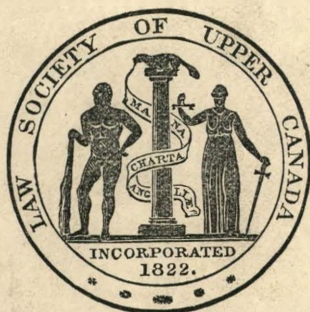


RULES
OF THE
LAW SOCIETY OF UPPER CANADA,
A REVISED, CONSOLIDATED, AND FINALLY PASSED
IN CONVOCATION,
IN MICHAELMAS TERM, 38TH VICTORIA,
TOGETHER WITH THE
RESOLUTIONS AND STANDING ORDERS
OF CONVOCATION.



PRINTED BY ORDER OF CONVOCATION.

BY ROWSELL & HUTCHISON, TORONTO.

1875.

THE
Law Society of Upper Canada.

Visitors.

The Honourable the JUDGES OF THE SUPERIOR COURTS OF
LAW AND EQUITY, Ontario.

Treasurer.

The Honourable JOHN HILLYARD CAMERON, Q. C.

Benchers.

Ex Officio.

The Right Honourable Sir JOHN ALEXANDER MACDONALD, K.C.B., Q. C.
The Honourable JOHN HILLYARD CAMERON, Q. C.
The Honourable JAMES PATTON, Q. C.
The Honourable LEWIS WALLBRIDGE, Q. C.
The Honourable ALBERT NORTON RICHARDS, Q. C.
The Honourable JAMES COCKBURN, Q. C.
The Honourable ADAM CROOKS, Q. C. —
The Honourable OLIVER MOWAT, Q. C. —

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THOMAS HODGINS, Esq., Q.C. —

ÆMILIUS IRVING, Esq., Q.C. —

JAMES BETHUNE, Esq. —

Secretary, Sub-Treasurer and Librarian.

JAMES HUTCHISON ESTEN, Esq.

RULE AS TO TERMS.

Rule 3 shall be repealed, and the following rule substituted therefor:

3. "The Terms of the Society shall be the same as provided for by Section 11 of the Superior Courts of Law Act, except that Trinity Term shall begin on the first Monday in September, and shall end on the Saturday of the following week.

1883
Saturday,
9th June
Easter Term,
46 Victoria.

RULES PASSED
BY
THE LAW SOCIETY OF UPPER CANADA,
WITH THE APPROBATION OF THE
JUDGES OF THE SUPERIOR COURTS,
AS VISITORS OF THE SAID SOCIETY.

Finally passed in Convocation, Michaelmas Term, 38 Victoria.

[Approved by the Visitors of the Society.]

By the Benchers of the Law Society of Upper Canada in Convocation, with the approbation of the Judges of the Superior Courts, as Visitors of the said Society, it is Ordained as follows:

SEAT OF THE BENCHERS.

1. The permanent seat of the Law Society shall be at Osgoode Hall, in the City of Toronto.

CONVOCATION OF BENCHERS.

2. Any five Benchers, including the Treasurer, shall be a quorum; and (unless otherwise specially provided) no business shall be transacted in Convocation, unless a quorum of five members be present.

3. The Terms of the Society shall be the same as those of the Superior Courts of Common Law. Book, p. 63.

4. The Convocation of the Benchers of this Society shall be held at the seat of the Society, in Term time, or in vacation on the last Tuesdays in June and December, unless such days be holidays when Convocation shall be held on the following day. But special Meetings of Convocation, in case of Emergency, may be convened in Vacation by the Treasurer, upon the requisition of five members. Notices stating the object of the Special Meeting are to be

sent by post to each Bencher at least five days before the day of meeting.

5. The first Monday, Tuesday, and Saturday, and the last Friday of every Term shall be standing Convocation days, and the hour of meeting half-past ten o'clock in the forenoon, unless otherwise ordered, and the Convocation may adjourn from day to day, to any day previous to the next standing Convocation day.

6. In default of a quorum, after the lapse of thirty minutes beyond the hour of meeting, on any Standing Convocation day, or on any adjournment, the Treasurer, or in his absence the Bencher being the senior Barrister present, may adjourn the meeting of Convocation to any other day in the same Term, previous to the next standing Convocation day.

7. The proceedings of the Benchers in Convocation shall be conducted as much as may be according to the ordinary Parliamentary mode.

8. No Draft Rule shall pass through more than two readings on the same day, but may pass through all its stages in the same Term, or be continued from Term to Term.

9. After any question is put, no further debate on the question shall be allowed, but the yeas and the nays shall be recorded at the request of any Bencher.

COMMITTEES.

10. Any Committee of Convocation may sit in Vacation as well as in Term time, and may adjourn from time to time.

TREASURER.

11. The Treasurer for the time being shall preside in Convocation.

12. In case of the absence of the Treasurer, a Chairman, to preside in Convocation, shall be appointed by the Benchers present.

13. Such Chairman shall preside in Convocation, and in all things officiate as Treasurer during the absence of the Treasurer.

14. In case of a vacancy in the office of the Treasurer, or of the Treasurer elect, before entering upon the duties of the office, the Benchers present at the first meeting of Convocation next ensuing the occurrence of such vacancy shall, before proceeding to any other business, elect a Bencher to fill the office of Treasurer until the next statutory election.

15. The Treasurer may, if any unseen emergency render it necessary, summon a special meeting of Convocation for any day in Term time by giving notice thereof by telegraph or otherwise, and by affixing such notice in the Library of the Society at least one day previous to the day of meeting. Sch. No. 15.

EXAMINATION OF CANDIDATES.

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

- (1) Of every Candidate for admission as a Student-at-law or Articled Clerk.
- (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.

17. The examination for admission shall be conducted by the "Examiner for Matriculation," before a Committee of Benchers, to be appointed for that purpose.

18. The Examination of Candidates for Call to the Bar shall be partly in writing, by printed or written questions, to be answered in writing, and partly oral, under the supervision of the Lecturers in the Law School.

19. The examination of Applicants for Certificates of Fitness shall be conducted in like manner.

20. A Graduate in the Faculty of Arts in any University in Her Majesty's Dominions, empowered to grant such Degrees, shall be entitled to admission as a Student or

Articled Clerk, upon giving six weeks' notice, and paying the prescribed fees, and presenting to Convocation his Diploma or a proper certificate of his having received his Degree.

21. All other Candidates for admission as Students-at-law, until further order, shall pass a satisfactory examination in the following subjects :

HORACE,—Bk. III of the ODES.

VIRGIL ÆNEID,—Bk. VI.

CÆSAR'S COMMENTARIES,—Bks. V. and VI.

CICERO,—“ Pro Milone.”

MATHEMATICS :

ARITHMETIC.

EUCLID,—(Bks. I., II., and III.)

ALGEBRA to end of Quadratic Equations.

ENGLISH HISTORY,—(W. Douglas Hamilton's.)

OUTLINES OF MODERN GEOGRAPHY.

ENGLISH GRAMMAR and COMPOSITION.

RULES AS TO EXAMINATION OF ARTICLED CLERKS.

22. Notice of Examination shall be given to the Secretary by a Benchor, not less than six weeks previous to the Term immediately following the Examination.

23. Examinations shall be had by the Examining Committee and Examiner on the same days as the examinations of Students-at-Law before each Term, and shall be conducted in the same manner.

24. The fees payable shall be as follows : With notice for Examination, one dollar ; On presentation for Examination forty dollars.

25. On failure to pass the Examination, thirty dollars of the fees shall be paid back.

26. Term of service under Articles shall be effectual only from time of passing Examination.

27. There shall be Preliminary Examination for Articled Clerks upon the following subjects:

1. CÆSAR'S COMMENTARIES,—Bb. V. and VI.
2. ARITHMETIC.
3. EUCLID,—Bb. I., II., and III.
4. OUTLINES OF MODERN GEOGRAPHY.
5. HISTORY OF ENGLAND,—(W. Douglas Hamilton.)
6. ENGLISH GRAMMAR and COMPOSITION.
7. ELEMENTS of BOOK-KEEPING.

28. No one who has been admitted upon the Books of the Society as a Student shall be required to pass a Preliminary Examination as an Articled Clerk.

29. The Examinations of Candidates for admission shall be partly in writing and partly oral, and shall be conducted in the Convocation Chamber, Osgoode Hall, by the "Examiner for Matriculation," (who shall be appointed by the Benchers each Term for the succeeding Term,) 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 in such manner as may be found convenient.

30. In the event of no appointment of Examiner being made by the Benchers during any Term, the Treasurer shall appoint an Examiner for the next ensuing Examinations.

31. 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.

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

33. No person shall be admitted as a Student-at-law or Articled Clerk who is not of the full age of sixteen years

34. Notice of the intention of any person to apply for admission as a Student-at-law or Articled Clerk signed by a Benchers, and containing the name, addition, and family residence of the Candidate, must be delivered to the Secre-

tary of the Society, at his office in Osgoode Hall, at least six weeks before the Term in which he seeks admission.

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

36. The Secretary shall, as soon as all the notices have been received, make out two lists containing the names, additions, and family residence 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.

37. It shall be the duty of the Examiner to prepare at least three Papers on the preceding subjects, viz., 1. Latin; 2. Mathematics; 3. History, Geography, English Grammar, and Composition. Such papers shall be printed for use in the Examinations.

38. In case any Candidate shall not pass the written Examination to the satisfaction of the Examiners, he shall not be entitled to present himself for the Oral Examination.

39. Candidates who have passed their written Examination, shall also be examined orally in the presence of the Examining Committee in Latin, and in such other of the above mentioned subjects as the Examining Committee may think proper, or the Examiner recommend.

COMMITTEE OF EXAMINATION FOR ADMISSION ON THE BOOKS AS STUDENT-AT-LAW AND ARTICLED CLERK.

