

HOW TO BECOME A LAWYER IN ONTARIO.

thus expressing ourselves, we are not speaking in any sense "with authority;" but we are aware of no instance for some time past in which a graduate or senior student to whom Homer and Horace seemed as familiar as they ought to be, was required to demonstrate a proposition in Euclid, or terrified by a question on Locke, Logic, or Astronomy.

So soon as the candidate has passed (we trust with credit) through this preliminary ordeal, and has had the usual item, mentioning his "creditable examination," "compliments of the Benchers," etc., duly inserted in the local paper,—we should recommend him, if he be what is called "a three years' man," to fall at once to the work of preparing for his "first intermediate."

A careful perusal of Mr. Blake's Act (31 Vic. c. 23, Ont.), will shew that this examination may be passed *at any time* during the third year of a five years course, or during the first year of service in case the clerk has previously taken a degree. There seems to be an impression, especially among the latter class, that a year must elapse after admission and before this first examination. Such, however, is not the case, and, as will be seen hereafter, a mistake on this point may occasion a delay of three or even six months before admission to practise. It is true the third resolution respecting *students at law* provides that the first intermediate examination of a three years' man "shall be in his *second** year, and the second within the first six months of his third year;" but the effect of this regulation must not be misunderstood.

In the first place, it is *not intended* to apply to articled clerks, who are exempted from its scope by resolution No. 6 (already referred to) and are fully provided for in sec. 1 of the statute. The third resolution affects those only for whom no statutory provision has been (or indeed could be) made, and fixes the times of examination in the case of students at law *who are not*, at the same time, *articled clerks*.

Secondly, if an articled clerk should thus attempt to "serve two masters," and conform to a resolution on the face of it intended only for students at law, he would inevitably incur

the delay above spoken of. For since by the statute, one year at least must elapse between each examination and the succeeding one, the effect of postponing the first intermediate to any time *within* the second year of service, would be to defer the final (attorneys') examination for at least three months beyond the three years. We are aware of several instances in which this has actually been done, and where articled clerks, in attempting to comply with the regulation referred to, have been compelled to wait for three months after the expiration of their term of service before presenting themselves to be examined for admission.

The first intermediate, then, should be passed early in the antepenultimate year of service. Between the first and second of such intermediate examinations, the interval of a year is required by the Act (sec. 1), and in these cases it is somewhat strictly enforced. So far as we are aware but one instance has yet occurred in which the Benchers have exercised the power conferred upon them by section 6 to shorten the interval between these examinations in certain cases.

Between the second intermediate and the final examination for admission, *one year at least* must elapse. According to the words of the statute, this second examination must be passed "at some time not less than one year" after the first intermediate, "and *during the year next but one* before the time of the final examination."

We may notice here the peculiarity of the wording adopted in this section of the Act. "Thereafter" in the seventh line grammatically refers to the final examination, which would of course be absurd, the intention being that it should refer to the examination to be had in "the year next but two, &c.," *i.e.*, the first intermediate examination.

It is clear then that a student admitted in the junior class of November, 1867, or in the University class of November, 1869, who has not passed his first intermediate until November, 1870, *must* take the second intermediate in Michaelmas term, 1871, or else be delayed three months beyond the statutory period before he can go up for admission. He cannot pass this second examination *before* November, 1871, since it must be "not less than one year" after the first, nor can he pass it *after* November, 1871, if it is to be

* The substitution of "third" for "second" in the Law List, p. 99, and elsewhere, is evidently a clerical error or printer's mistake.