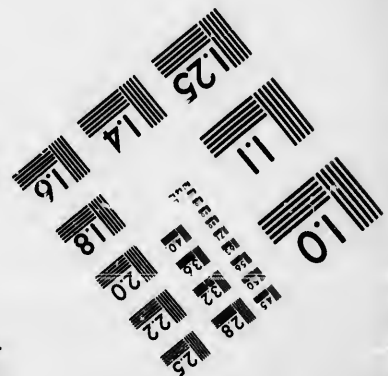
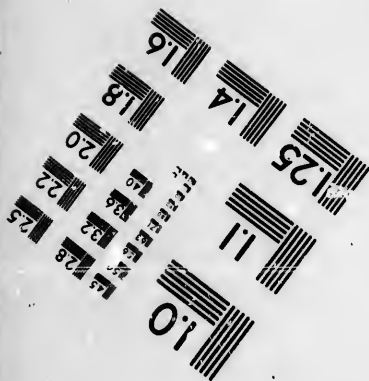
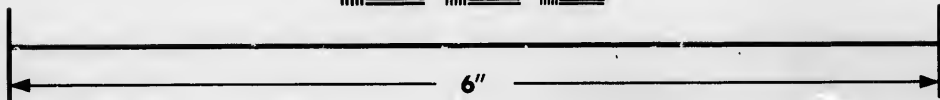
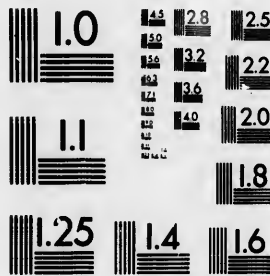


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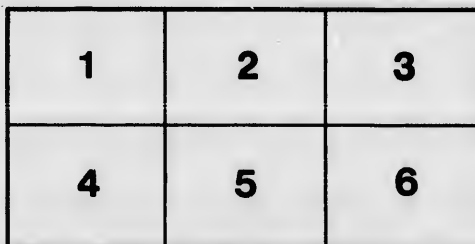
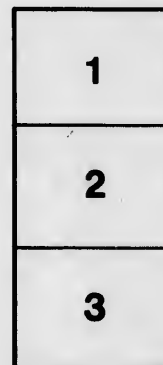
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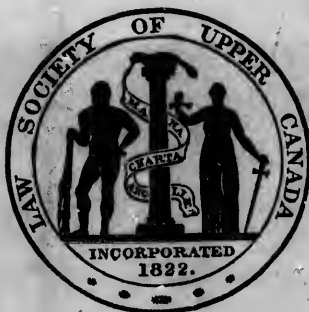
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EXTRACTS FROM THE RULES
OF THE
LAW SOCIETY OF UPPER CANADA

RELATING TO

THE ADMISSION OF STUDENTS," "CALL
TO THE BAR," AND "CERTIFICATES
OF FITNESS AS ATTORNEYS."

FOR THE USE OF CANDIDATES.



PRINTED BY ORDER OF CONVOCATION,
BY ROWSELL & ELLIS, PRINTERS, TORONTO.

1859.

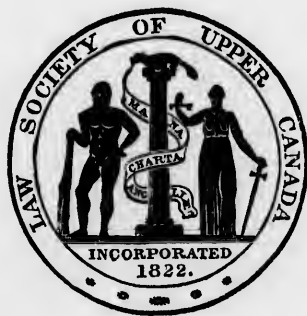
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THE

Law Society of Upper Canada.

Visitors.

- Honourable SIR JOHN BEVERLEY ROBINSON, Bart, C.B., D.C.L., Chief Justice of Upper Canada.
- Honourable WILLIAM HUME BLAKE, B.A., Chancellor of Upper Canada.
- Honourable WILLIAM HENRY DRAPER, C.B., Chief Justice of the Court of Common Pleas.
- Honourable ARCHIBALD McLEAN, Judge of the Court of Queen's Bench.
- Honourable JAMES C. P. ESTEN, Vice-Chancellor.
- Honourable ROBERT EASTON BURNS, Judge of the Court of Queen's Bench.
- Honourable JOHN GODFREY SPRAGGE, Vice-Chancellor.
- Honourable WILLIAM BUELL RICHARDS, Judge of the Court of Common Pleas.
- Honourable JOHN HAWKINS HAGARTY, D.C.L., Judge of the Court of Common Pleas.

Treasurer.

Sir JAMES BUCHANAN MACAULAY, Kt., C.B., Q.C.

Benchers.

Elected.