40. A Committee of Convocation, to consist of five Benchers, shall be appointed in each Term for the examination of Applicants as Students-at-law, or Articled Clerks.

41. Three of the said Committee shall be a quorum for the transaction of any business.

42. The said Committee, in concert with the "Examiner for Matriculation," are hereby entrusted with the power and duty of superintending the Examination of all such Applicants for admission, and of arranging and settling the

details thereof, in all respects not provided for by the Rules or Standing Orders of Convocation. The majority of the Examining Committee and the Examiner shall determine upon the sufficiency of the Examination of every such Candidate, and in case of an equality of votes of the Committee and Examiner the Candidate shall be rejected.

CLASSIFICATION.

43. Graduates 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.

44. Candidates passed in the other Class shall be classed according to their merits.

PETITION, PRESENTATION, AND DEPOSIT OF FEES.

45. 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].

46. The Sub-Treasurer shall, on the second 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 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. Sec. No. 4.

REPORT OF THE COMMITTEE.

47. The Committee by a Report signed by the members who examine and by the Examiner for Matriculation shall, on the second 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 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 hereinafter 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.

48. The first Tuesday of each Term shall be the admission day of the Students and Articled Clerks who have been examined and reported as passed by the Examining Committee.

INTERMEDIATE EXAMINATIONS.

49. Every Articled Clerk presenting himself for Examination in any Term, under the Act passed in the first session of the Parliament of Ontario, entitled "An Act to amend the Act chap. 35 of the Consolidated Statutes of Upper Canada, entitled, 'An Act respecting Attorneys-at-Law,'" shall, on or before the day of Examination, file with the Secretary of the Law Society a certificate signed by such Clerk, stating the date of his articles of Clerkship, and of the filing thereof, the name of the Attorney to whom he was articled, the number of assignments, if any, and the year of his service at the time of signing such certificate, and if he is a graduate of any University, stating the same. The particulars of such certificate shall be entered in a book for that purpose, to be kept by the Secretary; and no certificate shall be received or filed without the payment of one dollar to the Secretary.

50. After each Examination is completed, the presiding Benchers shall certify to Convocation the names of the Students and Clerks examined, and whether they have or have not passed such Examination; and in accordance with such certificate, the Secretary shall enter against the name of such Clerk in the book aforesaid, "Passed," or "Not Passed," with the date of such certificate and when such Student or Clerk has passed, shall give him a certificate to that effect.

51. On the Final Examination for Certificate of Fitness of every Student or Clerk, the Secretary shall certify whether such Student or Clerk has passed the said Preliminary Examinations, and the date of such passing.

STUDENTS-AT-LAW.

52. Every Student of the Laws entered as such on the books of the Law Society, shall be required to pass two Examinations before the Final Examination for Call to the Bar. The first of such Examinations in the third year after he has been entered on the said books, and the second of such Examinations in the fourth year after he has been so entered, unless he be a Student of any University entitling him to call in three years from the date of his admission, and in such case the first of such Examinations shall be in his second year, and the third within the first six months of his third year.

53. Any Student being an Articled Clerk who, as such Articled Clerk, has passed the Examinations required by the Statute during his Clerkship, shall be allowed such Examinations as Examinations passed, without further Examination or certificate to that effect by the Secretary of the Law Society.

54. Every Student-at-law shall on or before the day on which he goes up for Examination, file with the Secretary of the Law Society a certificate signed by him, stating the date when he was admitted on the Books of the Society, and if an articled Clerk who has passed either or both of the Preliminary Examinations required by the Statute, stating the date or dates when such Examination or Examinations was or were passed, and the Secretary shall enter the said particulars in a book to be kept by him for such purpose, and shall enter in such book against the name of such student, "Passed," or "Not passed," as the case may be.

55. Every Student-at-law who has passed the said Examination shall be entitled to receive a certificate from the Secretary to that effect.

56. Convocation shall have power to alter the time of Examination in any case for special cause.

RULE AS TO INTERMEDIATE EXAMINATIONS WHEN TIME
REDUCED IN LAW SCHOOL.

57. Any Student or Articled Clerk passing the Law School, and being allowed any diminution of his period of student-ship or service thereon, shall also be allowed his Final Examination in the Law School as an Intermediate Examination, and in lieu thereof.

58. On the Final Examination for Call to the Bar, the Secretary shall certify whether the student presenting himself for such call has passed the Preliminary and Intermediate Examinations, with the dates thereof.

59. Intermediate Examinations shall commence on the Tuesday next, before each Term.

60. The subject and books for the first of these Examinations shall be as follows :—

Real Property—Williams.
Equity—Smith's Manual.
Common Law—Smith's Manual.
Act respecting the Court of Chancery.
Consol. Stats. U. C., chaps. 42 & 44.
Consol. Stat. U. C., chap. 12.

61. The subject and books of the second of such Examinations shall be as follows :—

Real Property—Leith's Blackstone.
Greenwood on the Practice of Conveyancing.
Chapters on Agreements, Sales, Purchases, Leases, Mortgages, and Wills.
Equity—Snell's Treatise.
Common Law—Broom's Common Law, C. S. U. C. Ch. 88.
Statutes of Canada, 29 Vic., Chr. 28
Insolvent Act.

SCHOLARSHIP EXAMINATIONS.

62. For the Scholarships of the first year :—

Stephen's Blackstone, Vol. I
Stephen's on Pleading.
Williams on Personal Property.
Griffith's Institutes of Equity.
C. S. U. C., ch. 12.
C. S. U. C., ch. 43.

EXAMINATION OF CANDIDATES.

1. From and after Hilary Term, 1883, the Primary examinations shall commence on the Tuesday in the third week next before each term, instead of in the second week, as at present provided.

1882.
Tuesday,
26th Dec'r,
Michaelmas
Vacation, 46
Victoria.

2. From and after Hilary Term, 1883, the Intermediate examinations shall be held in the second week next before each term, and the examinations for call and certificate of fitness, shall be held in the first week next before each term.

3. To entitle any candidate to go in for honors, he must obtain the number of marks as at present provided by rules 58 and 91, and those only who are students, and in their regular years or courses of study, are to be entitled to be passed with honors, unless, in any particular cases, Convocation shall see fit to award them.

4. To entitle a candidate to pass without an oral, he must obtain at least 55 per cent. of the aggregate marks obtainable upon the written examination papers; and if he shall obtain not less than 50 per cent. of them, he shall be entitled to go in for an oral.

5. For the Oral examinations, each examiner shall prepare three questions, (in addition to the papers already required of him,) before the commencement of the written examinations; and at least two examiners shall be present during the oral examinations. Any candidate who shall obtain 33 per cent. of the aggregate of the marks obtainable upon his oral, may be entitled to pass, and those who pass on their orals, are not to be ranked according to merit, but alphabetically.

6. Two examiners must, without fail, be present during the whole time of the written examinations for pass; and before the printing, the examiners shall meet and submit to each other, the proposed questions to be given at each examination.

7. Before the examinations, each examiner shall assign and mark a value to each question on his own papers; and a copy of the questions so marked, shall be returned to Convocation with the report; and each examiner shall mark opposite to each answer to his own papers, in numbers, the value he shall assign to it; and all the answers, so marked, shall be returned with the examiner's report, together with copies of all questions usual on the orals.

EXAMINATION OF CANDIDATES.

8. The First Intermediate examination shall commence on Tuesday, at the hour and in manner provided by subsections 2 and 5 of rule 47; the results are to be declared at 12 noon on Wednesday; the orals to be held at 2 o'clock, p. m., of the same day, and the results to be declared immediately after; the Honor examinations to be held on Thursday.

9. The second intermediate examination shall commence on Thursday, at the hour and in manner provided as aforesaid; the results are to be declared at 12 noon on Friday: the orals to be held at 2 p. m. of the same day, and the results to be declared immediately after: the honor examinations to be held on Saturday—and the reports of the examiners upon all the intermediate examinations are to be sent to the secretary on the following Monday.

10. The examinations for certificate of fitness shall commence on Tuesday, and the examinations for call shall commence on Wednesday, at the hour, and shall be conducted in the manner, already provided: the results of the examination for certificate of fitness to be declared at 2 p. m. on Wednesday; the results of the examination for call are to be declared at 2 p. m. on Thursday. The orals for both call and certificate of fitness are to be held at 2.30 p. m. on Thursday, and the results are to be declared immediately after; and on Friday, at 9.30 a. m., the honor examinations, in connection with call, are to be held. The reports of the examiners upon the examinations for call and certificate of fitness, and for honors in connection with call, are to be handed in to the secretary not later than 3 p. m., on the Saturday before term.

11. That a rota of elected benchers shall be prepared by the secretary, who is to notify two benchers, whose turn it is, according to the rota, to attend, or to provide a substitute, to attend, on one of the oral examinations, so that at least one bencher may be present at each of the oral examinations.

12. All parts of existing rules, inconsistent with this rule, are repealed in so far as they are inconsistent therewith.

LAW SOCIETY.

ALTERATION IN BOOKS FOR EXAMINATION.

The Committee on Legal Education recommend the following alteration in the subjects prescribed for examination :

In the subjects for the first intermediate examination add to " Consolidated Statutes, U.C., chaps. 42 and 44 " the words " and amending acts."

In the subjects for the second intermediate examination, add to " chap. 88," and " Ontario Act, 38 Vict.c.16," and substitute for " Insolvent Act," " Administration of Justice Acts, 1873 and 1874."

In the scholarship examination of the first year, for " Consolidated Statutes U. C., chap. 43," substitute " Consolidated Statutes U. C., chap. 42, and amending acts."

In the scholarship examination of the third year for " Story's Equity Jurisprudence " substitute " Taylor's Equity Jurisprudence."

