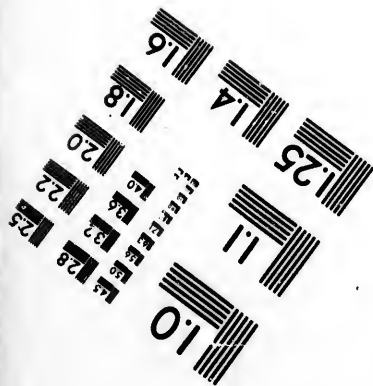
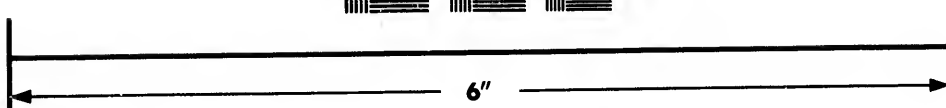
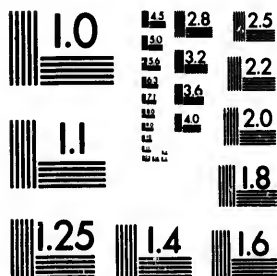


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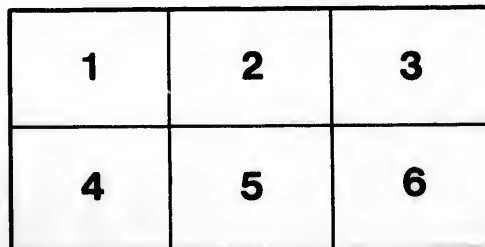
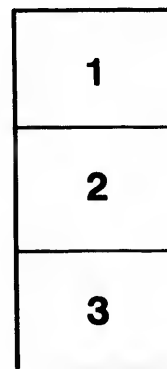
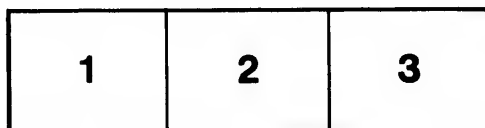
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TO THE PEOPLE OF ONTARIO.

The tools to those who can handle them.

—CARLYLE.

I am no Cheap Swell. No codfish Aristocrat.

Put me down with Bill Blades, the bricklayer, every time, and all the time.

Bill and I may be rough and the like o' that,

But we ain't no bloomin' fools. And this is what we say :—

“Tis the moke as draws the Trunk about,

As ought to get most greens.”

Kind friends, a word with you, if you please. I have twice applied to the Legislative Assembly of Ontario that they be pleased to pass a Bill to enable me to practise as a Solicitor in the Supreme Court of Judicature on my passing the usual final examination, but without having to serve an apprenticeship of five years to a member of the Law Society in Canada. My reasons for asking that I should be exempt from serving the said apprenticeship are fully stated in the papers sent you herewith. But as you may not have the time to spare to peruse the same, I shall state to you as briefly as I can what those reasons are :—

1. I studied in a Scotch University the following branches :—Latin, Greek, Mathematics, Logic, Moral Philosophy and Scotch Law and Conveyancing.
2. I served an apprenticeship of five years to a Scotch Lawyer.
3. I was admitted and did practise as a Lawyer in Scotland for five years.
4. I served as a Clerk in Toronto Lawyers' offices for over three years.
5. For the past four years I have been constantly engaged in the study and the practice of the Law, so far as I could do so without being a Solicitor entitled to practise before the Supreme Court of Judicature.
6. And lastly, I am about 40 years of age, I have the care, maintenance and responsibility of a household, consisting of my two sisters, one of whom is a widow with four children, the other is associated with me in my business as a lawyer, and acts as my book-keeper.

