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BILL.

An Act to amend the Law for the admission of English Attornies and Solicitors in the Canadian Courts of Law and Equity.

Received and read first time, Monday, 17th May,
1858.

Second reading, Friday, 21st May, 1858.

(500 Copies.)

Hcn. Mr. PRINCE.

BILL.

An Act to amend the Law for the admission of English Attornies and Solicitors in the Canadian Courts of Law and Equity.

WHEREAS by an Act of the Parliament of this Province of the Preamble. twentieth Victoria, chapter sixty-three, certain enactments were made imposing upon Attornies and Solicitors of the Superior Courts of Law and Equity in England conditions as to service under articles in
5 Canada with a Canadian Attorney or Solicitor, for the term of one year, and examination as to their fitness and capacity to act as Attornies and Solicitors in this Province, together with other conditions therein mentioned; and whereas by an Act of the Parliament of the United Kingdom of Great Britain and Ireland of the twentieth and twenty-first Victoria,
10 chapter thirty-nine, intituled, "An Act to regulate the admission of Attornies and Solicitors of Colonial Courts in Her Majesty's Superior Courts of Law and Equity in England in certain cases," it is amongst other things enacted, that Her Majesty may, by Order in Council, direct the said Act to come into operation as to any one or more of Her Majes-
15 ty's Colonies or Dependencies, and thereupon, but not otherwise, the provisions thereof shall apply to persons duly admitted as Attornies and Solicitors in the Superior Courts of Law and Equity in such Colonies or Dependencies; but that no such order in Council shall be made in respect of any Colony, except upon application made by the Governor or person
20 exercising the functions of Governor of such Colony or Dependency, and until it shall be shown to the satisfaction of Her Majesty's Principal Secretary of State for the Colonies, that the system of Jurisprudence as administered in such Colony or Dependency, and the qualification for admission as an Attorney or Solicitor in the Superior Courts of Law
25 and Equity in such Colony or Dependency, answer to and fulfil the conditions specified in section three thereinbefore referred to; and also that the Attornies or Solicitors of the Superior Courts of Law or Equity in England, are admitted as Attornies and Solicitors in the Superior Courts of Law and Equity of such Colony or Dependency, on production of their
30 Certificates of admission in the English Courts without service or examination in the Colony or Dependency; and whereas the said Act of the English Parliament cannot come into operation with reference to Canada as long as certain provisions of the Act passed during the last Session of the Provincial Parliament, chapter sixty-three, remain Law; and whereas
35 it is necessary and expedient to alter and amend the said Law of this Province so as to admit of the said English Act being made applicable to Canada: Therefore, Her Majesty, &c., enacts as follows:—

Certain provisions of 20th Vic. chap. 63, repealed.

I. The provisions of the said Act of the Parliament of Canada of the twentieth Victoria, chapter sixty-three, which relate to the admission of Attornies and Solicitors of Her Majesty's High Court of Chancery or Courts of Queen's Bench, Common Pleas, or Exchequer in England, to practice as Attornies and Solicitors of Her Majesty's Court of Chancery or the Courts of Queen's Bench or Common Pleas in Upper Canada, shall be and the same are hereby repealed; but the repeal thereof shall not be taken to be a renewal of any Acts repealed by the said Act of the Parliament of Canada of the twentieth Victoria, chapter sixty-three, but such Acts shall continue repealed notwithstanding the provisions of this Act.

English Attornies and Solicitors to be admitted to practice in Upper Canada, on production of their certificates of admission as such.

II. It shall be lawful for the Court of Queen's Bench, the Court of Common Pleas, and the Court of Chancery in Upper Canada, respectively, in their discretion, to admit Attornies or Solicitors of the Superior Courts of Law or Equity in England, to practice as Attornies and Solicitors of the Superior Courts of Law and Equity of Upper Canada, on production of their certificates of admission in the English Courts without service or examination.

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Extent of Act.

III. This Act shall extend to Upper Canada only.