

Advocate Society - Michaelmas Term 1822

Monday 4th November 1822

The Society met

The Journals were read

The Bench made the following report from the Legal sitting -

In the Legal sitting of the Advocate Society of the Term of Trinity in the year of our Lord one thousand eight hundred and twenty two

Rice . . . } Rice arrested Watson on an account
Wheat and Bailey } for £60 oath for £25 Sheriff took Bail
for £50 Rice brought an action on the Bail bond
and at Nisi prius the Judge directed the Jury to
find only to the amount of the penalty of the bond
the Jury accordingly returned a verdict for £50
Mr Smith and Mr Baldwin of Counsel for the
Plaintiff now moved for a Rule to shew cause why
the verdict should not be set aside for misdirection
of the Judge and new trial granted.
Mr Robison and Mr Richardson of Counsel for
the Defendant opposed the motion.
After hearing Counsel held by the Bench that
Mr Baldwin take nothing by his motion.

Fox . . . } Defendant shot plaintiff's dog which had
Campbell } destroyed Defendant's poultry some time
before Plaintiff brought an action of trespass
vi et armis against Defendant after verdict for
Plaintiff and twenty five pounds damages Defendant
obtained a Rule Nisi for overruling the judgment
because trespass vi et armis did not lie
Mr Richardson of Counsel for Plaintiff now shew-
ed cause against the rule.
Mr Robison of Counsel for Defendant moved to make
the rule absolute.
After hearing Counsel held by the Bench that

Advocate Society. Michaelmas Term 1822

the rule be discharged.

Signed. A. Chewett
Bench.

The Vice Bench. made no report from the Common Sitting.

Pursuant to the order of the day as directed by the Ordinance
The Society resolved it self into a Committee of the whole
to ballot for the election of a Bench and Vice Bench.
Mr Richardson was called to the chair.

The Society resumed

Mr Richardson reported that the Committee had elected
Mr Alexander Chewett Bench and Mr Richard
C. Robison Vice Bench unanimously - which report
he submitted for the adoption of the Society.

Ordered that the report be received and Messieurs
Chewett and Robison were respectively elected Bench
and Vice Bench accordingly.

Mr Robison took his seat as Vice Bench.

Mr Baldwin seconded by Mr Bethune moves for leave
to bring up the petition of Henry Baldwin of the
County of York Gentleman and that the same be now
read.

Which was ordered and the petition brought up and read
as follows.

To the Learned the Advocate Society

The petition of Henry Baldwin the younger late of Li-
verpool in the Kingdom of England but now of York
in the Home District of this Province Gentleman
Humbly sheweth

That your petitioner is a
Student duly admitted on the books of the Law
Society and is desirous of becoming a member of
your Learned Society he therefore prays that you
will admit him to a seat in your Society

and your petitioner will ever pray &c

York 4th Nov^r 1822

Signed H. Baldwin Jun^r

3

Advocate Society Michaelmas Term 1822

A certificate annexed thereto was then read as follows

Gloine District

York Row

Michaelmas Term

3^d George 4th

I hereby certify that Henry Baldwin was this Term
admitted a Student at Law on the books of the Law
Society.

Signed M^r Baldwin

Mr Baldwin seconded by Mr Bethune moved that the Society
do tomorrow resolve itself into a Committee of the
whole to ballot for the admission of Henry Baldwin
which was ordered.

Mr Taylor from the Select Committee on the public debts
informed the Society that the Committee had agreed
to a report which he was ready to submit when the
Society should be pleased to receive the same.

Ordered that the report be received and it was read as
follows.

To the Learned the Advocate Society

The Committee appointed to discharge the public debts
of the Society

Beg leave to Report

That they have discharged the whole of the debts
and interest due to John St. Sampson to the amount
of six pounds four shillings and two pence as
reference being had to the receipts and accounts
hereto annexed will appear.

Your Committee have also discharged a part of
the debt and interest to Robert Baldwin to the a=
-mount of One pound six shillings and five pence
half penny leaving a debt of three pounds due from
your Society to Robert Baldwin bearing interest
from the fifth day of August last And which is
most humbly submitted.

