

The image shows a close-up of a marbled paper book cover. The marbling is a traditional 'stone' or 'shell' pattern, characterized by intricate, swirling veins of red, black, and white. Overlaid on this pattern is a grid of text, likely a directory or list of names. The text is printed in a small, black, serif font. In the center of the cover, there is a small, rectangular illustration of a building, possibly a church or schoolhouse, with a steeple. The text is organized into columns and rows, with some headings in larger, bold letters. The overall appearance is that of an antique book cover, possibly from the 18th or 19th century.

Hilary Term 1822.

Monday 7th January 1822.

The Society met.

The Journals were read.

Agreeably to the order of the day the Society went into Committee, to ballot for the election of a Benchman and Vice Benchman. Mr Baldwin was called to the Chair of the Committee.

The Society resumed.

Mr Baldwin reported that the Committee had elected Mr Alexander Bennett Benchman by a majority of one, and Mr John H. Samson Vice Benchman, by a majority of two, which report he submitted for the adoption of the Society.

Ordered that the Report be received and Messieurs Bennett and Samson were respectively elected Benchman and Vice Benchman accordingly.

The Benchman then delivered an Address.

Mr Baldwin seconded by Mr Richardson moves that Messieurs Smith and Baldwin be a Committee to request the Benchman to furnish

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furnish this Society with a copy of his address from the Bench on the opening of this Term.
Which was ordered.

Mr. M^r Donall seconded by Mr. Balderrin. moves that he have leave to bring in a Rule to carry that part of the late Benches Speech, relative to the addressing of Juries, and examining of witnesses, into an Ordinance.
In amendment. Mr. Balderrin seconded by Mr. Richardson, moves that after the word 'that' in the original motion, the remainder be expunged, and that the following words be inserted. a Select Committee be appointed to take that part of the late Benches address into consideration, which recommends the adoption of some mode of proceeding similar to that in the Court of Assize and Nisi Prius; that they have leave to ask for papers and opinions, and to report by Rule or otherwise - and that Messieurs M^r Donall, Smith and Radenkurst be appointed the said Committee.

Which ^{was} carried.

The original question as amended was then put
and

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and carried.

Mr. McDonnell, seconded by Mr. Smith, moves that the name of Mr. Baldwin be added to the select Committee to take that part of the late Bencher's speech into consideration relative to the addressing of sermons, &c.

Which was lost.

Mr. Smith of the Committee to wait upon the Bencher for a copy of his address, reported that they had done so, and obtained a copy. Ordered that the report be received, and the same was read as follows:—

Gentlemen,

Your choosing me once more for your Bencher has not only shewn a flattering proof of the sense with which you regard my small services, but has also given me an opportunity of making a few observations on the welfare of the Society, which we all must have much at heart, and in which we are all deeply interested.

When this Society was first organized, by the Students of the Law, who meritoriously gave

it

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it their most hearty concurrence, and who entered into it with a zeal and spirit which will ever to them honor. it was very ineffective indeed, in many points, particularly from the want of fixed principles whereby it might be governed, and perhaps for want of some certain end and object to be attained, by the Society, for as yet we had not decidedly determined upon its being strictly an Advocate Society. - Our late lamented Benchman, who was well qualified for that purpose, endeavoured to mould the Society into some form, in which he partially succeeded, and to bring the various opinions of its members upon the best form of the constitution of the Society, together, and from thence to discover the wish of the Society. - He did so, and then declared in the only memorial we now have of him, that he understood it to be the wish of those members, that they were in a great measure to take the form of a Law Society, since which, it has continued to increase in numbers and respectability - the intentions then manifested have been more particularly followed, by many wholesome resolutions for its welfare and guidance.

In pursuance of that understanding
and

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and of those resolutions since made, many individuals of this Society have proposed questions relating to the Law, and a few general questions, and have not only proposed them, but have discussed those questions with an ingenuity and precision which even at this early period does them infinite honor, and shews the dawning of those talents which will one day grace that profession which they are now so ambitious of becoming worthy Members.

But the Gentlemen of this Society have not rested here, they have not made rules, nor have they organized a Society for their own good merely; they have not limited the term of its existence to the short period during which they may receive benefit from it. No, Gentlemen, they have followed more liberal principles, they have taken into consideration the ease and benefit of those Students who may come after them, that they may be obstructed as little as possible by the same difficulties and obstacles which we have encountered, and must yet encounter. (For the Society is as yet unripe,) they contemplate its flourishing for many years to come, and they are certain

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certain it will be a much greater benefit to those who will be their successors than it can ever be to themselves. By the time, Gentlemen, you come to the Bar, it will be in much greater perfection than it now is, and then, I hope, that our successors will reap a plentiful harvest.