- 1818 Hon. Henry John Boulton, Q.C.
- 1820 Thomas Ward.
- “ George Ridout.
- 1824 Hon. John Rolph.
- 1825 Sir James Buchanan Macaulay, Kt., C.B., Q.C.
- 1829 Hon. George S. Boulton.
- “ Hon. James E. Small.
- “ Marshall S. Bidwell.
- “ William Elliott.
- 1835 David Jones.
- “ George Rolph.
- “ Robert Berrie.
- “ George S. Jarvis.
- “ Donald Bethune.
- “ Sir Allan N. MacNab, Bt., Q.C.
- “ Thomas Kirkpatrick, Q. C.
- 1840 Clark Gamble.
- 1843 Marcus Fayette Whitehead.

Elected.

- 1843 George Malloch.
- “ George Boswell.
- “ Edward C. Campbell.
- “ Miles O'Reilly, Q.C.
- “ William Notman, Q.C.
- 1846 Hon. J. H. Cameron, D.C.L., Q.C.
- 1849 George Sherwood, Q.C.
- “ Hon. Edmund Murney.
- “ James Smith, Q.C.
- “ John Wilson, Q.C.
- “ Hon. John A. Macdonald, Q.C.
- “ John W. Gwynne, Q.C.
- “ Hon. John Ross, Q.C.
- “ Hon. Samuel Bealey Harrison, Q.C.
- 1850 Hon. John S. Macdonald, Q.C.
- “ Marcus Burritt.

Elected.

- 1850 David B. Ogden Ford.
 " Charles Baby.
 " George Duggan, Junr.
 " Adam Johnston Fergusson.
 " Hon. Jos. C. Morrison, Q.C.
 " John Crawford.
 " Adam Wilson, Q.C.
 " George B. Lyon Fellows, Q.C.
 " Seeker Brough, Q.C.
 " Nesbitt Kirehoffer.
 " Samuel Black Freeman, Q.C.
 " Skeffington Connor, LL.D., Q.C.
 " Hon. Philip M.M.S. Vankoughnet, D.C.L., Q.C.
 1851 Rolland McDonald, Q.C.
 " John Bell.
 1853 John Shuter Smith.
 " Henry C. R. Becher, Q.C.
 " Oliver Mowat, Q.C.

Elected.

- 1853 Henry Eccles, Q.C.
 1854 Henry Smith, Q.C.
 1855 Lewis Wallbridge, Q.C.
 " Richard Miller.
 " George A. Phillpotts.
 " George W. Burton.
 " Alexander Campbell, Q.C.
 " Stephen Richards, Junr., Q.C.
 " Thomas Galt, Q.C.
 " David B. Read, Q.C.
 1856 John Ogilvie Hatt.
 " John Hector.
 1857 Jacob Farrand Pringle.
 " George Boomer.
 1858 Hon. John Prince, Q.C.
 " John Duggan, Q.C.
 " James Alexander Henderson.
 " Matthew Robt. Vankoughnet.
 " Hon. James Patton.

Secretary, Librarian, and Examiner.

- 1842 HUGH N. GWYNNE, B.A., *Trinity College, Dublin.*

Terms.

Hilary begins on first Monday in February, and ends on Saturday of the ensuing week.

Easter begins on third Monday in May, and ends on Saturday of the ensuing week.

Trinity begins on the Monday next after 21st August, and ends on Saturday of the ensuing week.

Michaelmas begins on third Monday in November, and ends on Saturday of the ensuing week.

The Long Vacation, in all the Courts, commences on 1st July, and ends on 21st August.

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EXAMINATION OF CANDIDATES.

35. There shall be an examination, according to the Rules and Regulations of this Society :

1. Of every Candidate for admission on the Books of the Society as a Student-at-Law.
2. Of every Student so admitted becoming a Candidate for Call to the Bar.
3. Of every Applicant for a certificate of fitness for admission as an Attorney or Solicitor.

36. The examination of Students for admission on the Books shall be conducted orally, by the "Examiner for Matriculation," before a Committee of Benchers, to be appointed for that purpose.

37. The examination of Students on the Books, when Candidates for Call to the Bar, shall be partly in writing, by printed or written questions, to be answered in writing, under the supervision of the "Examiners for Call;" and partly oral, by the Benchers in Convocation.

38. The examination of Applicants for Certificates of fitness shall in like manner be partly in writing, and partly *ore tenus*.

39. The examinations for admission on the Books as Students-at-Law shall be divided into three classes, to be called :

1. The University Class.
2. The Senior Class.
3. The Junior Class.

40. Candidates for examination in either the University Class or the Senior Class, shall be considered as candidates for admission in the Junior Class in the event of their not passing in the higher class.