In the final examination for articled clerks, substitute " Taylor on Titles " for " Watkins on Conveyancing "

and " Taylor on Equity Jurisprudence " for " Story's Equity Jurisprudence."

In the final examination for call, substitute " Walkem on Wills " for " Watkins on Conveyancing," and " Taylor " for " Story ;" and in the examination for call with honours, " Hawkins on Wills " for " Jarman on Wills."

The Committee recommend that the changes come into force at the examinations to be held in Hilary Term next.

The Senate of the University not yet having made the anticipated alterations in the subjects for matriculation, the Committee are obliged to defer the consideration of the subjects for the entrance examination.

(Signed)

T. MOSS,

Chairman.

For the Scholarships of the Second Year :—

Williams on Real Property.
 Best on Evidence.
 Smith on Contracts.
 Snell's Treatise on Equity.
 The Registry Act.

For the Scholarships of the Third Year :—

Real Property Statutes relating to Ontario.
 Stephen's Blackstone, B. 5.
 Byles on Bills.
 Broom's Legal Maxims.
 Story's Equity Jurisprudence.
 Fisher on Mortgages, Vols. 1 and 2, ch. 10. 11, and 12.

For the Scholarship for the Fourth Year :—

Smith's Real and Personal Property.
 Russell on Crimes.
 Common Law Pleading and Practice.
 Benjamin on Sales.
 Dart on Vendors and Purchasers.
 Lewis's Equity Pleading.
 Equity Pleading and Practice of this Province.

FINAL EXAMINATIONS.

63. The subjects for the Final Examination of Articled Clerks shall be as follows :—

Leith's Blackstone.
 Watkins on Conveyancing, 9th ed.
 Smith's Merchantile Law.
 Story's Equity Jurisprudence.
 Leake on Contracts.
 The Statute Law.
 The Pleading and Practice of the Courts.

64. The Books for the Final Examination of Students-at-law shall be as follows :—

(1) For Call :

Blackstone, Vol. I.
 Leake on Contracts.
 Watkins on Conveyancing.
 Story's Equity Jurisprudence.
 Stephen on Pleading.
 Lewis's Equity Pleading.
 Dart on Vendors and Purchasers.

For Call—*Continued.*

Taylor on Evidence.

Byles on Bills.

The Statute Law.

The Pleading and Practice of the Courts.

For Call, with Honors, in addition to the preceding :—

Russell on Crimes.

Broom's Legal Maxims.

Lindley on Partnership.

Fisher on Mortgages.

Benjamin on Sales.

Jarman on Wills.

Von Savigny's Private International Law, (Guthries Ed.)

Maine's Ancient Law.

65. Candidates for the Final Examinations are subject to Examination on the subjects of the Intermediate Examination.

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

66. No Student-at-Law upon the Books of this Society shall be called to the Bar, and no Candidate shall receive a Certificate of Fitness, unless he be of the full age of 21 years, nor without having been previously examined by the Lecturers of the Law School before a Committee of Benchers.

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

68. The examination of all Candidates for Call to the Bar and of all Candidates for Certificates of Fitness, shall be before each Term.

69. 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 two before the Term, and must also endorse his petition for Call with the words "For Honours."

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

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

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

73. 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.

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

75. The ordinary Examinations prescribed for Call to the Bar shall be passed in all cases where special Acts of the Legislature are obtained for such Call with clauses requiring examination by this Society.

NOTICE OF INTENDED APPLICATION FOR CALL.

76. 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.

77. 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 Convocation Chamber.

78. The Sub-Treasurer shall, on the first day of every Term, make a report in writing to the Convocation, stating—

- (1) That in the preceding Term notice of presentation had been properly given for such Candidate.
- (2) The day of the admission of such Candidate into the Society.

- (3) The Class of the Examination passed by such Candidate at the time of his admission, and
- (4) The Intermediate Examinations passed by such Candidate; to which report he shall append such Candidate's petition and presentation. Sch. No. 13.

PRESENTATION FOR CALL.

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

BONDS TO BE GIVEN BY BARRISTERS.

80. 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.

81. Every member of this Society shall, after his Call to the Bar, pay to the Society, through its Treasurer, a Term fee of \$2 per annum.

DEPOSIT OF PETITION, PRESENTATION, BOND, AND FEES.

82. 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.

83. 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 Intermediate Examinations he has passed, 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.

84. The Oral Examinations for Call shall take place on Friday and Saturday before Term.

85. No Examination shall be had upon any other day unless upon adjournment of all or any Examination not had or completed.

86. 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.

87. 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 Benchers present in Court.

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

QUORUM OF BENCHERS FOR EXAMINATIONS, CALLS, &c., IN CONVOCATION.

89. In case a quorum of five Benchers do not attend in Convocation on any day, or any adjournment thereof, the Benchers present, (being not less than three), may, after the lapse of half an hour beyond the hour appointed for the meeting, proceed in the name and on the behalf of the Society, to dispose of any application for admission on the

books as students, by any persons whose petitions stand regularly on the order of such day to be proceeded with, and may hold and dispose of examinations and applications as such Benchers deem proper; and every such examination and application shall have the like validity and effect as if the same had been disposed of in full Convocation.

CERTIFICATES OF FITNESS FOR ADMISSION AS ATTORNEYS OR SOLICITORS.

90. All applications for Certificates of Fitness for Admission as Attorney or Solicitor under the 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 a petition is to be presented, and the Sub-Treasurer's receipt for such fees shall be sufficient authority to the "Examiners" to examine the Applicant by written or printed questions.

91. 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.

92. 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 the satisfaction of the said Secretary, that it has not been in his power to procure the answers to the questions contained in the same 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.

*The articles will be off of by must be filed within 3 months after Ex.
 with the Registrar
 of the R. S. or
 C. S. Div.
 & any other
 must be filed
 with off.
 of by a like
 manner.
 R. S. O. C. 146
 54-55/2
 otherwise the
 service of the
 Clerk on the
 Secretary from
 14. Date of filing
 and the Secretary
 of the Society
 of the Society
 of the Society*

EXAMINATION FOR CALL AND FOR CERTIFICATE OF FITNESS.

That no candidate for call or certificate of fitness, who shall have omitted to leave his petitions and all his papers, with the Secretary, complete, on or before the third Saturday preceding the term, as by the rules required, shall be called or admitted except after report upon a petition by him presented, praying special relief on special grounds.

1882.
Saturday,
2nd September,
Trinity
Term, 46 Victoria,

EXAMINATION FOR CERTIFICATE OF FITNESS.

RULE No. 90a.

The applicants for certificates of fitness of the class contemplated by section 3 of chapter 140 of the Revised Statutes of Ontario, shall be examined on the statute laws of the Province of Ontario, including the Judicature Act, before a Committee of Benchers to be appointed by Convocation; and, upon passing such examination, they shall be reported to the High Court of Justice as having passed an examination in pursuance of the said section; and such applicants may apply to Convocation to be allowed to pass such examination, before applying to the Court to be admitted as solicitors; and the fees payable by such applicants shall be the same as those payable by applicants for certificates of fitness who come up in the ordinary way

1882.
Saturday,
25th Nov'r,
Michaelmas
Term, 46
Victoria.

EXAMINATION FOR CERTIFICATE OF FITNESS.

93. Candidates for Certificates of Fitness shall be examined in writing, and orally in like manner as Candidates for Call "simply."

94. 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.

SCHEDULE A.

95. The following questions are 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 what profession, trade, business, or employment, other than the profession of Attorney or Solicitor ?

SCHEDULE B.

96. The following questions are 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 articled 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.

an attorney refusing to answer questions of this nature may be called upon to show cause why he should not do so. Exp Lewis 7 Dec 442 & may be ordered to pay costs of application. Exp Holland 5 Dec. PC 617.

COMMITTEES. They may be dispensed with

where the attorney has absconded Exp Arop 2 Dec 1857 or is unsatisfactory about Exp Lewis 6 Dec PC 577 and Jan 1250 & 140 & 5583

97. The following "Standing" Committees shall be annually elected on the same day on which the Treasurer is elected in Easter Term, and shall hold office until the appointment of their successors:—

- Finance.
- Library.
- Reporting.
- Legal Education.

98. Each Standing Committee shall consist of seven members in addition to the Treasurer who shall be ex-officio a member of all Standing Committees, and three members of any Committee shall constitute a quorum.

CALL OF BARRISTERS AND ADMISSION OF SOLICITORS IN SPECIAL CASES.

1. That so much of rules 94, 95, 96, 97, and 98, as apply to the solicitors of the Supreme Court of Judicature in England; attorneys or solicitors in the Courts of Chancery, Queen's Bench, Common Pleas, or Exchequer in Ireland; writers to the signet or solicitors in the Superior Courts of Scotland; persons called to the bar by any of the Inns of Court or Societies having authority to call to the bar of any of the Superior Courts of England, Scotland, or Ireland, or in any of the Superior Courts not having merely local jurisdiction in England, Ireland, or Scotland, shall be and stand repealed, from and after the last day of Hilary Term next.

1882.
Saturday.
2nd September,
Trinity
Term. 46 Vic.

2. Any attorney or solicitor in the Supreme Court of Judicature in England, who shall furnish proof that he has for seven years been in actual practice as such attorney or solicitor, may be admitted and enrolled as a solicitor of the Supreme Court of Judicature in Ontario, without examination, upon payment of the like fees, and giving of like notices as required in the case of attorneys and solicitors of the other Provinces of the Dominion under the said rules.

3. Provided that this rule shall not affect any of the persons named in sub-section 2 of rule 98, who, before the last day of Hilary Term, 1883, shall be bound by a contract in writing to a practising solicitor in Ontario, as mentioned in the said sub-section 2.

99. Any vacancy in any Committee shall be filled up at the first business meeting of Convocation held after the occurrence of such vacancy.