Committee Room

Oct 4th 1822

Signed J. Taylor

Chairman of Committee

The documents annexed thereto were then read as follows

Advocate Society. Michaelmas Term 1822

Advocate Society

York 2 August 1822

Received from the Committee appointed by the Advocate
Society to discharge the public debts of the Society the
sum of one pound six shillings and five pence half
= penny in part of the amount due from by the said
Society -

Signed Robt BALDWIN

Advocate Society

York 10th August 1822

Received from the Committee appointed by the Advocate
Society to discharge the public debt of the Society the
sum of two pounds nineteen shillings and ten pence
in part of the amount due to me by the said Society

£ 2. 19. 10

Signed Jth Samson

Advocate Society

York 10th August 1822

Received from the Committee appointed by the Advocates
Society to discharge the public debts of the Society
the sum of Two pounds one shilling and three pence
in part of the amount due to me by the said Society

L 2. 1. 3

Signed J. H. Samson

Advocate Society

York 12th August 1822

Received from the Committee appointed by the Advocates
Society to discharge the public debts of the Society
the sum of one pound three shillings and one penny
in full of the amount by the Society due to me

£ 1. 3. 1

Signell & H. Sainson

Statement of Debts 1822

1821		Cant borrowed £ 4	" "	Aug 2 By Aft paid to 1.	6. 5/2
"	"	" 1 year 4 mo & int	" "	" 10 " Do do	2. 19. 10
"	"	" 5 days interest	" "	" " " Do do	2. 1. 3
"	"	" on same ——— }	" "	" 12. 1. " Do do	1. 3. 1
1822	"	" Cant borrowed - 6	" "	" " " Balance due	3. 0. 0
"	"	" Yellot Int on same	" "	" " "	4. 2
"	"			£ 10. 10. 7 1/2	
"	"			£ 10. 10. 7 1/2	
"	"	To Balance due	£ 3. 0. 0	Signed J. P. Miller Chairman of Committee	

5

Advocate Society Michaelmas Term 1822

Mr Richardson seconded by Mr Baldwin moves that the Society do now resolve itself into Committee of the whole to take into consideration the Report of the Select Committee on the Debts of the Society which was ordered

Mr Smith was called to the Chair

The Society resumed

Mr Smith reported progress and obtained leave to sit again to day

Mr Treasurer brought down a message from the Benchers which having read in his place he delivered to the Prothonotary and it was read at the table as follows
To the Learned the Advocate Society

The Benchers

Inform the Society that the Commissioners of the Board of Exchequer pursuant to an order from the Treasury have expended the sum of three pounds in purchasing the Assignment of the Debt due from the Society To Mr Robert Baldwin

Benchers Chambers 4th Nov^r 1822

Signed A Hewett

Benchers

Mr Baldwin seconded by Mr Richardson moves that the consideration of the Benchers message be referred to the Committee of the whole on the report of the Select Committee on the Debts

which was ordered

Pursuant to the order of the day the Society again went into Committee on the Report of the Select Committee on the Debts

Mr Smith was called to the Chair

The Society resumed

Mr Smith reported that the Committee had agreed to certain resolutions which he was directed to submit for the adoption of the Society

Ordered that the Report be received

and it was

Resolved that the Debts of this Society have been discharged except the sum of three pounds

46/
Advocate Society Michaelmas Term 1822

Resolved that the sum of three pounds is due to the Commissioners of the Board of Exchequer they having purchased the Assignment thereof from Robert Baldwin

Resolved that the Treasury do on the first day of every Term pay to the Commissioners of the Board of Exchequer seven shillings and six pence being twelve and a half per cent per Term on the sum of Three pounds -

Resolved that the Assignment of the Debt of Three pounds from Robert Baldwin to the Commissioners of the Board of Exchequer be filed of record in the office of the Prothonotary -

Mr Taylor gives notice that he will tomorrow move for a select committee to arrange the papers of last Term -