41. Candidates for admission in the University Class shall,

1. Be Graduates of a University entitled to confer Degrees, and established in some part of Her Majesty's dominions ;
2. And shall be examined separately from other candidates in one or more of the following books :

In HOMER,—B. I. of ILIAD.

In LUCIAN,—(CHARON, LIFE or DREAM of LUCIAN and TIMON.)

In the ODES of HORACE.

In MATHEMATICS or METAPHYSICS,—At the option of the Candidate, according to the following courses respectively :

In MATHEMATICS,—EUCLID, (Bb. I., II., III., IV. and VI.) or LEGENDRE'S GEOMETRIE, (Bb. I., II., III. and IV.) HIND'S ALGEBRA to the end of SIMULTANEOUS EQUATIONS.

In METAPHYSICS,—(WALKER'S and WHATELY'S LOGIC, and LOCKE'S ESSAY ON THE HUMAN UNDERSTANDING.)

In HERSCHEL'S ASTRONOMY,—(Ch. I., III., IV. and V.)

In ANCIENT and MODERN GEOGRAPHY and HISTORY,—Such Works as the Candidates may have read.

42. Candidates for admission in the Senior Class shall be examined in the same Books and Subjects as for the University Class.

43. Candidates for admission in the Junior Class shall be examined in the following books :

In HORACE,—Bb. I. and III. of the ODES.

In MATHEMATICS,—EUCLID, (Bb. I., II. and III.,) or LEGENDRE'S GEOMETRIE, by DAVIES, (Bb. I. and III. with Problems.)

In ENGLISH HISTORY and MODERN GEOGRAPHY,—Such Works as the Candidates may have read.

44. All or any of the books in all or any of the classes hereinbefore specified may be dispensed with, and any others may be substituted, by an order of Convocation in that behalf.

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45. Any Candidate for admission in the University Class or in the Senior Class, who does not pass for such class, shall be passed in the Junior Class, unless rejected in toto.

46. No person shall be admitted on the Books of the Society as a Student-at-Law who is not of the full age of sixteen years.

47. Notice of the intention of any person to apply for admission on the Books of the Society as a Student-at-Law, signed by a Benchler, and containing the name, addition, and family residence of the Candidate, must be delivered to the Secretary of the Society, at his office in Osgoode Hall, on some day in the Term next preceding the Term in which he seeks admission; and when the Candidate desires to be examined for admission in the Senior Class, it must be so expressed in his notice. Schedule No. 1.

48. The Candidate must be presented to the Examining Committee by an instrument in writing, signed by a Barrister of the Upper Canada Bar, in a form approved of by the Society.

49. The Secretary shall, on or before the second Saturday of every vacation, make out two lists containing the names, additions and family residences of all the Candidates for admission on behalf of whom notices of presentation have been regularly given, and shall affix one of such lists in a conspicuous place in his office, and the other in the Convocation Chamber.

50. The examinations shall be conducted at the Convocation Chamber, Osgoode Hall, by the "Examiner for Matriculation," in presence of the Committee aforesaid, or of any two of them; and shall be commenced on Tuesday in the last week next but one of each Vacation, at ten o'clock, A. M.; and the same may be adjourned from day to day, until all the examinations have been completed.

51. Notice of the day on which the Applicants for admission are respectively required to attend for the purpose of

being examined, shall by the Secretary be transmitted to them by post as soon as may be after each Term.

52. In case no such notice be received, attendance is to be given on the Tuesday above appointed for entering upon the examinations.

COMMITTEE OF EXAMINATION FOR ADMISSION ON THE BOOKS.

53. A Standing Committee of Convocation, to consist of five Benchers, shall be appointed in each Term for the examination of Applicants for admission on the books of the Society as Students-at-Law.

CLASSIFICATION.

58. All Candidates passed and not classed in the University Class or Senior Class, shall be classed in the Junior Class.

59. Candidates passed in the University Class shall be classed according to their rank, if Graduates in the same University; or according to the dates of their Diplomas or Degrees, if Graduates of different Universities.

60. Candidates passed in either the Senior or Junior Class shall be classed according to their merits.

PETITION—PRESENTATION AND DEPOSIT OF FEES.

61. Every Candidate for admission shall, some convenient time previous to the examination day or the day on which he is to be examined, report himself to and deposit with the Sub-Treasurer, at Osgoode Hall, his presentation and the amount of fees payable on admission, together with his petition for admission, which presentation and petition respectively shall be in the terms and shall contain the information required by the forms contained in the schedule numbers [2] and [3].