COMMITTEE OF FINANCE.

100. The Committee of Finance shall be charged with the management of the Finances of the Society, and all matters relating to its resources and expenditure, and may appropriate from time to time such sums as may be required for expenditure by other Standing Committees, and shall certify such other accounts as may be incurred, and order their payment.

101. The whole executive management and control of those portions of Osgoode Hall, and the grounds attached thereto, in the exclusive occupation of the Society shall be vested in the Finance Committee, subject to the orders and supervision of the Benchers in Convocation.

OFFICERS.

102. Besides the Treasurer, there shall be the following officers of this Society :

- (1) A Secretary, who shall be, *ex officio*, Sub-Treasurer and Librarian.
- (2) An Editor to superintend the publishing the Reports.
- (3) A Reporter to each of the Superior Courts.
- (4) Four Examiners and Lecturers in the Law School, one of whom shall be President.
- (5) An Examiner for Matriculation.
- (6) An Assistant in the Library.
- (7) And a Steward.

103. The officers above mentioned shall hold office during the pleasure of the Convocation, and shall perform all such duties as may be assigned to them respectively by the rules of the Society, or by the Standing Orders, or by any special orders of Convocation.

104. After Easter Term, 1872, no person shall be appointed an officer of the Society (other than Examiner,) except after at least one week's notice by the Secretary, of the intention to appoint, given by circular to each Bench; provided it shall, nevertheless, be competent for the Trea-

surer to temporarily fill any vacancies which the exigencies of the case may require to be filled.

105. On the removal of any Reporter by the Society his salary shall cease upon his removal.

SALARIES.

OF REPORTERS.

106. The salary of each Reporter in Common Law shall be \$800 per annum, payable quarterly; and of the Reporter in Equity, \$1,200 per annum, payable quarterly; and of the Editor, \$1,600 per annum, payable as aforesaid.

107. The salaries of the Reporters shall not be paid unless upon the Certificate of the Editor-in-Chief that the work of the Reporter has been done to his satisfaction.

EXAMINERS AND LECTURERS.

108. The salary of three of the Examiners and Lecturers shall be \$800 per annum, each, payable quarterly. The President of the Law School shall receive \$1,000 per annum, payable as aforesaid.

SUB-TREASURER, SECRETARY, AND LIBRARIAN.

109. The salary of the Secretary shall be \$1600 per annum, and shall be paid quarterly.

FEES.

ADMISSION FEES.

110. Every Student upon his admission shall pay the sum of \$50, and the further sum of \$100 when called to the Bar.

111. 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 \$150, \$50 being on his entry as a member of the Society, and \$100 on his Call, the same corresponding in amount with the fees payable by Students under the last section.

112. In case any Candidate for admission on the books as a Student, or for Call to the Bar, or for a Certificate of Fitness for admission as an Attorney or Solicitor, 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 less \$10.

113. Every Student shall pay with his Notice for Call.....\$ 1

114. Every Candidate for admission into the Society and Call to the Degree of Barrister-at-Law under the Statute, shall pay with every notice of intention to apply for Admission and Call...\$ 1

115. Every Candidate for admission as Attorney or Solicitor shall on leaving Articles pay.....\$60

116. Whenever an Attorney receives a Certificate of Fitness as an Attorney, entitled under either a special Statute or General Statutes applying to Attorneys of the Courts of the United Kingdom or Colonies, he shall pay the full fees as if he had been articulated and admitted after the usual service in Ontario.

ACCOUNT AND AUDIT..

117. The Sub-Treasurer shall lay before the Convocation on the first Tuesday of each Term, a debit and credit statement of account of all moneys received up to and including the last quarter day next preceding such Term.

118. Such statement of account shall show all deposits made into the Bank of the Society to the credit of the Society, and of all checks drawn upon such Bank, and shall also show all disbursements made, and be accompanied with vouchers connected therewith.

119. Such accounts shall be audited, by auditors appointed for that purpose, once a year.

FISCAL MATTERS.

120. The Bank of Toronto shall be the Bank of Deposit and Account for the "Law Society of Upper Canada," and the Treasurer and Sub-Treasurer, shall from time to

time deposit therein and to the credit of the Law Society, all moneys (except sums retained for occasional contingencies), received for and on account of the Society, which being done, such deposit shall exonerate the Treasurer or Sub-Treasurer making such deposit.

121. The moneys of the said Society deposited in the said Bank, shall be drawn for, and paid out upon a check signed by the Treasurer, or in case of his absence, by the Chairman, or in his absence any other member of the Finance Committee, and always countersigned by the Sub-Treasurer for the payment of salaries, contingencies, and other accounts from time to time required to be paid by the Rules or Orders of the Society, or by any Committee acting under or in accordance with any such Rules or Orders.

DUTIES OF THE SECRETARY.

122. In addition to the duties required of the Secretary by any Statute—

1. He shall keep the minutes of the proceedings in Convocation, and record the names of the Benchers present, make up the journals, conduct all necessary Correspondence prepare all necessary Diplomas, Certificates, and other documents appertaining to his department, and perform all other services incidental to the office.

2. He shall cause to be published in the *Canada Law Journal* as soon as may be after each Term :

- (a.) The names of all Benchers elected or appointed during the previous Term.
- (b.) The name of the Treasurer (if any) elected during such Term.
- (c.) The names of all gentlemen upon whom the Degree of Barrister-at-Law was conferred during such Term, in the order of their call.
- (d.) The names of all members admitted into the Society as Students-at-Law or Articled Clerks, during each Term, with the date, class, and order of their admissions.

(e) Such portions of the Rules or Standing Orders of the Society respecting the Examination of Candidates for admission on the books as Students-at-Law, for Call to the Bar, and for Certificates of Fitness, specifying the subjects and books from time to time prescribed for such Examinations respectively, as shall be sufficient to give every necessary information to all parties interested in the premises.

(f) A *resumé* of the business of Convocation during Term.

3. He shall forthwith, after each Examination, post in a conspicuous place in the Library, a list, shewing the names of the successful Candidates.

DUTIES OF THE STEWARD.

123. The Steward, under the direction of the Finance Committee, shall have the general charge and care of the grounds and buildings thereon, which may be in the exclusive occupation of the Society.

RESIDENCE IN THE HALL.

124. No persons, except Officers or Servants of the Society, shall be permitted to reside in those portions of Osgoode Hall in the exclusive occupation of the Society, unless they be members of the Society.

LIBRARY.

125. The Secretary shall have the immediate and general charge of the Library, under the superintendence of the Library Committee.

126. The Library Committee may expend the sum of \$800 annually in the purchase of books, for the use of the Library, and the Treasurer and Sub-Treasurer are hereby authorized to pay the amount as from time to time required by the Committee.

STANDING ORDERS FOR THE REGULATION OF THE LIBRARY.

127. The following shall be the Standing Orders for the regulation of the Library :—

1. The Library shall be kept open for the use of the Members of the Law Society :

(1) In Term time daily, except Sundays and Holydays, from half-past nine o'clock, A.M., until five o'clock P.M., or until the Courts rise, if sitting at five o'clock.

(2) In Vacation daily, except Sundays and Holydays, from half-past nine o'clock, A.M., until five o'clock, P.M., except in the Long Vacation, when it shall be opened at ten A.M., and closed at three o'clock, P.M.

2. No conversation shall be carried on in the Library.

3. No person shall bring his hat into the Library, nor place his greatcoat, cloak, &c., on any table or chair therein.

4. No book shall be carried out of the Library, except under the circumstances authorized by order of Convocation.

5. It shall be the duty of any person using a book to restore it to its place in the Library, immediately after using the same.

6. It shall be the duty of the Librarian to report to the Convocation in Term, any infringement of the Rules or Orders of the Society for the Regulation of the Library.

7. It shall be the duty of the Librarian, under the direction of the Library Committee, to procure and place in the Library, from time to time, the reports of the Superior Courts of Law and Equity in England, and such other books as the Committee shall order.

8. The Judges of the Superior Courts respectively, the Master in Chancery, and the Referee in Chambers, shall be at liberty to take books from the Library, upon application to the Librarian, and any member of the Law Society requiring the use of any book upon the argument of a case in Osgoode Hall, shall be at liberty to have such book,

upon application to the Librarian, such book to be returned to its place in the Library immediately after the close of the argument for which it may have been required. Books taken from the Library in pursuance of this rule to be in all cases returned the same day, and any person taking any book from the Library otherwise than upon such application, or failing to return the same in the manner hereby directed, to forfeit the benefit allowed by this rule, until restored thereto by order of Convocation or of the Treasurer.

9. For the application to the Librarian mentioned in the last sub-section, it shall be sufficient to enter the name and volume of the book required and of the person taking the same in a Register book, which shall be kept in the Library for that purpose.

10. The Library shall be heated and lighted at the expense of the Society, according to any arrangements which may be from time to time made by the Committee of Finance.

11. The Steward, under the supervision of the Librarian shall attend when the Library is open, and he shall see that proper light and heat be provided.

LIBRARY COMMITTEE.

128. It shall be the duty of the Library Committee to assume the general supervision and management of the Library, and to purchase Books therefor, as in their judgment may be necessary—the expenditure for that purpose not to exceed \$200 per quarter.

REPORTERS.

129. There shall be an Editor to peruse, select, and publish the decisions of the Superior Courts of Law and Equity; and from time to time, distinct Reporters being Barristers-at-Law upon the Roll of this Society appointed by this Society, for the several Courts of Queen's Bench, Chancery, and Common Pleas.

130. The respective Reporters for the time being, of the Courts of Queen's Bench and Common Pleas, shall personally attend the sittings of the Court of which they are Reporters,

every day in each Term, and in the sittings, after each Term, during the whole period of such Sittings, and such Reporters, shall note concisely the arguments of counsel, prepare a statement of the case, and furnish such judgments as the Courts pronounce, whether *viva voce* or written and thereupon submit them to the Editor with whom the publication is to rest.