Mr Baldwin gives notice that he will tomorrow move for leave to bring up the accounts of last Term

Mr Baldwin gives notice that he will tomorrow move for a Committee of the whole on the supplies and ways and means

Mr Baldwin gives notice that he will tomorrow move for leave to bring up a Constitutional Code extending the benefits of this Institution to others as well as to Students at Law

At half past seven of the clock the Society adjourned until Wednesday evening next at Six of the clock

Wednesday the 6th November 1822

The Bench and Vice Bench being absent the Society was unable to meet -

The Society was unable to meet for want of a quorum from Wednesday the sixth day of November till Wednesday the twenty seventh day of November 1822 -

Advocate Society. Michaelmas Term 1822

Wednesday the 27th Nov^r 1822

The Society met

The Journals were read

The Advocate moved that the name William Dixon on the black side of the roll be marked "called"

The Advocate moved that the names Henry Ricketts, Baldwin, David B. Ogden, Ford, James Given, and William Alexander Campbell be engrossed on the black side of the roll -

Pursuant to the order of the day the Society resolved itself into a Committee of the whole to ballot for the admission of Mr Henry Baldwin -

Mr Hoffman was called to the chair of the Committee

The Society resumed

Mr Hoffman reported Mr Henry Baldwin admitted unanimously -

Ordered that the report be received and Mr Henry Baldwin was admitted a member of the Society accordingly -

Mr Bencher informed the Society that Mr Henry Baldwin a member of the Society was in attendance at the bar and waiting to be introduced -

Mr Henry Baldwin was then introduced by Messrs Robert Baldwin and Richardson and took his seat

Mr Taylor seconded by Mr Robert Baldwin moved that Messrs Hoffman and Richardson be a Committee to arrange the papers of last term which was ordered -

Mr Robert Baldwin seconded by Mr Taylor ^{moved} for leave to bring up the accounts of last Term and that the same be now read

which was granted and the accounts brought up and read as follows -

Advocate Society Michaelmas Term 1822

Account

Of the monies received and paid at the
Treasury during Trinity Term 1822

July 20 By Cash paid to		July 26 By Cash recd from	
" "	Mr Ben Child's draft	" "	Messrs Little and
" "	in favor of James	" "	Gork Commission
" "	Bridgeland	" "	of the Board of
" 26	By Cash paid to	" 30	By Cash recd from
" "	Mr Ben Child's draft	" "	Messrs Phelps and
" "	in favor of Charles	" "	Adams Commis
" "	Richardson	" "	of the Board of
" "	By Cash paid to	" "	Exchequer
" "	Mr B's draft in	" 13	By Cash recd from
" "	favor of John S Taylor	" "	Messrs Phelps
Aug 3	By Cash paid to	" "	Adams Commis
" "	draft of the select	" "	of the Board of
" "	Committee of the	" "	Exchequer per
" "	Society for the	" "	duant to an
" "	discharge of the	" "	order from the
" "	public debts in	" "	Treasary of 12
" "	favor of Henry	" "	Augt
" "	Baldwin	Total received \$ 8 17 1/2	
" 10	By Cash to do do	Total paid " 8 10 7/2	
" "	in favor of John	Balance remf \$ 6 11 1/2	
" "	at Sampson		
" 12	By Cash to do do		
" "	favor of do		
" 14	By Cash to do do		
Total \$ 8 10 1/2			

Signed Robt BALDWIN
Treasurer

Mr. Robert Walbridge seconded by Mr. Taylor moved that
" the Society do now resolve itself into a Committee
of the whole on the accounts of last Term
which was ordered

Mr. Robinson was called to the Chair of the Committee.
The Society resumed

Mr. Robinson reported that the Committee had agreed to

Advocate Society. Michaelmas Term 1822

certain resolutions which he was directed to submit
for the adoption of the Society.