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62. The Sub-Treasurer shall, on the first day of the Term next after any examination had as aforesaid, make a report in writing to the Convocation upon the petition of each Candidate passed, stating the day of the preceding Term on which notice of presentation was given for such Candidate, and whether there exists to his knowledge any objection to the admission of such Candidate, to which Report he shall append such Candidate's petition and presentation. Sch. No. 4.

REPORT OF THE COMMITTEE.

63. The Committee by a Report signed by the members who examine and by the Examiner for Matriculation shall, on the first day of the Term next after any examination had, report to the Convocation the result of such examination, specifying (when several have been examined) the names of those who have passed, and of those (if any) who have been rejected, stating in what branch they were found deficient, and specifying also the order in which those passed have been classed according to the decision of the Committee, except as hereafter mentioned; and such report shall, as respects each such examination, be final, and no objection to the admission of any Candidate so passed shall be raised in Convocation on the ground of his education being deficient. But any Candidate for admission who has been rejected by the Committee, may appeal to the Convocation by petition, to be presented on the first day of the said Term, in which case his examination before the Convocation shall take place on the first Saturday of the Term.

64. The second Tuesday of each Term shall be the admission day of the Students on the Books of the Society who have been examined and reported as passed by the Examining Committee, or who have been passed by the Convocation upon appeal.

STUDENTS-AT-LAW TO KEEP FOUR TERMS BY ATTENDING LECTURES.

65. Every Student on the Books of the Society must, previous to his application for Call to the Bar, attend for four Terms, all the Lectures delivered by the Lecturers of the Society in each of such Terms, unless the Student is excused by Convocation during the same Term from attending one or more of the Lectures upon the ground of sickness or some unavoidable cause. But no excuse shall be allowed on any pretence whatever for non-attendance on more than three Lecture days of the Term. Sch. No. 6.

66. He shall, on the last day of each of such four Terms exhibit or transmit to the Secretary of the Society a certificate from each Lecturer who has delivered Lectures, of the number of Lectures attended by such Student for that Term. Sch. No. 7.

67. No Student shall be allowed any Term as duly kept, unless he attends Lectures during such Term, as above provided; but it shall not be necessary for any Student to keep such Terms in four consecutive Terms, it being sufficient that Lectures be attended for any four terms before the petition for Call to the Bar.

68. The Secretary of the Society shall keep a record of the Students who, having duly attended Lectures, exhibit or transmit to him the Lecturer's certificate of such attendance.

EXAMINATION FOR CALL TO THE BAR, AND FOR CERTIFICATES OF FITNESS.

69. No Student-at-Law upon the Books of this Society shall be called to the Bar, and no Candidate shall receive a

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certificate of fitness, unless he be of the full age of 21 years, nor without having been previously examined in writing by the "Examiners for Call," and also *ore tenus* by the "Benchers in Convocation."

70. The Examinations for "Call to the Bar" shall be divided into two classes or orders, viz., those for "Call," simply, and those for "Call, with Honours."

71. The written part of the Examinations for Call shall be in the following books, with which the Student is expected to be thoroughly familiar; that is to say:

1. When a Candidate does not go in for a Call "with honours,"—in Blackstone's Commentaries, vol. 1, Addison on Contracts, Smith's Mercantile Law, Williams on Real Property, Story's Equity Jurisprudence, Stephen on Pleading, Taylor on Evidence, Byles on Bills; besides the Public Statutes relating to Upper Canada, and the Pleadings and Practice of its Courts of Law and Equity. And,
2. When the Candidate goes in for a Call "with honours," then also in—Russell on Crimes, Story on Partnership, Watkins' Principles of Conveyancing, Coote on Mortgages, Dart on Vendors and Purchasers, Jarman on Wills, Story's Conflict of Laws, Justinian's Institutes.
3. In the case of Candidates for "Certificates of Fitness," Blackstone's Commentaries, 1st vol., Smith's Mercantile Law, Williams on Real Property, Story's Equity Jurisprudence, the Statute Law, and the Pleadings and Practice of the Courts.

72. Candidates for Call "with honours" shall be considered as Candidates for Call "simply," in the event of their not passing "with honours."

73. The written examination of Candidates for Call "with honours" shall be on the Thursday and Friday of the week next preceding each Term.