131. One or other of the said Reporters of the Courts of Queen's Bench and Common Pleas, shall in like manner personally attend the Sittings of the Practice Court, every day in each Term, and in the Sittings after each Term during the whole period of such Sitting; and the Reporters of the said Courts of Queen's Bench and Common Pleas shall, from time to time, arrange between themselves for the punctual attendance of one or other of them, as Reporter at the said Sittings of the said Practice Court.

132. It shall be the duty of the Editor to publish in monthly numbers printed Reports of the Judgments of the said respective Courts of Queen's Bench and Common Pleas, according to the order and priority of delivery of the said respective Judgments; but no Judgment of either of the said Courts of Queen's Bench or Common Pleas shall remain unpublished for a longer period than three months after the delivery thereof; and three copies of each such monthly numbers shall, as soon as published, be obtained by the Secretary of the Society, for the use of the Society.

133. The Reports of the Judgments of the said Practice Courts shall be published in separate printed reports in like monthly numbers, and three copies of the said last-mentioned Reports as soon as published shall in like manner be obtained by the Secretary of the Society for the use of the Society.

134. It shall be the duty of the Reporter of the Court of Chancery personally to attend all the Sittings of the said Court of Chancery, and to note concisely all arguments of counsel, prepare a statement of the case, and furnish such judgments as the Courts pronounce, whether *viva voce* or written, and thereupon submit them to the Editor with whom the publication is to rest. It shall in like manner be the duty of the Editor to publish such Judgments in monthly numbers, but none of such Judgments shall

remain unpublished for a longer period than three months after the delivery of the same respectively and three of such monthly numbers shall, as soon as published, be obtained by the Secretary of the Society for the use of the Society.

135. The said several Reports shall be so arranged that twelve numbers shall constitute one volume, and be capable of being bound as such, and the last number of each volume shall contain a general alphabetical index and a conveniently arranged digest of all the cases reported therein.

136. It shall be the duty of the said respective Reporters to attend the sittings of the Court of Appeal, to note the Judgments given in Appeal upon every case appealed from the Court of which he is Reporter, and as soon as conveniently possible, after such Judgment in Appeal, the Editor shall publish the same in the volume of the Reports of the decisions of the Court appealed from.

137. The said Reporters respectively shall, in preparing for publication the said respective Reports hereby required to be published in manner aforesaid, give a faithful summary of the argument of, and the cases quoted by, the counsel engaged in the cases so reported, together with the Judgments, or (with the approval of the Judges) so much of the Judgments of the said several Judges of the said respective Courts as may be deemed of sufficient importance as to the subject matter or point decided to require publication.

138. In the event of any Reporter being requested by any person to furnish a copy in writing of any Judgment, delivered in the Court of which he is Reporter, before the publication thereof as hereby required, it shall be the duty of such Reporter to furnish such copy in writing to the person demanding the same with as convenient despatch as possible, upon receiving the sum of ten cents per folio of one hundred words of such Judgment, which sum, and no more, such Reporter is hereby authorized to charge and receive; but no such charge shall be made in the case of a copy in writing being required of any such Judgment after the expiration of three months from the delivery thereof, but if not previously published, such copy shall be then furnished gratis by such Reporter to the party demanding the same.

139. In case of the unavoidable absence of any of the said Reporters respectively, from illness or any other sudden or necessary cause, during any of the sittings of the said several and respective Courts, it shall be competent for the said Reporters respectively, with the assent of the Treasurer of the Society for the time being to appoint some fit and proper person, being a Barrister-at-Law practising in the Court, to report the judgments to be reported by the said Reporter.

140. Each of the Reporters of the said respective Courts shall be responsible for the due discharge of such duties by such his nominee as aforesaid.

141. It shall at all times be competent for the Benchers of the said Society in Convocation, in their discretion, to grant leave of absence to the said respective Reporters for such period, and under such restrictions and conditions for ensuring the due performance of the duties of the office during such absence, as to the said Benchers in Convocation may seem expedient.

COMMITTEE ON REPORTING.

142. The Committee shall see that the duties of the Reporters are discharged, and the Reports published in accordance with the Statutes and the Rules of the Law Society relating thereto, and report any default to Convocation.

ANNUAL CERTIFICATE FEES.

143. In case any Attorney or Solicitor of any of the Superior Courts desirous of obtaining his Annual Certificate, according to the provisions of the Statute in that behalf, pays on any day within the Term of Michaelmas, in any year, to the Treasurer of this Society, the sums hereinafter mentioned according to the scale set forth in the Schedule hereunto annexed, together with all such other fees and dues, if any, as by the said statutes are required to be paid by him on obtaining such an Annual Certificate, such Attorney or Solicitor shall be thereupon entitled to such certificate or certificates respectively for the year commencing with the first day of such Michaelmas Term ; and such certificate or certificates shall be thereupon issued to

FEEES.

The same aggregate amount of fees and fines as at present payable by attorneys and solicitors under the 157th and 159th rules of this Society, shall continue to be payable by solicitors of the Supreme Court of Ontario, notwithstanding that the Courts referred to in the 159th rule, are, under the Judicature Act, named Divisions of the High Court of Justice for Ontario.

1881.
Tuesday,
23rd August.
Trinity Term
45 Vic.

him by the Secretary of this Society, as provided by the said Statute.

For Certificetes for all of the said Courts...	\$15 50
For a Certificate for any one of the said Courts separately.....	15 50

144. A list shall be delivered by the Secretary to the Publishers of the Reports immediately after the first day of January, yearly, of all those Attorneys who have taken out their Annual Certificates up to that date.

145. RULES FOR THE ESTABLISHMENT OF A LAW SCHOOL.

1. The Law Society hereby establishes a Law School.

2. The staff of the Law School shall consist of Four Lecturers, who shall be Barristers-at-Law, and hold office for three years, and one of them shall be appointed by the Benchers President of the Law School.

3. The Lecturers shall be styled of General Jurisprudence, Real Property, Commercial and Criminal Law, and Equity.

4. The course in the School shall consist of Lectures, Discussions, and Examinations, between the first of November and the first of May.

5. The attendance in the School shall be voluntary. The students shall be divided into the junior class and the senior class. Any Student or Articled Clerk shall be entitled to admission to the junior class, and having passed through the junior class, or being of two years' standing on the books of the Society or under articles to admission to the senior class.

6. Intermediate and Scholarship Examinations, Examinations for Special Honours, Certificate of Fitness, and Call to the Bar, shall be conducted in the Law School, and may be had either in Term or Vacation as the Treasurer of the Law Society shall from time to time determine, and all such Examinations, except Intermediate shall be conducted in the presence of three Benchers, who shall attend in rotation or provide substitutes.

7. Scholarships shall be of the same tenure and value as at present, and shall be open to general competition.

8. Special Honours shall consist of periods of allowance granted in pursuance of the Statute; any Student in the School who has attended courses of both the junior and senior class and passed the requisite Examinations, shall be awarded a reduction of six, twelve, or eighteen months; or who has attended the course of, and passed through the senior class only, and passed the requisite Examinations shall be awarded a reduction of six or twelve months according to the results of the Examinations in each case.

9. All periods of allowance granted shall be taken and allowed as a part of the term of studentship or clerkship on Call to the Bar or admission as an Attorney; and if allowed to a Student, shall be available to him as an Articled Clerk, and if allowed to him as an Articled Clerk, shall be available to him as a Student.

10. The Law School shall furnish Convocation certificates of the results of the various Examinations signed by the President of the School, which shall be confirmed by Convocation before taking effect; and any period of allowance granted and confirmed, may be certified to the person to whom it is granted, by the Treasurer of the Law Society, under his hand and the seal of the Society.

11. The duties of the Lecturers shall be to deliver *viva voce* lectures; to prepare all questions for the Examinations, whether oral or written; to select all questions for discussion; to preside in turn at meetings for discussion; to attend all Examinations; and to arrange the hours for lectures, examinations, discussions; and all questions for examination and subjects of discussion shall be approved by the President of the School.

12. There shall be a Council of the Law School, to be composed of the Treasurer of the Law Society, the Chairman of the Legal Education Committee, and the President of the Law School.

13. The Council of the Law School shall arrange the subjects and books for Lectures and Examinations, and the days for the several Examinations, except those during the course in the School, which shall be fixed by the Lecturers, shall have power to sanction any change of duty among the

ESTABLISHMENT OF A LAW SCHOOL.

9. The lecturer for the time being, holding the position of seniority at the bar, shall be the chairman of the Law School.

10. The first course in the Law School, shall commence on the 12th day of December, 1881.

11. To entitle students attending the lectures in the school, to be awarded prizes in law books, under the provisions of the rule of the Society as to legal and literary societies, the junior and senior classes shall be deemed two classes of competitors for such prizes, within the meaning of sections 7 and 8 of the said rule, and the other provisions of the said rule, shall, so far as necessary, be applicable to students in the school in the summer as if the lectures and examinations thereon were held under the authority of the said rule; provided, however, that section 9 of said rule is not to take effect during the continuance of the school.

12. The report of the lecturers, of the results of the examinations in the school, shall be deemed proof of the results of the examinations within the meaning of section 6 of the said rule.

RULE FOR THE CONTINUATION OF THE LAW SCHOOL.

1883.
Saturday,
9th June,
Easter Term
46 Victoria.

1. The Law School is hereby continued until the last day of Easter Term, 1884, subject to the rules passed by this Society on the establishment of said school in Michaelmas Term 1881, as hereby amended

2. Rule number 9, respecting the Law School is hereby repealed, and the following substituted therefor.

3. The lecturer for the time being, who has held the position for the longest period, shall be the chairman of the Law School.