As you have so disinterestedly toiled much more for others than for yourselves. You, Gentlemen, I am sensible will never hesitate in adopting any thing that may be beneficial either to them, or to yourselves.

You cannot but admit that a strict regard to decorum, and a gentlemanly and forbearing conduct, on many occasions, smooths away the acrimony that will always arise upon a difference of opinion. If I may be allowed, I would recommend the use of gentleness and politeness on all occasions to every Gentleman of this Society. These at first sight may appear trifling, but you will on a little consideration, find that they are very useful. They take off half the edge of a contradiction (contradictions you all know exasperate) and will keep up a friendly spirit among the Members of this Society.

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Society, which I hope will never in the heat of argument, be forgotten.

We have chosen to follow a profession, in pursuance of which, we must of necessity be opposed to each other, and in doing justice to our clients, when we come to the Bar, must, consequently contradict each other, almost every day of our lives. Now there is a way of doing this without hurting the feelings of any one, and more than that, without injuring the interests of our clients. This may be done in a great measure by the conduct I have already recommended, and more than all, by coolness. - By this coolness which ever goes hand in hand with presence of mind, we will be more ready to seize upon every circumstance that may in the course of argument, turn up in favour of the Party whose cause we are advocating, and whose very life may sometimes depend upon our presence of mind. - Let us while it is yet in our power, make that a habit, which marks the difference between the Gentleman and the Clown, between the man of sense and the Fool, and which at the same time is absolutely necessary to our success
in

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in an arduous and intricate profession. And then, Gentlemen, we will look back with delight and pleasure on the happy day when we first instituted a Society which we have already found useful - which has been sanctioned by those whom it is our duty to see satisfied, and which we have by the continued support of its measures, approved. Let us then strain every nerve and exert every faculty to improve ourselves individually, to keep up the respectability of the Society collectively, and to retain that praise which we know has been bestowed upon us, by those whose applause can be no otherwise than gratifying.

Continue, Gentlemen, in the same career of learning, and honor in which you first set out - Act as independently and as honorably as you have already acted, and I have not the least doubt but that you will be honors to your profession, ornaments to Society, and you will have that to say, which an honest Man esteems more than life. I have done my duty, according to the best of my understanding, and no man can charge me with having wronged him.

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W. Baldwin seconded by W. Richardson, moves that it be resolved - that the thanks of this Society be presented to the Bench for his address to the Society at the commencement of this term.

Which was carried unanimously.

W. Richardson, gives notice that he will on the next night of meeting, move that the Society do resolve itself into a Committee of the whole to take into consideration the Report of the Select Committee appointed to furnish the Hall of the Society.

W. Baldwin gives notice that he will tomorrow move for leave to bring in a Rule to make more effectual provision for the discussion of general theses.

The Society then adjourned till Saturday evening next, at six o'clock.

Saturday. 12th January 1822.

The Society met.

The Journals of Monday last were read.

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Agreeably to notice, W. Baldwin seconded by W.
 M. Dorratt moves that he have leave to
 bring in a Rule to regulate the discussion
 of General Thesis.

Which was granted, and the Rule read.

W. Baldwin seconded by W. M. Dorratt, moves
 that the Rule to regulate the discussion
 of General Thesis, be read a second time
 tomorrow.

Which was ordered.

W. M. Dorratt seconded by W. Smith, moves
 that the following question be received—
 "If A. do strike B. at the entrance of the
 Church Yard, can he be punished more
 severely for so doing than if he had
 struck him in any other place?"

Which was carried.

The Bench then assigned Counsel.

For the question, W. M. Dorratt.
 Against it — Smith.

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Mr Baldwin gives notice that he will tomorrow
move that the Treasurer and Prothonotary
of last Term be ordered to bring up their
accounts.

The Society then adjourned.

Tuesday 15th January 1822.

The Society met.

The Journals were read.

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Agreeably to the order of the day the Rule to regulate the discussion of general Thesis was read the second time.

W Baldwin, seconded by M Robison, moves that

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That this Society do now resolve itself into a Committee of the whole to take into consideration the Rule to regulate the discussion of General Thesis.

Which was carried.

W Radenhurst was called to the Chair of the Committee.

The Society resumed.

