculation;
- Having passed in each of those years the examinations prescribed in the statute respecting "subjects of examination in the faculty of law;"
- Being of the full age of twenty-one years.

#### III.—UNIVERSITY OF QUEEN'S COLLEGE LAW COURSE.

The law course in Queen's College extends over three years. Candidates must pass a matriculation examination, unless they have already passed a similar in any college or have been admitted as students of the Law Society for Upper Canada. Lectures are delivered by three professors.

#### IV.—UNIVERSITY OF VICTORIA COLLEGE LAW COURSE.

The law course in Victoria College extends over four years. Candidates must pass a matriculation examination unless they have

\* *Canada Educational Directory*, p. 94.

† The Law Society of Upper Canada was established in 1797, by the Act 37 George III., chap. 13, which enabled the then practitioners of the law to form themselves into a society, "for the purpose of securing to the country and the profession a learned and honorable body, to assist their fellow-subjects as occasion may require, and to support and maintain the constitution of the province." By the same act, the judges of the superior courts were constituted visitors, with authority to sanction such rules as they considered necessary for the good government of the society. In 1823, the society was incorporated by the Act, 2 George IV., cap. 5, and its functions vested in the treasurer and benchers for the time being, elected according to the by-laws of the society, much in the same manner as in the law societies of Great Britain and Ireland. The benchers sit in convocation every law term, for the admission of students and barristers and for other business—*Ibid*, page 95.

been admitted as barristers by the Law Society of Upper Canada. A student of three years' standing in arts may enter at the examination for the second year; and a graduate in the same faculty may enter at the third year examination. No lectures are given, but annual examinations in the subjects prescribed are held.

#### V.—UNIVERSITY OF TRINITY COLLEGE LAW COURSE.

No lectures in law have been given since the law course was opened at Osgoode Hall by the Law Society.

### 3. LAW SOCIETY OF UPPER CANADA.

#### ENTRANCE AND COURSE OF STUDY, EXAMINATION.\*

Ordered, that the examination for admission shall, until further order, be in the following books respectively, that is to say—

##### For the University Class:

In Homer, first book of *Iliad*, Lucian (*Charon Life or Dream of Lucian and Timon*), Odes of Horace, in Mathematics or Metaphysics at the option of the candidate, according to the following courses respectively: Mathematics Euclid, (1st, 2nd, 3rd, 4th, and 6th books,) or Legendre's *Geometrie*, (1st, 2nd, 3rd, and 4th books, Hind's *Algebra* to the end of Simultaneous Equations, Metaphysics, (Walker's and Whateley's *Logic*, and Locke's *Essay on the Human Understanding*), Herschell's *Astronomy* (chapters 1st, 3rd, 4th and 5th,) and such works in Ancient and Modern Geography and History as the candidates may have read.

##### For the Senior Class.

In the same subjects and books as for the University Class.

##### For the Junior Class:

In the 1st and 3rd books of the Odes of Horace; Euclid, 1st, 2nd, and 3rd books or Legendre's *Geometrie*, by Davies, 1st and 3rd books, with the problems; and such works in English History and Modern Geography as the candidates may have read and that this Order be published every Term, with the admission of such Term.

Ordered, that the class or order of the examination passed by each candidate for admission be stated in his certificate of admission.

Ordered, that in future, Candidates for Call with honours, shall attend at Osgoode Hall, on the last Thursday and also on the last Friday of Vacation, and those for Call, merely, on the latter of such days; and Candidates for Certificates of fitness on the last Saturday in Vacation.

Ordered, that the examination of candidates for certificates of fitness for admission as Attorneys or Solicitors under the Act of Parliament, 20 Vic. chap. 63 and the Rule of this Society of Trinity Term, 21 Vic. chap. 1, made under authority and by direction of the said Act, shall, until further order, be in the following books and subjects, with which such candidates will be expected to be thoroughly familiar, that is to say:

Blackstone's Commentaries, 1st Vol.; Smith's *Mercantile Law*; Williams on *Real Property*; Story's *Equity Jurisprudence*; the *Statute Law*, and the *Pleadings and Practice of the Courts*.

NOTICE.—A thorough familiarity with the prescribed subjects and books will in future, be required from Candidates for admission as Students; and gentlemen are strongly recommended to postpone presenting themselves for examination until fully prepared.

NOTICE.—By a rule of Hilary Term, 18th Vic., Students keeping Term are henceforth required to attend a Course of Lectures to be delivered, each Term, at Osgoode Hall, and exhibit to the Secretary on the last day of Term, the Lecturer's Certificate of such attendance.

#### CERTIFICATES OF FITNESS FOR ADMISSION AS ATTORNEYS OR SOLICITORS IN UPPER CANADA.

To keep Terms.—Every Candidate for Certificate of fitness for Admission as Attorney or Solicitor, shall keep two Terms pursuant to the Statute in that behalf. The two Terms to be kept by Articled Clerks under the Statute shall be kept by their attending the sittings of the Courts of Queen's Bench and Common Pleas, or one of them, agreeably to the provisions of the said Act and of the Rules of the said Courts in that behalf, every day on which such courts, or either of them sit during Term, and by their entering their names, and subscribing their declaration of attendance in the Articled Clerk's Attendance Book of such Courts, or either of them, pursuant to the said Rules of Court respectively.

Every such Candidate shall leave with the Secretary of this Society a certificate or certificates of such attendance from the Clerks of such Court or Courts, together with his petition for certificate of fitness, articles, and other papers, or sufficiently excuse the production thereof as prescribed by the said Act, and the Rules of the Society respecting the same.

\* See remarks of the late Sir J. B. Robinson, Chief Justice of Upper Canada, on "The Study of Law," in the *Journal* for October, 1862, p. 147.