ENCOURAGEMENT OF LEGAL STUDIES.

1. That the Standing Committee called "The County Library Aid Committee," be a committee to whom shall stand referred all the correspondence on this subject; and which shall have power, subject to the direction of convocation, to work the plan so far as the Law Society is concerned, the Finance Committee retaining its control over expenditure.

1881.
Friday, 27th
May. Master
Term. 44 Via

2. That the members of the Law Society in every locality which contains a sufficient number, may form an organization by the name of "The (name of county town, county, or union of counties) Legal and Literary Society," or some similar name.

3. That among the objects of the Association shall be the extension of the legal knowledge and the cultivation of the powers of reasoning, speech and composition of the members, by the delivery of lectures by barristers on some of the more important branches of the law, and examinations thereon, by the preparation and reading of essays, and by arguments on legal questions.

4. That the Association may transmit to the Law Society proof of its formation, with a copy of its rules, and a list of its members, and proof that arrangements have been made for the delivery, during the season, of a course of eighteen or more lectures, at least one hour long, on three or more of the more important branches of the law, by three or more barristers, giving the subjects and the names of the lecturers and proof that arrangements have been made for the holding, by two or more of such lecturers, of a written examination, comprising 24 or more questions, equally divided among the various subjects of the lectures, such examination to be managed on the same general principles as are applied to the written examinations of the Law Society, subject to such modifications as the Standing Committee may, from time to time, direct. And the Association may thereon apply to be recognized by the Law Society as an Association within the meaning of this plan.

5. That the Committee may require such further information and details as shall seem advisable, and may, on being satisfied as to the facts, resolve that the Association be recognized.

6. That any recognized Association may transmit to the Law Society proof that the course of lectures has been deli-

ENCOURAGEMENT OF LEGAL STUDIES.

vered to audiences comprising, on the average, twelve or more students; and that the examination has been held, and that eight or more students have competed thereat; and proof of the results of the examination.

7. That in case it appears that any of the competitors have succeeded in obtaining at least three quarters of the aggregate marks obtainable on all the subjects, and at least one half of the aggregate marks obtainable in each subject; the first of such successful competitors shall be entitled to a prize of law books of the value of \$25, the second to a like prize of the value of \$15, and the third to a like prize of the value of \$10.

8. That the Standing Committee shall have power, on the application of any recognised Society, to authorize the division of the competitors into two classes, and the division of the prizes in the same way, under such regulations as may be made by the Committee; and in that event the prizes may be given to the value of \$50 in each class.

9. That the Osgoode Legal and Literary Society be deemed to be a recognized Society, within the meaning of this rule; and that the special rule as to prizes for that Society be rescinded.

10. That the Standing Committee may in any case require further information, or further evidence on any point connected with the proceedings.

11. That the Standing Committee, being satisfied that, under the above conditions, any competitor is entitled to a prize, may report thereon to the Finance Committee, stating the facts, and thereon the Finance Committee may authorize the giving of the prize.

12. That the Standing Committee shall report to Convocation on the first day of Hilary term in each year on the operations of the previous year.

Lecturers, and to grant leave of absence to any of the staff, or any Student in the School. The Council shall also publish whatever they may deem necessary.

14. The salaries of the Lecturers shall be as follows :—The President of the School, one thousand dollars per annum; the other Lecturers, each eight hundred dollars per annum; such salaries to be paid quarterly from the first of January next.

146. In case the necessity for making any new appointment arises in Term time, the appointment shall be made by the Benchers in Convocation.

147. No person shall be appointed to the said office who at the time of his appointment is a Bencher of the Society, and no salaried Lecturer and Examiner shall be elected a Bencher while he holds the office of Lecturer and Examiner

SUSPENSION OF BARRISTERS STRUCK OFF THE ROLL OF ATTORNEYS OR SOLICITORS BY ANY OF THE SUPERIOR COURTS.

148. Upon any order being made by any of Her Majesty's Superior Courts of Law and Equity in Upper Canada, whereby any person being at the time a member of this Society is ordered to be struck off the Roll of Attorneys or Solicitors of such Court, and whereby it is also further ordered, that such order shall be transmitted by the proper officer of such Court to the Treasurer of this Society; such person so ordered to be struck off the Rolls of such Court shall, *ipso facto*, be suspended from the exercise of all and singular the rights, powers, and privileges belonging to him in this Society, or elsewhere, as a member thereof, and such suspension shall continue until such person be restored to the Rolls of such Court as an Attorney or Solicitor thereof, and also to the Rolls of such other of the said Courts as may, on communication of such order or otherwise, have ordered him to be struck off their Rolls respectively.

149. Such suspension shall in no respect be deemed as affirmation on the part of this Society, or any of the authorities thereof, of the correctness of the grounds upon which the decision of such Court or Courts is founded, but as a mere legal consequence attached to such decision.

150. Such suspension shall not preclude the adoption of proceedings by impeachment or otherwise, according to the course of this Society, before the Benchers thereof in Convocation for disbarring and expelling such person from this Society, on the same grounds upon which any such Court may have proceeded to remove him from their Rolls, or any other that may render such proceeding necessary or proper in that behalf.

151. It shall be the duty of the Treasurer of this Society on receipt of any such order from the proper officer of any of the said Courts, to lay the same before the Benchers of this Society in Convocation at the next meeting; and the same shall be thereupon entered at length upon the Journal of Convocation, but no entry of such suspension shall be entered upon the Rolls of this Society.

152. Upon the Treasurer of this Society being informed of orders having been made by the said Courts, or by the Courts which removed any such person from their Rolls as aforesaid, for the restoration of such person to such Rolls, it shall be his duty to procure office copies of such orders so restoring such person to the Rolls of such Courts, and to lay the same before the Benchers of this Society in Convocation at their next meeting, and the same shall thereupon be entered at length upon the Journals of Convocation.

RULES AS TO COMPUTATION OF TIME.

153. In the computation of time entitling Students or Articled Clerks to pass Examinations be called to the Bar or receive Certificate of Fitness Examinations passed before or during Term shall be construed as passed at the actual date of the Examination, or as of the first day of Term, whichever shall be most favourable to the Student or Clerk, and all Students entered on the books of the Society during any Term shall be deemed to have been so entered on the first day of the Term.

Non payment of annual fees

154. It shall be the duty of the Secretary to notify every practising Attorney who may be in default in the payment of his annual fees for Certificates, that unless the amount in default be paid within one month after the mailing of

such notice, proceedings will be taken by the Solicitor, such notice to be sent not later each year than the last day in Hilary Term, and if the fees be not paid within such month, then it shall be the duty of the Solicitor of the Society to proceed against the parties in default peremptorily and without further notice.

INTERPRETATION.

155. The interpretation clauses of the Interpretation Acts having force in Upper Canada, shall, so far as material and applicable, be considered as also applying to the rules and orders of this Society in like manner as if expressly incorporated therewith.

REPEAL OF FORMER RULES.

156. All Rules of this Society inconsistent with the foregoing Rules are hereby repealed.

SCHEDULE.

157. The following Forms are approved of by the Society, and shall be used where applicable or adapted to the circumstances of the particular case :

I.

NOTICE OF PRESENTATION FOR ADMISSION.

LAW SOCIETY OF UPPER CANADA, OSGOODE HALL, TO WIT :

Mr. A. B. (some Benchers) gives notice, that C. D., (names in full, no initials) of E. in the County of F. in this Province, Gentleman, son of G. D., of the same place, Merchant (or as the case may be,) will, next Term, be presented to the Benchers of this Society, in Convocation, for the purpose of being entered and admitted as a Student of the Laws, or Articled Clerk.

II.

PRESENTATION FOR ADMISSION.

LAW SOCIETY OF UPPER CANADA, OSGOODE HALL, TO WIT :

To the Benchers of the Law Society of Upper Canada, in Convocation.

GENTLEMEN,—I hereby present to the Examining Committee and to the Convocation, C. D., (names in full, no initials) of E. in the County of F. in this Province, Gentleman, son of G. D., of the same place, Merchant, (or as the case may be,) for the purpose of his being examined and entered and admitted as a Student of the Laws, or Articled Clerk.

(Some member of the Society of the degree of Barrister-at-Law.)

III.

PETITION FOR ADMISSION.

LAW SOCIETY OF UPPER CANADA, OSGOODE HALL, TO WIT :

To the Benchers of the Law Society of Upper Canada, in Convocation.

The Petition of C. D., (Christian and surnames at length no initials) of E. in the county of F. in this province, Gentleman, son of G. D., of the same place, Merchant, (or as the case may be,) most respectfully sheweth: That your Petitioner is of the full age of years; (that he has received an education which he trusts sufficiently qualifies him to commence the study of the profession of the Law; that he received his education at the University of Oxford; (or "at Upper Canada College;" "Upper Canada Academy," or at the school of G. A., at Z., in the county of F., in this province or as the case may be, being as full and particular as possible); that in the course of such instruction he has read the following books, that is to say, (as the case may be); that your Petitioner is desirous of becoming a member of the Law Society of Upper Canada, and of being entered thereof as a Student of the Laws.

Your Petitioner therefore, most respectfully prays that his qualifications being first examined and found sufficient,

according to the Rules of the Society, and Standing Orders of Convocation in that behalf, he may be admitted and entered accordingly; and he doth hereby undertake and promise that he will well, faithfully, and truly submit and conform himself to, and obey, observe, perform, fulfil, and keep all the Rules, Resolutions, Orders, and Regulations of the Society, during such time as he shall continue on the books of the said Society as a member thereof.

WITNESS,
R. W.

C. D.
Michaelmas Term, 23 Vic.

IV.

SUB-TREASURER'S REPORT ON PETITION FOR ADMISSION.

LAW SOCIETY OF UPPER CANADA, OSGOODE HALL, TO WIT.