W Radenhurst reported progress and obtained leave to sit again tomorrow.

W M Dowall of the Committee to whom was referred that part of the late Benches speech which relates to the addressing of Juries and examining of witnesses, reported a Rule, which was received and read the first time.

W M Dowall seconded by W Baldwin moves that the rule to establish a system of Usize Pains & Pen Prisons, be read a second time tomorrow.

Which was ordered.

W Baldwin seconded by W Robison, moves that The Treasurer and Brothoustay of last term be ordered to bring up their accounts.

Which

Advocate Society

Which was carried.

The Prothonotary then produced his accounts which were read.

Wm Dowall seconded by W Robison moves that the accounts of last term be referred to a Select Committee, of Messrs Baldwin Smith and Radenhurst.

Which was ordered.

W Robison gives notice that he will on the next night of meeting, move for leave to bring in a Rule to alter and amend the thirty third article of St Hilary, and to confirm the decisions of the Society under the same.

W Robison gives notice that he will tomorrow move for a Select Committee to obtain an estimate of the expense of obtaining the seal of the Society.

Wm Dowall gives notice that he will tomorrow move for a Select Committee on the Records and papers of this Society.

Mr Baldwin gives notice that he will tomorrow move for a Select Committee on the Chattels of the Society.

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The Advocate moves that Mr John Solomon Cartwright charged with a breach of the Privilege of this Society, and a neglect of his duty as Prothonotary, be taken into the custody of the Sergeant at waiting, and brought to the Bar of this Society. Which was ordered.

Mr Richardson seconded by Mr Radenkunst moves that the Society do now resolve itself into a committee of the whole, to take into consideration the Report of the Select Committee appointed to furnish the Hall of the Society.

Which was carried

Mr M Dowall was called to the Chair of the Committee.

The Society resumed.

Mr M Dowall reported progress and obtained leave to sit again on tomorrow.

The Society then adjourned till Saturday next at six o'clock.

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Saturday 19th January 1822.

The Benchers agreeably to order appointed
the Treasurer, Advocate and Prothonotary
as follows:

Treasurer. — Charles Richardson

Advocate — Richard Cartwright Robison

Prothonotary. — David William Smith.

The Benchers then adjourned the Society for
want of a Quorum.

Present.

Messieurs. Benchers.

Palmer.

Robison and

Smith.

Tuesday 22nd January 1822.

The Society was unable to meet for want of a
Quorum.

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Thursday 24th January 1822.

The Society was unable to meet for want of
a Quorum.

Saturday 26th January 1822.

The Society was unable to meet for want of
a Quorum.

Tuesday 29th January 1822.

The Society was unable to meet for want of
a Quorum.

Thursday 31st January 1822.

The Society met.

The Journals were read.

Mr. Baldwin seconded by Mr. Smith, moves that
he have leave to bring up the Petition of

Mr.

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Mr John Jennings Taylor.

Which was carried.

Mr Baldwin seconded by Mr Smith moves that
the Petition of Mr John J. Taylor be read.
Which was carried and the Petition read as
follows:-

To the Learned the Advocate Society.

The Petition of John Jennings Taylor of
the Town of York, Gentleman, respectfully
sheweth.

That your Petitioner is a Clerk duly
articled to William Warren Baldwin Esquire,
one of the Attornies of His Majesty's Court of Kings
Bench, in aid for this Province: that Your
Petitioner from unavoidable circumstances
has been prevented from making application
to the Law Society for admission on their
Books as a Student at Law, but that Your
Petitioner so soon as he can render himself
capable of passing the usual examination
before the Benchers of that Society, intends to
make such application, and that Your Petitioner
in the mean time is desirous of becoming a
Member of your Society. Your Petitioner therefore
prays

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prays that your learned Society will take into consideration the peculiar circumstances in which he is placed, and if consonant with the spirit of your constitution, and consistent with the independence of your learned Society, that you will take such measures as may be necessary to admit Your Petitioner a Member of your Society.

And Your Petitioner will ever pray.

York 26th Jan^y 1822. Signed, J. T. Taylor.

Mr. Baldwin seconded by Mr. Smith, moves that the Petition of Mr. John Jennings Taylor be referred to a select Committee, of Messrs Smith, Robison and Baldwin to take the same into consideration, with leave to ask for papers and opinions, and to report by Rule or otherwise.

Which was ordered.