74. The written examination of Candidates for Call "simply" shall be on the Thursday of the same week.

75. The written examination for Certificates of Fitness shall be on the Wednesday of the same week.

76. The oral examination of all Candidates for Call to the Bar and of all Candidates for Certificates of Fitness shall be on the first Monday in each Term.

77. Any Candidate for Call to the Bar desiring to be examined for honours, must give to the Secretary notice in writing of such desire, at latest on the Saturday next but one before the Term, and must also endorse his petition for Call with the words "For Honours."

78. Candidates for Call "with honours," in any Term, shall attend at Osgoode Hall on the Thursday and on the Friday next preceding such Term, at ten o'clock, A. M., for the purpose of being examined by the Examiners.

79. Candidates for Call, "simply," shall for the like purpose attend at Osgoode Hall, on the Thursday of the same week, and at the same hour.

80. Candidates for Certificates of Fitness for admission as Attorneys or Solicitors, shall for the like purpose attend at Osgoode Hall, on the Wednesday of the same week, and at the same hour.

81. The Examiners shall deliver to each respective Candidate a copy of the questions to be by him answered, and each such Candidate shall then and there, under the supervision of such Examiners, frame written answers to such questions, and deliver the same to the Examiners, for the Benchers in Convocation.

82. The answers shall be delivered to the Examiners by three o'clock, P. M., on the same day on which the questions are received for answer.

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NOTICE OF INTENDED APPLICATION FOR CALL.

83. Every Candidate for Call to the Bar, must cause a written notice in the form approved of by the Society, of his intention to present himself for Call, signed by a Benchler, to be given to the Secretary at his office in Osgoode Hall, some day in the Term next preceding that on which he intends so to present himself. Sch. No. 8.

84. The Secretary shall, on or before the second Saturday of every Vacation, make out two lists containing the names, additions, and residences of all the Candidates for Call, on behalf of whom notices of presentation have been regularly given, and shall affix one of such lists in a conspicuous place in his office, and the other in the Convocation Chamber.

85. The Sub-Treasurer shall, on the first day of every Term, make a report in writing to the Convocation, stating that in the preceding Term notice of presentation had been properly given for such Candidate ; stating—

1. The day of the admission of such Candidate into the Society.
2. The class of the Examination passed by such Candidate at the time of his admission, and
3. The Terms kept by such Candidate ; to which report he shall append such Candidate's petition and presentation. Sch. No. 13.

PRESENTATION FOR CALL.

86. Every Candidate for Call to the Bar must be presented to the Convocation by an instrument in writing, signed by a Barrister of the Upper Canada Bar, and execute a bond to the Society, in the forms approved of by the Society, and contained in the Schedule Nos. 9 and 11.

BONDS TO BE GIVEN BY BARRISTERS.

87. Every gentleman shall, previous to his Call to the Bar, give a bond to the Corporation in the penal sum of one

hundred pounds, with two responsible sureties, to be approved of by the Treasurer, with a condition in the terms, and to the effect of the form contained in Schedule Nos. 11 and 12.

88. Every member of this Society shall, after his Call to the Bar, pay to the Society, through its Treasurer, a Term fee of two shillings and six-pence in each and every Term.

89. Such Term fee shall be due and payable in each Term, and if not previously paid, all arrears shall be punctually paid on the last day of the Vacation next before Michaelmas Term in each year.

DEPOSIT OF PETITION, PRESENTATION, BOND AND FEES.

90. Every Student upon the books of this Society, being a Candidate for Call to the degree of Barrister-at-Law, whose period of standing on the Books entitling him to present himself, has expired or will expire during the ensuing Term, shall, at least one day before the day appointed for examinations before the "Examiners for Call," in the Vacation preceding the Term in which such Candidate petitions to be called, report himself to, and deposit with, the Sub-Treasurer, at Osgoode Hall, his presentation and bond, and the amount of fees payable on being called; and the Sub-Treasurer's receipt for such fees shall be sufficient to entitle the Student to appear before the Examiners, and to be by them examined for Call.

91. He shall, at the same time and place, deposit with the Sub-Treasurer his Petition for Call, which petition shall contain a statement of his age, of the day on which the period of his standing on the books, necessary to entitle him to be called to the Bar, expired or will expire, the Terms he has kept, and the names of the persons under whose superintendence he has received his professional education, according to the form contained in the Schedule No. 10.

ORAL EXAMINATION AND CALL IN CONVOCATION.

92. The oral examinations for Call shall take place in Convocation on the first Monday in Term.

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93. No examination shall be had upon any other day unless upon adjournment of all or any examinations not had or completed.