*To the Benchers of the Law Society of Upper Canada, in
Convocation.*

The Sub-Treasurer, with reference to the Petition and Presentation for Admission of C. D. hereunto annexed, begs leave, pursuant to the standing order of Convocation in this behalf, most respectfully to report :

That he has carefully examined the said Petition and Presentation—and that they appear to him to be complete and regular in every respect; that he has searched the Journals of Convocation, and finds that notice of the Presentation of the said Candidate was duly given on the day of in last Term; that the said Candidate has fully conformed himself to the rules of the Society and Standing Orders of Convocation, and that should his education be reported sufficient by the Examining Committee, there exists to his knowledge no objection to the Admission of the said Candidate as a member of the Society.

All which is most respectfully submitted,

J. R., *Sub-Treasurer.*

Treasurer's Office, day of , 18 .

V.

CERTIFICATES OF ADMISSION INTO THE
SOCIETY.

LAW SOCIETY OF UPPER CANADA, OSGOODE HALL, TO WIT :

These are to certify that C. D., of E., in the county of F., Merchant, (or as the case may be,) having passed an examination and been classed in the University (or the senior or junior) Class, (as the case may be,) was by the Benchers of the Law Society of Upper Canada in Convocation, on the day of in the Term of in the year of our Lord one thousand eight hundred and duly admitted into the said Society as a member thereof, and entered as a Student of the Laws, taking precedence as such in this Society next immediately after Mr. Y. R., and that he now remains on the Books of this Society as a member thereof.

In testimony whereof, I, J. R., Esq., Treasurer of the said Society, have to these presents affixed the seal of the said Society at Osgoode Hall, this day of in the year of our Lord one thousand eight hundred and and in the year of Her Majesty's reign.

J. M. C., *Secretary.*J. R., *Treasurer.*

VI.

NOTICE OF PRESENTATION FOR CALL.

LAW SOCIETY OF UPPER CANADA, OSGOODE HALL, TO WIT :

Mr. A. B. (some Benchers) gives notice that C. D., (names in full) a member of this Society, now standing on the books as a Student of the Laws, and who has received his professional education under the superintendence of L. J., Esq., one of the Members of this Society, of the Degree of Barrister-at-Law, (or, of I. J. K. L. M. N., members of this Society, of the Degree of Barrister-at-Law, as the case may be) will, next Term, be presented to the Benchers of this Society in Convocation, for the purpose of being called to the Bar.

VII.

PRESENTATION FOR CALL.

LAW SOCIETY OF UPPER CANADA, OSGOODE HALL, TO WIT :

To the Benchers of the Law Society of Upper Canada, in Convocation.

GENTLEMEN,—I hereby present to the Convocation C. D., (names in full) a Member of this Society, now standing on the books as a Student of the Laws, and who has received his professional education under my superintendence, (or under the superintendence of K. L. M. N. O. P., Esqrs., members of this Society, of the Degree of Barrister-at-Law,) for the purpose of his being called to the Degree of Barrister-at-Law.

I. J.

Some member of the Society of the Degree of Barrister-at-Law.

VIII.

PETITION FOR CALL.

LAW SOCIETY OF UPPER CANADA, OSGOODE HALL, TO WIT :

To the Benchers of the Law Society of Upper Canada, in Convocation.

The Petition of C. D., (Christian and surnames at length, no initials) of E. in the County of F. in this Province, Gentleman, son of G. D., of the same place, Merchant, (or as the case may be), and a Member of this Society, now standing on the books as a Student of the Laws, most respectfully sheweth,—That your Petitioner is of the full age of years; that he has received a professional education which he trusts sufficiently qualifies him to commence the practice of the Profession of the Law; that he is of years' standing in the books of the Society as a Student of the Laws; that he has received his professional education under the superintendence of J. K. (or of J. K. for the space of 2 years, L. M. for 1 years, and N. O. for 2 years, or as the case may be), a member of this Society of the Degree of Barrister-at-Law; that he has since his admission into the Society, passed the first and second Intermediate Examination in the Terms of 18 and of 18

That he has since his admission into the Society pursued the following branches of general learning that is to say, (as the case may be.)

That in the course of such pursuit he has read the following works, that is to say, (as the case may be.)

That he has particularly studied the following branches of the law, that is to say, (as the case may be.)

That in the course of such study he has read the following works, that is to say, (as the case may be.)

That he is under no articles of Clerkship of any kind whatsoever to any person or persons (or as the case may be); and that he is desirous of being called to the Degree of Barrister-at-Law.

Your Petitioner, therefore, most respectfully prays, that, his qualifications being first examined and found sufficient according to the Rules of the Society, and Standing Orders of Convocation in that behalf, he may be called to the said Degree accordingly; and he doth hereby undertake and promise that he will, faithfully, and truly submit and conform himself to, obey, observe, perform, fulfil, and keep all the Rules, Resolutions, Orders, and Regulations of the said Society, during such time as he shall continue on the books of the said Society as a member thereof.

Witness,

N. P.

Michaelmas Term,

C. D.

Vic.

IX.

BOND.

LAW SOCIETY OF UPPER CANADA, OSGOODE HALL, TO WIT:

Know all man by these presents, that we, C. D., (names in full) of E. in the county of F. in this Province, Gentleman, Member of the Law Society of Upper Canada, now standing on the books of the said Law Society as a Student of the Laws, (or "Esquire, Member of the Honorable Society of Lincoln's Inn, Gray's Inn, the Middle Temple, or

the Inner Temple," as the case may be, "duly called to practice at the Bar of Her Majesty's Superior Courts in England," or "Esquire, duly called to practice at the Bar in Her Majesty's Province of Lower Canada," (Nova Scotia, or New Brunswick, &c., as the case may be,) "in North America,") and Z. D. of E. in the County of F., merchant, and V. N. of T. in the county of S., yeoman, are jointly and severally held and firmly bound to the Law Society of Upper Canada in the penal sum of Four Hundred Dollars of lawful money of Upper Canada, to be paid to the Law Society of Upper Canada aforesaid; for which payment to be well and truly made we bind ourselves, and each of us binds himself, our and each, and every one of our heirs, executors, and administrators firmly by these presents. Sealed with our Seals. Dated this day of in the year of Her Majesty's reign, and in the year one thousand eight hundred and

The condition of this obligation is such, that if the above bounden C. D. (names in full) shall and will well and truly pay, or cause to be paid, to the Law Society of Upper Canada aforesaid, all such fees and dues of what nature or kind soever, as now are due or payable by or from him to the said Society, by or under any Statute or by any Rule, Resolution, Order, or Regulation of the said Society, passed by the said Society, or by the Benchers thereof, with the approbation of the Judges of the Province, as Visitors of the said Society, or which shall or may hereafter become due or payable by or from him to the said Society, under the same, or under any other Statute or by any other Rule, Resolution, Order, or Regulation to be passed by the Benchers of the said Society in Convocation, with such approbation as aforesaid; and also do and shall moreover well, faithfully and truly obey, observe, perform, fulfil, and keep all the Rules, Resolutions, Orders, and Regulations of the said Society, passed as aforesaid, and now in force, or hereafter to be passed, as aforesaid, during such time as he shall continue on the books of the said Society as a member thereof—then this obligation shall be void, otherwise shall be and remain in full force, virtue and effect.

Sealed and delivered in the presence of

A. B.

L. S.

L. S.

L. S.

X.

CERTIFICATE ON BOND.

LAW SOCIETY OF UPPER CANADA, OSGOODE HALL, TO WIT :

These are to certify that we, the subscribers hereunto, are well acquainted with the within named Z. D. and V. N., and that they are freeholders of substance amply sufficient to secure the performance of the Condition of the within Bond.

J. S.

J. R.

XI.

SUB-TREASURER'S REPORT ON PETITION FOR CALL.

LAW SOCIETY OF UPPER CANADA, OSGOODE HALL, TO WIT :

To the Benchers of the Law Society of Upper Canada, in Convocation.

The Sub-Treasurer with reference to the Petition and Presentation for Call of C. D. hereunto annexed, begs leave pursuant to the standing order of Convocation in this behalf, most respectfully to report :

That he has carefully examined the said petition and presentation, and that they appear to him to be complete and regular in every respect, that he has searched the Journals of Convocation, and finds that the said Candidate was duly admitted into this Society as a Member thereof and entered as a Student of the Laws, on the day of in the Term of in the year of our Lord 18 ; that the Class of the Examination of the said Candidate was (University or Junior) (as the case may be) ; that the said Candidate has passed the following Intermediate Examinations :

That notice of the presentation of the said Candidate for this Call, was duly given on the day of in last Term. That the said Candidate has fully conformed himself to the Rules of the Society and Standing Orders of Convocation, and that should his education be found upon examination to be sufficient, there exists to his knowledge

no objection to the Call of the said Candidate to the Degree of Barrister-at-Law.

All which is most respectfully submitted.

Treasurer's Office, *day of* , 18 .

Sub-Treasurer.

XII.

DIPLOMA OF BARRISTER-AT-LAW.

LAW SOCIETY OF UPPER CANADA, OSGOODE HALL, TO WIT:

Be it remembered that C. D., of E., in the county of F., in this Province, Gentleman, son of G. D., of the same place, Merchant (or, as the case may be,) was by the Benchers of the Law Society of Upper Canada in Convocation, on the day of of the Term of in the year of our Lord one thousand eight hundred and , duly called to the Degree of Barrister-at-Law, and that he now remains on the books of this Society as a Barrister thereof.

In testimony whereof, I, J. R., Esq., Treasurer of the said Society, have to these presents affixed the Seal of the said Society at Osgoode Hall, this day of in the year of our Lord one thousand eight hundred and and in the year of Her Majesty's reign.

J. M. C., *Secretary.*

J. R., *Treasurer.*

XIII.

