persons to the end and purpose that the functions and duties of the one may not interfere with the other." All practitioners were given twelve months to elect which branch of the profession they would follow[3].

A strong protest was made against this ordinance by some of the French-Canadian practitioners, but in vain. The distinction between the practitioner in the Courts and the notary still obtains in the present Province of Quebec.

In 1788 four Courts of Common Pleas were established in the territory afterwards the Province of Upper Canada, but then part of the Province of Quebec, one for each district; they were, of course, under the same law and practice.

In 1791 was passed the Act 31 George III, c. 31, commonly called the Canada Act or Constitutional Act, which divided the vast territory of the Province of Quebec into two provinces, the western being called Upper Canada and the eastern Lower Canada, each with its own Parliament and Lieutenant Governor.

The first Act of the first Parliament of Upper Canada (1792) 32 George 3, c. 1 (U. C.) was to introduce the English Civil Law; but no change was then made in the constitution of the profession. There were not many in the Province skilled in the English Law; and, accordingly in 1794 was passed an Act, 34 George III, c. 4 (U. C.) which authorized the Governor to grant a license to any number not exceeding sixteen British subjects to practice as attornies and advocates. This may have been, and probably was, due to the institution of the Court of King's Bench for the Province by the same Statute. The Act suspended for two years the operation within Upper Canada of the Ordinance of 1785.[4] During all this time and until the coming into force of the Act next to be mentioned, all practitioners were called "to the degree of an Advocate and to that of an Attorney." The original roll of the Court of King's

[3]The Ordinance is printed in full in both English and French in the volume of "Ordinances * * * the Province of Quebec," 1777 (in the Judges' Library at Osgoode Hall) pp. 67-68.

[4]Those who so received a license were in effect given a monopoly of the practice as they only could charge for their services; and the list included most if not all of the lawyers and some others.