94. In conducting the oral examinations of any Candidate on his petition for Call to the Bar no question shall be asked of the Candidate except through the Treasurer, or by such of the Benchers as he may name to conduct the examination.

95. After the oral examination for Call to the Degree of Barrister-at-Law, under any statute, or under the rules of this Society, there shall be put the following questions, and in the following order :

1. Whether the examination as "had" be received, which being carried in the affirmative, no further examination of such Candidate shall take place during that Term, whatever may be the determination of the Convocation upon such examination.
2. Whether the examination as "had" and "received" be "passed," which being carried in the affirmative, no objection shall be raised to the Call of such Candidate on the ground of his education being deficient.
3. In the case of a Candidate for Honours, whether he be passed with honours.
4. In every case, whether such Candidate shall be called to the Degree of Barrister-at-Law; but this question shall not be put until the period of the Candidate's standing on the Books, necessary to entitle him to be called, has expired.
5. Upon every application for Call, in cases not requiring examination, the only question to be put shall be whether the Candidate be admitted a Member of the Society and Called to the Bar.

96. Every member of the Society on the Common Roll, being a Candidate for Call to the Bar shall, when passed,

be admitted to the Degree of Barrister in the order of precedence on the common Roll, unless the Convocation at the time of his examination being passed otherwise order, and every Candidate for Call to the Bar by virtue of his having been called to any other Bar, shall, when called, take precedence next after the members of the Society of longer standing on the Books called upon the same day.

97. Every gentleman, upon his being called to the Bar, shall appear before the Convocation in a Barrister's gown, for the purpose of his being presented to the Superior Courts; and he may be so presented by any Bencher present in Court.

98. The form of the Diploma of Barrister-at-Law of this Society, shall be in the form in the Schedule No. 14.

CERTIFICATES OF FITNESS FOR ADMISSION AS ATTORNEYS OR SOLICITORS.

TO KEEP TERMS.

106. Every Candidate for Certificate of Fitness for Admission as Attorney or Solicitor, shall keep two Terms pursuant to the Statute in that behalf.

107. The two Terms to be kept by Articled Clerks under the Statute, shall be kept by their attending the sittings of the Courts of Queen's Bench and Common Pleas, or one of them, agreeably to the provisions of the said Act and of the Rules of the said Courts in that behalf, every day on which such courts, or either of them sit during Term, and by their entering their names, and subscribing their declaration of attendance in the Articled Clerks' Attendance Book of such Courts, or either of them, pursuant to the said Rules of Court respectively.

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108. Every such Candidate shall leave with the Secretary of this Society a certificate or certificates of such attendance from the Clerks of such Court or Courts, together with his petition for certificate of fitness, articles, and other papers, or sufficiently excuse the production thereof as prescribed by the said Act, and the Rules of the Society respecting the same.

109. In case any such Articled Clerk while at Toronto for the purpose of attending the sittings of such Courts, or either of them, in compliance with the requirements of the said Act, be, from sickness or other unavoidable impediment, prevented from being or remaining in attendance in Court for the whole or any part of the Term, that such Court or Courts may be sitting on any day in either of such Terms, said Articled Clerk shall, nevertheless, be allowed such day or days attendance, as within the meaning of the said Act, upon his satisfying the Clerks of the Crown and Pleas of the said two Courts by certificate from his Medical Attendant or otherwise to their satisfaction that such sickness or other unavoidable impediment was the sole cause of such absence; and upon such Articled Clerk leaving with the Secretary of this Society a certificate thereof under the hands of such Clerks of the Crown and Pleas at the same time that he leaves his petition for certificate of fitness and other papers, as hereinafter prescribed.

110. All applications for Certificates of Fitness for Admission as Attorney or Solicitor under the said Act shall be by petition in writing, addressed to the Benchers of the Society in Convocation, and every such petition, together with the documents required by, and the fees payable to this Society under the said Act, or under the Rules of the said Courts, or those of this Society, shall be left with the Secretary of the Society at Osgoode Hall on or before the third Saturday next before the Term in which such petition is to be presented, and the Sub-Treasurer's receipt for such fees shall be a sufficient authority to the "Examiners for Call" to examine the Applicant by written or printed questions.