So much for the merits of my case. Now you may wish to know if there are any precedents for such an application. In reply, I would say, there are many precedents. From the papers sent herewith you will see that the Legislature has, in 15 cases, passed Acts of Parliament on behalf of applicants who made somewhat similar applications. *The Law Society never opposed these applications.* What I ask is nothing new. The Legislature, when asked by the rich and powerful has, from time to time, as occasion required it, passed just such Acts as the one I now desire them to pass, and *the Law Society never opposed those applications.* With your leave we will examine a few of these Acts, and I think you will agree with me that on the whole the merits of my application are at least as good as in those applications which the Legislature has acceded to, and granted the required Acts, and in some instances, I think at least, you will agree with me that my claim is much more deserving than many of those herein cited. For example, take the case of “Peter Taylor Pousett.” It would seem that he was an English Attorney, but does not appear to have served any apprenticeship to a Canadian Lawyer, or even to have clerked in a lawyer's office in Canada. But still the Legislature passed an Act in 1863, whereby Peter was admitted to the privileges which I ask. Then in 1864, the “Hon. Michael Hamilton Foley” was admitted to the Bar, because being a member of the Legislature he was unable to comply with the terms of the Law Society. Then we find that Mr. Joseph Robins Bawden, of Kingston, was admitted to the same privileges that I ask by 29 and 30, Cap. 175. The excuse there being that Mr. Bawden's health had failed him, and he had been unable to serve his full time. James Fleming applied for admission. It seems that this gentleman did not serve the usual apprenticeship, although he was actually a lawyer's clerk, but the Legislature admitted him by 35 Vic, Cap. 119. Mr. William Henry Lockhart Gordon was also in considerable luck. The Legislature, overcoming his not being apprenticed to a Canadian lawyer, gave him the same privileges that I ask. See Act 35 Vic, Cap. 118. Mr. Charles Greane also received an act of grace for the following reasons: He was an English Attorney and came to Canada in 1852; he filled in his time for some months by clerking in a Canadian lawyer's office and thereafter practised as a Conveyancer, and was appointed a Commissioner and a Notary Public in the village of Madoc, and it would seem varied the monotony of existence in a quiet country village by condescending to act as advocate in the Division Court. He was admitted to the same privileges. See 36 Vic, Cap. 160. The case of Mr. Benjamin Vallick Elliott: he was an English Solicitor, came to Canada in 1856, clerked a year in a lawyer's office and practised as a Conveyancer.

The Legislature admitted him by 37 Vic, Cap. 29. Beaufort Henry Vidal, was admitted by 37 Vic, Cap. 102. He did not serve his apprenticeship for the full time. The reason in his case being stated, *that he was a warrior* "and held a commission in the army." He could not have been much of a lawyer, however much of a warrior he was, as we searched the Law Reports in vain for traces of his skill in his altered sphere. Perhaps he has gone to a better place. John Wright had been employed in an English law office, and on coming to Canada thought it would be real nice to practise before the Supreme Court of Judicature. So far as can be learned, John Wright did not worry himself by serving any Canadian lawyer, doubtless "he knew enough." The Legislature admitted him to the same privilege that I ask for. See 37 Vic, Cap. 103. Mr. Francis Elkington Jr., of Kingston also, comes next for consideration. Now, judging from the above, gentlemen seem to have applied quite frequently for the act of grace I ask for, but they have been luckier than I have been, for in each instance "they came, and saw and conquered." I have made my second application; I expect to get my bill now, but after all, "without wealth or influence" the result of an application to the Legislature is somewhat like a horse race, or like a woman's temper, "mighty onstartin." However, I am satisfied that I am asking only for simple justice, and I will keep right on asking, session by session till I get it, altho' I lose a leg. But enough of this. To resume our consideration of Mr. Elkington's case, this gentleman seems to have been a lawyer, coming to Canada about 1834, and was engaged as a lawyer's clerk for twelve months, when a happy thought struck him that he would apply to the Legislature to be allowed to run a legal mill on his own account. Accordingly he did so, and the Legislature admitted him to the same privileges that I crave. See 38 Vic. The case of "your own George William Ross," shews what a kind and indulgent Legislature can do for *those they love*. Our mutual friend, Mr. Ross, having been ten long, weary years a member of Parliament, it was felt that, amongst other things, this should be done for him, accordingly he was admitted to the same privilege that I ask. See Act 46 Vic, Cap. 72. I am not a member of Parliament myself, but "Bar'nis is willing," what say ye? However, in confidence, I may tell you that being a working man of a quiet, modest, retiring nature, I would rather be immured, for say twelve months, in some respectable, healthy jail in company with the Bible, Shakespeare, Milton and Burns, than do a ten years' term in the Legislature. However, gentlemen, I place myself in your hands, I am entirely at your service. If you think I can serve you in the Legislature, just say the word and I shall "obey the call." In looking over the Statutes for 1889, I find that a Mr. Pope (William Walter), was granted an Act such as I desire. On reference to the Act I find that the reason that he got passed was "the old, old story," namely, poverty, and thereby not being able to serve an apprenticeship to a Canadian lawyer for nothing. However, Billy had one circumstance in his favor, he was a clerk in the employment of Lawyer John Bell, who acts as Solicitor for the Grand Trunk Railway, another monopoly.

