

entitle a person to become an attorney, service under articles for three years if a graduate of a university, or for five years if not, was only the prerequisite. A change has been made. From the fact of the change we might presume a necessity for the change existed, (on a previous occasion we proved it.) It has at last been discovered that a man may serve for three or five years in an attorney's office without thereby becoming learned in the profession. Indeed there have been ways of satisfying the term of service other than by downright study and earnest application. With nothing to fear, no examination to pass, there has been in some cases shameful neglect of duty on the part of so called law students. Men there have been who, unmindful of the great scope and objects of the profession—unmindful, in fact, of their own best interests, as well as those of the public—palmed themselves upon their fellowmen as wise, learned and honest, whose only claims to be so considered were their impudence, effrontery, and unpardonable audacity. It has been well remarked that young men, in becoming attorneys, enter into a solemn contract with society at large that all men may employ them, not only advantageously but safely, without compromising interests which must be entrusted to them. After all the time spent by a student in an office is of itself a very insufficient test of efficiency. One person may learn as much in three, as another in twenty years. Time spent is not the test,—but time *well* spent by a person *naturally qualified*. We believe no individual, however assiduous, can acquire a knowledge of the law sufficient to enable him to practise it as a profession in less than three or five years. These periods have therefore, in our opinion, not been adopted without proper consideration, and ought not to be altered without a clear necessity.

It being the duty of the Law Society to present to the public men qualified to practise as attorneys, the power to examine as to capacity and fitness is very properly confided in that body. With them will rest the credit of giving to Canada a learned and dignified class of attorneys, or the responsibility of giving to it ignorant, vain, and hurtful pretenders. The powers of the Law Society to examine applicants for admission as attorneys, is conferred by an act of last session, entitled "An Act to amend the Law for the admission of Attor-

neys," (20 Vic. cap. 63); it was passed on the 10th June, 1857, and came into operation on the day when passed. Many of our young readers, we know, would have been better pleased had the day for the Act to take effect been delayed some months longer; but we must deal with the Act as we find it, now that all its provisions are in full operation. It not only consolidates the former Statutes, but contains many new and really useful provisions. We trace in it many clauses taken in whole or in part from the English Statute 6 and 7 Vic. cap. 73. The decisions in England under the latter Statute, and they are neither few nor far between, will be of great service in the construction of our new act. The first change that strikes the eye of the reader is that already noticed, which makes it necessary for articled clerks to appear before the Law Society to be examined as to fitness and capacity *before* admission (sec. 6.)

The persons entitled to apply for admission may be thus classified:

*First*—Persons who shall have been previous to or after the passing of the Act duly called to practise at the *bar* of any of Her Majesty's Superior Courts not having merely local jurisdiction in England, Scotland, or Ireland—persons lawfully sworn, admitted and enrolled *Attorneys* or *Solicitors* of Her Majesty's High Court of Chancery or Courts of Queen's Bench, Common Pleas, or Exchequer, in England or Ireland, or Writers to the Signet, or Solicitors in the Supreme Courts in Scotland, or Attorneys or Solicitors of any of Her Majesty's Colonies wherein the Common Law of the land prevails; these not to include Attorneys of the Courts of the Duchy of Lancaster, or of the Counties Palatine, of Lancaster, or Durham, in England, or of the Court of Sheriffs substitute, or other inferior Court of Scotland, or of any other than the Supreme or Superior Courts of Judicature of Her Majesty's Colonies (sec. 5.)

*Second*—Persons who shall have taken or who shall take the degree of Bachelor of Arts or Master of Arts, Bachelor of Law or Doctor Laws, in either of the Universities of the United Kingdom of Great Britain or Ireland, or in either of the Universities of this Province (sec. 4.)

*Third*—All others not included in the foregoing who shall have complied with the Act (sec. 3.)