111. In the case of persons who entered into contracts of service prior to the 1st of July, 1858, if, by reason of the expiration of the period of such service in Term time, any such person cannot comply with the requisites of the last section on or before the third Saturday therein mentioned, or before the day appointed for examination in writing before the Examiners in the vacation next after such Saturday, but the period will arrive previous to the last Thursday in the then next ensuing Term, such person may in lieu of his articles or contract of service deposit his affidavit, stating the date of his articles, the day when his service thereunder will expire, and when the same were filed, and upon complying in other respects with the terms of the foregoing section, may be examined by the Examiner on such examination day, and the Benchers in Convocation upon being satisfied on the first day of Term of the foregoing facts, and that all other requisites of the Statute and of the Rules of the Society entitling the party to oral examination have been complied with, may proceed to the examination of the applicant notwithstanding the non-completion of his service under articles; but no Certificate of Fitness shall be issued until the expiration of such period of service, nor until all and every the other requirements of the Statute, and of the Rules of the Courts and of the Society, have been complied with.

112. Every Candidate for a Certificate of Fitness for Admission as an Attorney or Solicitor under the said Act, shall, with his petition for such certificate, leave with the Secretary of the Society at Osgoode Hall, answers to the several questions set forth in the Schedule to this rule annexed marked "B.," signed by the Attorney or Solicitor with whom such Articled Clerk has served his clerkship, together with the certificate in the said last-mentioned Schedule also contained.

113. In case any such Candidate at the time of leaving his petition for Certificate of Fitness and papers, with the Secretary of this Society as hereinbefore provided, proves to

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the satisfaction of the said Secretary that it has not been in his power to procure the answers to the questions contained in the said Schedule "B." from the Attorney or Solicitor with whom he may have served any part of the time under his articles, or from the agent of such Attorney, or the Certificate of Service therein also contained, the said Secretary shall state such circumstances specially in his report to Convocation on such Articled Clerk's petition, and thereupon the Benchers in Convocation may dispense with the production of such last-mentioned answers and Certificates, or any of them, as they may think fit and reasonable.

EXAMINATION FOR CERTIFICATES OF FITNESS.

114. Candidates for Certificates of Fitness shall be examined in writing, and orally in like manner as Candidates for Call "simply" according to the rules of the Society in that behalf, and in the following books and subjects, that is to say: Backstone's Commentaries, 1st Volume; Smith's Mercantile Law; Williams on Real Property; Story's Equity Jurisprudence; The Statute Law; The Pleadings and Practice of the Courts, or in such other books and subjects as the Benchers in Convocation, or as the Examiners, with the assent of the Benchers in Convocation, may from time to time for that purpose prescribe and appoint.

115. Candidates for Certificates of Fitness for Admission as Attorneys or Solicitors shall attend at Osgoode Hall on the last Wednesday of the vacation previous to the Term in which their petitions are to be presented, and shall receive from the Examiner of the Society copies of the questions to be answered by them in writing, and shall then and there, under the supervision of such Examiner, frame answers to such questions and deliver such answers in writing to him for the Benchers in Convocation.

116. The attendance of such Candidates for the purposes mentioned in the foregoing section of this rule shall be at 10 o'clock, A. M., and the answers shall be delivered to the Examiner by 3 o'clock, P. M., of the same day.

117. The Secretary shall report upon the petition of every Candidate for Certificate of Fitness for Admission as Attorney or Solicitor, and such report, together with the petitions and documents to which they refer, shall be laid on the table of Convocation on the first day of term;—he shall also make a Supplementary Report upon the articles of clerkship when received by him, of applicants whose term of service expires during the Term.

118. The oral examination of Candidates for Certificates of Fitness shall take place on the first day of Term.

119. The Examination of Candidates for Certificates of Fitness for Admission as Attorneys or Solicitors shall not be entered upon the first day of any Term until the Examination of all Candidates for Call to the Bar on the order of the day for that day be first disposed of.

SCHEDULE A.

122. Questions to be answered by the Clerk himself:

1st. What was your age at the date of your articles?

2nd. Have you served the whole term of your articles at the office where the Attorney or Attorneys to whom you were articulated or assigned carried on his or their business? And if not, state the reason.

3rd. Have you, at any time during the term of your articles, been absent without the permission of the Attorney or Attorneys to whom you were articulated or assigned? And if so, state the length and occasion of such *absence*.

4th. Have you, during the period of your articles, been engaged or concerned in any profession, business, or employment other than your professional employment as clerk to the Attorney or Attorneys to whom you were articulated or assigned?

5th. Have you, since the expiration of your articles, been engaged or concerned, and for how long a time in any, and

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what profession, trade, business, or employment, other than the profession of Attorney or Solicitor?