Mr. Smith seconded by Mr. Baldwin, moves that the Society do now go into the order of the day for the Committee of the whole on the Reports of the Committee to furnish the Hall of the Society, and that the other orders of the day be postponed.

Which

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Which was carried.

Mr. Lyons was called to the chair.

The Society resumed.

Mr. Lyons reported several resolutions which he submitted for the adoption of the Society.

Ordered that the Report be received, and it was

Resolved that Mr. Robert Baldwin having from an error in his accounts as Chairman of the Committee to furnish the Hall of the Society, reported that he had in his hands five shillings, whereas it appears that he had in his hands but two shillings and two pence halfpenny, he have leave to draw on the Treasury for the sum of two shillings and nine pence halfpenny, the balance.

Resolved that the accounts of the Committee to furnish the Hall of the Society, are correct.

Resolved that the reports of the Committee to furnish the Hall of the Society be adopted.

Agreeably to the order of the day, the information filed with the Prothonotary, on the twenty fifth day of January instant, against Robert Baldwin John Lyons and Horace Kidout, was then read.

Hilary Term 1822

The Advocate moves that the Society do on the next night of meeting resolve itself into a Committee of the whole to try the truth of the Information filed against Robert Batorin and others.

Which was lost.

According to order. The Treasurer brought up his accounts for last Term, which were read.

W. Smith of the Committee to take into consideration the Accounts of last Term, informed the Society that the Committee had agreed to a Report, which he was ready to submit, whenever the Society should please to receive the same.

Ordered that the Report be received, and it was read as follows:

The Select Committee to which was referred the accounts of last Term, beg leave to Report.

That it appears to your Committee that the sum of Ten shillings and six pence has been expended in the service of the last Term, and that there remains in the hands of the Benchers unapplied the sum of nine shillings and six pence.

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It appears also to your Committee that the sum which ought to have been received in the Treasury, during the last term, and up to the day the accounts of the Treasury were laid before your Committee, was five pounds three shillings and three pence; whereas it appears to your Committee, the receipts amount only to two pounds one shilling out of which sum the Treasury has discharged drafts, pursuant to the order of your Society to the amount of one pound sixteen shillings and nine pence, halfpenny; and that there now remains in the Treasury the sum of four shillings and two pence, halfpenny. - Your Committee therefore beg leave to report that there remains due to your Treasury the sum of Four pounds nineteen shillings and three pence halfpenny.

All which is most respectfully submitted.

Committee Room
Jan 19th 1822

Signed

David W. Smith
Chairman.

Mr Baldwin seconded by Mr. Smith, moves that this Society do now resolve itself into a Committee of the whole to take into consideration the Report of the Select Committee on the accounts of

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of last Term: and also to take into consideration
the supply for the service of the current Term.

Which was carried.

W Richardson was called to the Chair.

The Society resumed.

W Richardson reported that the Committee had
agreed to several Resolutions, and amended the
Report of the Committee of accounts.

Ordered that the Report be received, and the Report
was amended as follows:

Instead of "two pounds one shilling" insert:

"Two pounds six shillings and six pence."

In the place of "four pounds nineteen shillings
and three pence halfpenny" insert: "three
pounds fifteen shillings and nine pence of
which two pounds twelve shillings and six
pence is due for term fees, and three shillings
and three pence from W Radenkunst under
an order of your Society." and it was

Resolved that the Debtors of this Society do pay into
the Treasury, their respective dues in four
days after notice of this Resolution.

Resolved that money be granted to the Bench for
the service of the current Term.

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Resolved that the sum of twelve shillings be granted to the Bench for the Service of the Prothonotary's Office.

Resolved that the sum of two shillings and six pence be granted to the Bench for the service of the Advocates Office.

Resolved that the sum of one shilling and ten pence halfpenny be granted to the Bench for the service of the Treasurer's Office.

Resolved that the sum of fifteen shillings be granted to the Bench for the service of the Sergeant in waiting.

Resolved that the sum of three pounds be granted to the Bench for the contingent services of the current Term.

Mr. Smith seconded by Mr. Baldwin, moves that the Bench have leave to draw on the Treasury for the several sums voted by the Resolutions of Supply this evening, to defray the expenses of the present Term.

Which was carried.

Mr. Richardson gives notice that he will on the next night of meeting, move for leave to bring in a Rule to regulate the payment of Term fees.

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fees, fines &c

W Baldwin gives notice that he will tomorrow move that it be resolved, that the act passed in the late Session of the Parliament of this Province, for altering the practice of the Court of King's Bench, whereby the Term of Hilary is altered does not nor can, under the laws of this Society, in any wise affect any proceedings, heretofore had in this Society or to be had here during the residue of this present term of Hilary.