TREASURER'S SUMMONS FOR A SPECIAL CONVOCATION.

LAW SOCIETY OF UPPER CANADA, OSGOODE HALL, TO WIT:

Monday the fifth day of November, in Michaelmas Term,
in the year of the reign of Queen Victoria, A. D.
18 .

GENTLEMEN,—By virtue of the authority vested in me, as Treasurer of this Society, by the Rules thereof, I have thought fit to summon, and I do hereby accordingly sum-

mon, A CONVOCATION OF THE BENCHERS OF THIS SOCIETY, to be held in the Convocation-Chamber, in Osgoode Hall, at the hour of ten o'clock in the forenoon of , the day of , in this present Term.

This, therefore, is to notify you, and every of you of the same, pursuant to the Rule above mentioned, and to request your attendance, and the attendance of each of you at the time and place aforesaid.

Yours, &c.

J. R.,

Treasurer.

To the Benchers of the Law }
Society of Upper Canada, and
every of them.

THE BENCHERS OF THE LAW SOCIETY IN CONVOCATION.

IN TRINITY TERM, 1ST & 2ND WM. IV.,

PASSED THE FOLLOWING

RESOLUTIONS OF CONVOCATION.

1. *Resolved*—That the Law Society of Upper Canada was established by Act of Parliament of Upper Canada, of the 37th Geo. III., chap. 13.

2. *Resolved*—That under that Act all persons duly entered of the Society and admitted on its Books, whether as Students or Barristers-at-Law, became by such entry and admission, to all intents and purposes whatsoever, Members of the Society.

3. *Resolved*—That by that Act the Society was empowered, with the approbation of the Judges of the Superior Courts as Visitors of the said Society, to make such Rules and Regulations as might be deemed necessary or proper for the government of the Society.

4. *Resolved*—That by a Rule of the Society of Michaelmas Term, 40th Geo. III., Cap. 2, passed by the Society on the 9th day of November, 1799, at a general meeting summoned by letter to all the Members, for the express purpose of altering and adding to the Rules and Regulations of the Society, and approved of by the Judges, according to the Statute, on the 16th day of January, 1800, it was provided that the Benchers of the Society for the time being should be considered Governors of the said Society, and have full power to make such Rules and Regulations from time to time as should or might be necessary for the welfare of the Society, subject to the inspection of the Judges.

5. *Resolved*—That by that rule the whole power of making Rules and Regulations for the government of the Society was duly transferred to and vested in the Convocation of Benchers.

6. *Resolved*—That by the Act of the Parliament of Upper Canada of 2nd Geo. IV., Cap. 5, the Rule above mentioned and the proceedings of the Benchers under it were recognized and followed up by a legislative enactment incorporating that portion of the Society in which the power of legislating for the whole body had been so vested.

7. *Resolved*—That while this last-mentioned Act of Parliament confers corporate powers upon the Treasurer and Benchers only, under the corporate name of "The Law Society of Upper Canada," it does not interfere with the right of membership of persons duly entered of the Society and admitted on its books as Students or Barristers-at-Law, but leaves them members of the Law Society of Upper Canada, though not members of the Corporation of the Law Society of Upper Canada.

8. *Resolved*—That the powers conferred by this last-mentioned Act upon the Treasurer and Benchers, as well as all others with which they have been entrusted, are held by them in trust, and for the benefit of the Society at large, and not for the benefit of the Corporation of the Society only.

9. *Resolved*—That in fulfilling the various and important duties imposed upon it by the Constitution of the Society, the Convocation of the Benchers is frequently called upon to pass Rules for the government of the Society at large; to adopt Resolutions explanatory of the sense entertained by the Benchers of existing regulations, and upon different other matters connected with the profession; to make General Orders for the regulation of its own proceedings as a body; and finally to direct by Particular Orders the executive business of the institution.

10. *Resolved*—That by the Act of Parliament of the 37th Geo. III., Cap. 13, it is provided that the Rules and Regulations for the Government of the Society shall be made with the approbation of the Judges, as Visitors of the Society.

11. *Resolved*—That the Judges have declined either to assent to, or dissent from resolutions of the Convocation, which did not contain provisions for the general government of the Society, expressly on the ground that their authority as Visitors under the statute did not extend to control any such proceedings of the Convocation.

12. *Resolved*—That under the Act of Parliament of the 37th Geo. III., Cap. 13, the approbation of the Judges is necessary only to the “Rules of the Society,” that is, to such regulations as provide for the general government of the Society at large, or, as being general in their operation, contain provisions by which persons not members of the Convocation may be directly affected, and such are in no respect binding on the Society, or any member of it, until the Judges of the Province have duly approved thereof according to law.

13. *Resolved*—That, to “The Resolutions of the Convocation,” that is, to such resolutions as are merely explanatory of the sense entertained by the Benchers, of existing rules or regulations, or upon other matters connected with the profession, the approbation of the Judges is in no wise necessary, but such are in every respect effectual for the purposes intended, and binding upon the Society at large, and upon every member thereof without such approbation,

14. *Resolved*—That to “The Standing Orders of the Convocation,” that is, to such regulations of the Convocation as provide merely for the regulation of its own proceedings as a body, the approbation of the Judges is in no wise necessary, but such are in every respect effectual for the purposes intended, and binding upon the Society at large, and upon every member thereof without such approbation.

15. *Resolved*—That to “To the Particular Orders of the Convocation,” that is, to such orders as are given by the Convocation in directing the executive business of the Institution, the approbation of the Judges is in no wise necessary, but such are in every respect effectual for the purposes intended, and binding upon the Society at large and upon every member thereof without such approbation.

STANDING ORDERS OF CONVOCATION.

The Benchers of the Law Society in Convocation order as follows :—

SEAL.

1. The Seal of this Society heretofore in use, and bearing the following device, viz. : a shield, in the centre whereof stands a doric column, surmounted by a beaver. On the dexter side of the shield stands the figure of Hercules, and on the sinister, the figure of Justice, with the scales in her right hand, and the sword in her left, and the words "*Magna Charta Anglia*," inscribed on a ribbon floating round the column, together with the words, "Law Society of Upper Canada," upon the exterior circle, and the words and figures, "Incorporated 1822," beneath the column within the exterior circle, shall be, and shall continue to be, the Seal of the Society.

2. The custody of the Seal of this Society shall belong to the Treasurer for the time being, who shall countersign every instrument to which he shall affix such seal.

ROLLS AND OTHER ARCHIVES.

3. The Treasurer shall, during his tenure of office, safely keep the Rolls and Archives of this Society, and shall personally or by the Sub-Treasurer, hand over the same to the Treasurer elect upon his entering on the duties of his office.

4. The Treasurer shall in like manner keep the Seal of the Society, and in like manner hand over the same to his successor.

5. No alteration or addition of what nature or kind soever, shall, upon any pretence whatever be made in or upon the Rolls of this Society except under the personal direction of the Treasurer of the Society for the time being, and the making of such alteration or addition, with the occasion thereof, shall be formally entered on the Journals.

6. On the first day of every Term a Report shall be made by the Treasurer in writing, stating the entries to be made on the Rolls in consequence of the admissions, calls, elections, or appointments of the preceding Term, and the said Report having been carefully examined with the Journals during such Term and adopted, the entries shall be thereupon made by the Secretary in the paper copy of the roll and index continued.

7. The entries in the Parchment Rolls of the Society, shall be made by the Secretary from the paper copy, under the superintendence of the Treasurer.

8. Whenever it becomes necessary to attach an additional piece of parchment to any one of the Rolls of this Society, the making of such additions shall be committed to a select Committee of Benchers, with special instructions to have such addition made in their presence, to the end that the said Rolls may never be out of the actual possession of some member of the Convocation specially appointed for their safe-keeping.

9. Upon every such Committee reporting that they have made such addition, the Seal of the Society shall be again in open Convocation affixed to the Rolls.

JOURNALS.

10. The Journals of every Term shall be made up by the Secretary in the Vacation following such Term.

11. The Journals of every Term having been so made up, shall, in the Term next following, be examined by the Treasurer or by a Committee of Benchers appointed for the purpose, and shall, by the Treasurer, or by such Committee, be in the same Term reported to the Convocation for confirmation, and shall thereupon, upon motion made, receive the signature of the Treasurer during that Term.

12. A *resumé* of the proceedings of Convocation in each Term, to be approved and signed by the Treasurer, shall be furnished to the Canada Law Journal for publication after each Term.

SCHOLARSHIPS.

1. There shall be four Scholarships in the Law Society:—

One for Students under one year's standing, of \$120 per annum.

One for Students under two years' standing and over one year's, of \$160 per annum.

One for Students under three years' standing and over two years', of \$200 per annum.

One for Students under four years' standing and over three years, of \$240 per annum.

2. Any Student who has taken a Degree entitling him to Call in three years, shall be considered as a Student of over two years in reference to those Scholarships which are open to all Students in Ontario on the books of the Law Society of the prescribed standing.

3. The annual allowance to such Scholars shall be paid to them out of the general funds of the Society.

4. The successful Candidates for these Scholarships shall be determined by Convocation, and the Scholarships shall be awarded by the Treasurer in open Convocation.

5. All Students admitted upon the books of the Society in Easter and Trinity Terms in each year may present themselves for the Examination for Scholarships as follows, that is to say :

For the Scholarship of the First Year Students, in the Michaelmas Term of their second year.

For the Scholarship for the Second Year Students, in the Michaelmas Term of their third year; and for Scholarships for Third and Fourth Year Students, one or both, in the Michaelmas Term of their fourth year, provided no Student presents himself a second time for Examination for the same Scholarship.

PASSED IN CONVOCATION,
MICHAELMAS TERM, 38 VICTORIA.

J. HILLYARD CAMERON,
Treasurer.

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