6th. Have you, during the period of your articles, attended the sittings of the Courts of Queen's Bench and Common Pleas at Toronto, or either of them, during the two Terms required by the Statute in that behalf? And if, in the course of such attendance, any casual *absence* from sickness or other unavoidable impediment occurred, state the occasions and the cause thereof.

SCHEDULE B.

123. Questions to be answered by the Attorney or Solicitor or his Agent with whom the Clerk may have served any part of the time under his articles, with the Certificate of such Attorney, Solicitor, or Agent:

1st. Has A. B. served the whole term of his articles at the office where you carry on your business? And if not, state the reason.

2nd. Has the said A. B., at any time during the term of his articles, been absent without your permission? and if so, state the length and occasion of such *absence*.

3rd. Has the said A. B., during the period of his articles, been engaged or concerned in any profession, business, or employment other than his professional employment as your articulated clerk?

4th. Has the said A. B., during the whole term of his clerkship, with the exceptions above-mentioned, been faithfully and diligently employed in your professional business of an Attorney or Solicitor?

5th. Has the said A. B., since the expiration of his articles, been engaged or concerned, and for how long a time in any, and what profession, trade, business, or employment other than the profession of an Attorney or Solicitor?

6th. And I do hereby certify that the said A. B. has duly and faithfully served under his articles of clerkship (or

assignment, as the case may be) bearing date, &c., for the term therein expressed; and that he is a fit and proper person to be admitted as an Attorney.

ADMISSION FEES.

137. Every Student upon his admission shall pay the sum of ten pounds, and the further sum of twenty pounds when Called to the Bar.

138. Every Barrister of any other part of her Majesty's dominions admitted into this Society, and called to the Degree of Barrister-at-Law under the statute in that behalf, shall pay a fee of thirty pounds, being ten pounds on his entry as a member of the Society, and twenty pounds on his Call, the same corresponding in amount with the fees payable by Students under the last section.

139. In case any Candidate for admission on the books as a Student, or for Call to the Bar, or for Certificates of Fitness for Admission as an Attorney or Solicitor, withdraws his application, or fails to pass the necessary examination, or be rejected on any other ground, the fee required to be deposited by him for the use of the Society according to the Statute or the Rules of the Society, shall be returned to him by the Treasurer.

TERM FEES.

140. Every Barrister shall pay to the Society a fee of two shillings and six-pence in each Term, according to the condition of his bond in that behalf.

SUB-TREASURER AND SECRETARY'S FEES.

141. The Sub-Treasurer and Secretary shall be intitled to demand and receive the following fees:

1. From Candidates for Admission on the Books as Students-at-Law.

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1. For every notice of intention to apply for Admission on the Books as a Student-at-Law, payable therewith £0 5 0
 2. For every Admission on the Books as a Student-at-Law £0 5 0
 3. For every Certificate of Admission..... 0 5 0
2. From Candidates for the Degree of Barrister-at-Law :
1. For every notice of intention to apply for Call, payable therewith £0 5 0
 2. For every Call to the Degree of Barrister-at-Law £0 5 0
 3. For every Diploma 1 0 0
3. From Candidates for admission into the Society and call to the Degree of Barrister-at-Law under the Statute :
1. For every notice of intention to apply for Admission and Call, payable therewith..... £0 5 0
 2. For every such Admission and Call..... 0 10 0
 3. For every Certificate of such Admission 0 5 0
 4. For every Diploma of Barrister-at-Law upon such Call £1 0 0
4. From Candidates for Certificates of Fitness for Admission as Attorneys or Solicitors,
On leaving articles, &c., pursuant to the Statute £0 10 0

142. The Sub-Treasurer and Secretary may also retain the sum of five per cent. upon all moneys by him, from time to time, collected under any Statute, for Annual Certificates to practise as Attorneys or Solicitors in any of the Superior Courts.

EXAMINER'S FEES.

143. The Examiner for Matriculation shall be intitled, upon each examination, to a fee of £1 0 0

144. Except the fees on notices, all the foregoing fees demandable by the Sub-Treasurer and Secretary, and the Examiner's fees, shall be paid at the time the dues payable to the Society are required to be deposited.

THE STEWARD.

145. The Steward shall be entitled to demand and receive:

1. Upon every admission on the books of the Society as a Student-at-Law, a fee of..... £0 2 6
2. Upon every Call to the Bar, a fee of... £0 5 0

NOTE.

The forms of "Notices of Presentation," "Presentation," "Petitions," "Bonds" &c., can be obtained by application to the Secretary or Steward, at Osgoode Hall.

Printed by order of Convocation, in Trinity Term, 23rd Victoria, A.D. 1859.

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