

then deals with the Superior Courts of Common Law and County Courts in like fashion.

Having gone the circuit of the courts, one would fancy that the Act had exhausted itself. Not so, however, keen in the work of destruction, it peers through our statutes for stray sections, and fells them the moment they are discovered. It is found that a section giving power to the Court of Chancery to charge lands was snugly smuggled into the arrest and imprisonment for debt Act, (cap. 24,) and the "innocent" (s. 21) is accordingly slaughtered. Two clauses (secs. 12, 27) criminal enough to mention the word "judgment," are discovered in the Act respecting the partition and sale of real estate, (cap. 86,) and are accordingly silenced. Three clauses (secs. 1, 2, 3,) of the Act respecting mortgages of real estate (cap. 87) are emasculated for a like offence. Next the Registry Act (cap. 89), the dupe of the courts in this nefarious business, is discovered, and made largely to suffer. Many sections in the heat of the moment are completely obliterated, but on reflection are restored, purged of the obnoxious references to everything in the shape of a registered judgment decree or order. A section (11) of the Act respecting the transfer of real property (cap. 90) actually used the words "shall be bound by judgments," and paid the penalty of death in consequence; but by the omnipotence of Parliament is restored to life, on condition that it shall never again use such words. No more offending clauses could be discovered, but lest any should have escaped destruction we have the declaration that "All other statutes, parts and clauses of statutes, authorizing the registration of judgment decrees and orders for the payment of money in Upper Canada are hereby repealed."

Here one would suppose that the Act quite exhausted would rest and be as silent as the grave. Utterance, however, is subsequently given to two incoherent sections, the construction of which will, we fancy, puzzle the courts as they now puzzle us.

Here they are:—

10. "Nothing in this Act contained shall be taken, read or construed to affect any suit or action on or before the 18th day of May, 1861, pending in any Court in Upper Canada, in which any judgment creditor is a party."

11. "This Act shall take effect on the 1st of September next, and in case of judgments heretofore registered all writs of executions against lands issued before the said first day of September shall have priority according to the respective times of the registration of the judgments on which they have issued or shall issue respectively."

We confess we find a difficulty in construing these clauses separately, and a still greater difficulty in construing them collectively. By reading the latter clause we learn that "the Act shall take effect on 1st September next," by which we understand that it is not to take effect before that

day. Then what is the meaning of the former clause, "that nothing in this Act contained shall be taken, &c., to affect any suit, &c., on or before 18th May, 1861, pending," &c. Surely if the Act is not to take "effect" till 1st Sept., 1861, it can very well "affect" suits pending on or before 18th May, 1861! If we were to read the latter clause alone we should say certainly not, but reading the two together we find it difficult to come to any other than an affirmative conclusion. The object designed was probably to prevent the filing of bills in Chancery on judgments after 18th May, 1861, but how far that object is expressed we must leave the courts to decide.

Again: what is the meaning of the latter part of the latter section, which declares that "in cases of judgments heretofore (before 18th May, 1861,) registered, all writs of execution against lands issued before the said first day of September shall have priority according to the respective times of the registration of the judgments on which they have issued or shall issue respectively?" It certainly intends that executions against lands may be issued between 18th May and 1st September, 1861. It certainly intends that some of these executions may be issued on judgments which have been registered. But does it allow judgments to be registered between 18th May and 1st September, 1861? It certainly makes no provision for judgments registered after 18th May, 1861, and from this circumstance it may be argued that the intention is, none shall issue after that day. If this be the correct conclusion what becomes of the first part of the clause which declares that the Act shall take effect "on the 1st September next?" The meaning of this, if it has any meaning at all, must be, that for some purposes the Act shall take effect on 18th of May, but not for all purposes till 1st September, 1861.

These questions of construction suggest themselves to our minds, and we are much mistaken if they do not give trouble to other minds than ours. *Nous verrons.*

ADMISSION AS AN ATTORNEY.

The mode of obtaining admission as an Attorney and Solicitor of the Courts of Law and Equity in Upper Canada, is regulated by Consol. Stat. U. C., cap. 35, as amended by Statute 23 Vic., cap. 48, and the Rules of the Law Society, passed in pursuance of the powers conferred on the Society by the former Statute.

Each applicant is expected to be well read in statute and common law, and more especially the statute law of Upper Canada, and is required to undergo an examination in these subjects, in order that his fitness may be tested.

It has been remarked to us, that if the subject of examination were restricted to the statutes regulating the mode