Let us turn to the case of Delos R. Davis. Delos is a colored gentleman who had been teaching the young idea how to shoot for some four years, when a happy thought struck him, he would like to be a full-fledged lawyer. He had never served any apprenticeship; but this did not deter the festive Delos. He made application and was admitted to the privileges I crave by 47 Vic, Cap. 94. But I fear Delos is a little bit of a hog, for I find our worthy colored brother, in two years from his admission, *bois up serenely from below* to the Legislature. This time he wants to be a Barrister, and, "lucky dog" that he is, the Legislature kindly granted his request. See 49 Vic, Cap. 93.

Now friends, it is significant, and please note.—THE LAW SOCIETY NEVER OPPOSED ANY OF THESE FIFTEEN APPLICATIONS. *But the Law Society oppose me.*

The Law Society are wise in their generation in selecting their victim. Had they, for example, treated a wild, reckless Irishman like Peter Ryan, as they have done me—a patient, long-suffering Scotchman—why Peter would have fallen upon them,—he would have smote them,—he would have torn their hair; and after Peter had dona with them, the only traces left of the Law Society would be a huge tombstone, on which cruel Peter would be writing the following epitaph:—

HIC JACET LAW SOCIETY,
WHO LIED IN LIFE,
NOW LIE IN DEATH,
EMBRACING, IN THE REALMS OF HADES,
THE LAWYERS WHO HAVE GONE BEFORE,
"AND THEY NEVER WOULD BE MISSED."

Peter meanwhile, as he surveyed the result of his handiwork, would be singing to himself—

"The still, small voice is a singing comic songs within me,
And *all* is peace and joy."

This writing is not for the purpose of finding any fault with the Law Society, which is a close and powerful Trades Union, seeking to live up to its privileges. As you know, many of the ablest and most powerful members of the Legislature are members of this Trades Union. The three great monopolies in this country are "The Grand Trunk Railway, the Canadian Pacific Railway, and the Law Society of Upper Canada." I am told that it is almost hopeless for me to get justice at the Legislature except I am supported by one or other of these Corporations, or "have influ-

ence." Fortunately or unfortunately, I will not say which, I am not connected in any way with any powerful Incorporation, nor have I influence; but I am a British subject, and a freeholder of this fair Province. I am further one of the people, and I appeal to you, the people of Ontario, for the small measure of justice that I have in vain asked the Legislature to give me. This is written in view of the coming elections, and my object in writing is that you carefully consider my case, and if, after due consideration, you think I am only asking what is fair and what is reasonable, that you will endeavour to convince your representatives in the next Parliament that what I ask is only fair and right, and should be granted. If you succeed in convincing them of the justice of my application, and if they agree to aid in the proposed legislation, see that they do it. What I propose is this: To ask all persons in the Province who think that I have a right to obtain the boon I crave, to join with me in petitioning the Legislature for that end. My notion is, that if the Bill does not go through this session, that I will, during the summer of 1890, prepare forms of petitions, and distribute them throughout the Province. I would commence this year by getting up a petition from Toronto and the vicinity, where I am well known, signed by perhaps 5,000 voters. If the Legislature did not think that petition sufficient, why then year by year I would get up other and larger petitions. In short, for the next session of Parliament I would lay before the Legislature in support of my Bill a petition signed by say 5,000 of the voters of Toronto and vicinity; then if that is not enough, I would take a few constituencies year by year, rolling up the petition as the years went on, and by and by we might have a petition signed by say 100,000 voters, which I think might even convince the members of the Law Society who are high in power in the Legislature, that even a poor devil like myself, one of the common people, has some rights deserving of consideration and respect.

Poverty is no crime, but it is mighty inconvenient. In my case it prevented me from serving five years in a Canadian Lawyer's Office for nothing. If I had been well fixed, and had had plenty of money, why I could have afforded to have taken a five years' turn in a one horse lawyer's office, and at the end of that term, upon passing the final examination, I would have been admitted as a matter of course as a solicitor to practise before a Supreme Court's Judicature, and my application to the Legislature would have been rendered unnecessary, but I was not well off, and I could not serve a Canadian Lawyer or any other man for nothing. The Law Society requires that a service of five years be a *sine qua non* to being allowed to practise as a solicitor before the Supreme Court of Judicature. I do not deny that this, in the majority of cases, is a salutary rule, but I submit that in some cases, such as my own, this rule should be relaxed. And as you now know, the Legislature has in many cases abrogated this rule where it was considered that the insistence upon it would produce hardship and injustice. Then, as my case is such a one, I take it that you will agree with me that the Legislature might well, by an act of grace, grant to me the same privileges that they have granted to so many others.

In conclusion, I would say my cause is safe in your hands if you will lay to heart the words of One who was more powerful than Cesar—more eloquent than Cicero, viz. :—"Do unto others as you would have others do unto you."

GEORGE MACGREGOR GARDNER.