W Smith of the Committee appointed to take into consideration the Petition of M^r Taylor, reported a Rule, which was received and read the first time.

W Smith seconded by W Baldwin, moves that M^r Taylor's appointment Rule be read a second time tomorrow.

Which was ordered.

W Baldwin gives notice that he will in four days move for a Committee of the whole on the public debts of this Society.

W Baldwin gives notice that he will in six days

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days, move for a Committee of the whole on the finances of this Society. The Society then adjourned till Saturday next the ninth day of February.

Saturday 9th February 1822

The Society was unable to meet for want of a Quorum.

Tuesday 12th February 1822.

The Society met in the Court House.

The Journals were read.

Mr Baldwin seconded by Mr Richardson, moves that Messrs Robison, Smith and Richardson be a Committee to wait on Henry John Boulton Esquire to return him the thanks of this Society for having allowed it to sit so long in his Office, and also for using his influence in obtaining ~~in obtaining~~ leave for this Society, to sit in this Court House. Which was ordered.

Agreeably to the order of the day, the Society

Went

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went into Committee on the Thesis Rule
W Lyons was called to the Chair.

The Society resumed.

W Lyons reported that the Committee had
made progress, and asked leave to sit
again Sunday three weeks.

On the question for receiving the Report. The
Society divided, and the yeas and nays
were taken as follows:-

Yeas	Nays.
Messrs Richardson	Messrs Baldwin
Robison.	Smith 2
Lyons. 3	

Decided in the affirmative and Report received accordingly

Agreeably to the order of the day, the Assize
and Nisi Prius Rule was read the second
time.

W Baldwin seconded by W Smith moves that
that the Rule be carry into effect that
part of the late Benchers address
relative to Assize and Nisi prius proceedings
be referred to a select Committee, with
leave to ask for papers and opinions, and
that the Committee be composed of Messrs
Robison, Lyons and Richardson.

Which was ordered.

Agreeably to notice, W Robison seconded
by W Baldwin, moves that W.
Richardson be appointed to obtain an

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estimate of the expense of procuring
a seal for the Society.

Which was ordered.

Mr Baldrin seconded by Mr Richardson
moves that Messrs Smith Baldrin
and Robison be a Committee to
examine into the papers of this
Society, and to report to the Society
what material documents if any
are lost, and that they do number
the papers of each Term, and file
them away in packages, marking
on the envelope of each package
the number of papers in the same.

Which was ordered.

Mr Baldrin seconded by Mr Smith moves
that Messrs Robison and Richardson
be a Select Committee to take an
Inventory of the Property belonging
to the Society, and that they do enter
such Inventory in a Book to be
obtained for that purpose, together
with the price of each article, and
that they do file the said Book in
the office of the Prothonotary, that
they have leave to send for members
and papers, and that they do report
tomorrow.

Which was ordered.

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The Advocate moves that the Information filed against Robert Baldwin and others be referred to a Committee of the whole to try the truth of the same. Which was carried.

Mr Richardson was called to the chair.

The Society resumed.

The Bench at the request of the defendants examined Mr Richardson as follows:

1 Question. Have you said that you considered the defendants guilty?

Answer. I have said that if the allegations contained in the Information were true that I did consider them guilty.

2 Question. Do you consider yourself entirely impartial, with respect to Defendants?

Answer. I do.

Which answers were considered satisfactory.

The Society went again into Committee.

The Society resumed.

Mr Richardson reported the Information as true. On the question for receiving the Report the Society divided, and the yeas and nays were as follows.

Yeas.
Mr Richardson.

Nays
Mr Smith.

The

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The question was decided in the affirmative by the casting vote of the Bench, and the report received accordingly.

The Advocate moves that it be resolved that henceforth the Society will not deem itself responsible for the payment of any sum or sums of money which may have been expended by any Committee for any particular purpose, unless such sum or sums shall have been voted for such purposes by the Society.

Which was carried.

Mr Baldwin seconded by W. Lyons, moves that it be resolved that the late Committee to furnish the Hall of the Society, are discharged from all responsibility, as such Committee.

Which was carried.

Mr. Baldwin gives notice that he will tomorrow move certain resolutions relative to the want of regularity in the meetings of this Society.

The Society then adjourned.

The Society was unable to meet for the remainder of this term, for want of a Quorum.