Ordered that the report be received

and it was

Resolved that the receipts into the Treasury during Trinity
Term One thousand eight hundred and twenty
two have amounted to eight pounds seventeen
Shillings and seven pence -

Resolved that the disbursements during the same Term
have amounted to eight pounds ten shillings
and seven pence half penny

Resolved that there remained in the Treasury from last
Term the sum of six shillings and eleven pence
half penny

Mr Baldwin seconded by Mr Taylor moved that the Society
do now resolve itself into a Committee of supply
and ways and means

which was ordered

Mr Richardson was called to the chair of the Committee

The Society resumed

The Committee by Mr Richardson chairman reported
that they had agreed to certain resolutions which they
submitted for the adoption of the Society.

Ordered that the report be received

and it was

Resolved that the sum of one pound ten shillings be
granted to the Benchers to defray the expenses of the
several offices of the Society for the present Term.

Resolved that the treasury be at liberty to raise one pound
by Treasury bills or by Exchequer bills bearing an
interest of not more than twelve and a half per
cent per Term

Mr Baldwin seconded by Mr Taylor moved that the
Benchers have leave to draw on the Treasury for
one pound ten shillings the amount voted for the
expenses of this Term and that notice be in this
case dispensed with

which was ordered

Mr Robert Baldwin seconded by Mr Robison moved
that he have leave to bring up a constitutional
code extending the benefits of this Institution to others

Advocate Society Michaelmas Term 1822

as well as students at Law
which was ordered and the Code brought up and read
as follows -

Articles of Association

By the Advocate Society solemnly convened at
York in the Province of Upper Canada this eighteenth
day of November in the Term of the most holy Saint
Michael in the second year of the Society and in the
Year of Our Lord one thousand eight hundred and
Twenty two for the purpose of consulting together con-
cerning such things as may be met to be done for
extending the benefits of the Institution and for
establishing it upon a lasting and firm foundation
it is after fit deliberation declared

That this Society is an Institution for the increase
and cultivation particularly of Legal and
Constitutional but generally of all useful
Knowledge

And it is ordained and established

- 1 That this the Advocate Society shall from hence-
forth and forever consist of a Patron and
two Chambers
- 2 That one of the Chambers be called the Bank
and the other the Forum
- 3 That none be eligible to be chosen Patron but
such as be a Lawyer
- 4 That none be eligible to be admitted a member of
the Bank but such as be a Barrister or
Student at Law Bachelor
- 5 That none be eligible to be admitted a member
of the Forum but such as be a Gentleman
Bachelor
- 6 That on the demise of the Patronage by death
renunciation or resignation a Patron be
chosen by the two Chambers
- 7 That persons duly qualified be admitted to
seats upon petitioning the Chambers respectively

11

Advocate Society. Michaelmas Term 1822

- 8 That the Legislative power be lodged solely in the Patron Bank and Forum in Session assembled
 - 9 That the Executive power be lodged solely in the hands of the Patron
 - 10 That the Judicial power be lodged in a Court of record to be called the Treasury Chamber and in the Bank in Session
 - 11 That there be a Session of the Society every Term
 - 12 That the Chambers may during the recess hold sittings for discussion only
 - 13 That no alteration whatsoever be here after made in the thirteen articles of Association except such alteration be proposed and recommended by the Patron by message to both Chambers
- ### Articles Declaratory

For as much as the thirteen Articles of Association now here solemnly agreed upon and approved are not sufficient for the good Government of the Society and it appears expedient and necessary to declare the manner of executing the same that they who may come in after days may have no clamour concerning this matter and to declare what other Laws are to be observed and kept for the profit of the Society it is in manner before recorded further Declared

- 1 That although there shall be a Session of the Society at the Commencement of every Term the Patron has full power to summon by writ under the Great Seal of the Society a Special Session at any time when he may think it expedient
- 2 That when once any person has renounced or resigned the Patronage such person shall be looked upon by the Society and by every branch thereof as dead
- 3 That the Patron shall appoint all the Officers of the Society by Commission under the Great Seal except the Keeper of the Great Seal who shall be invested with his Office by the delivery of the

Advocate Society Michaelmas Term 1822

- Great Seal into his hands
- 4 That all the servants of the Society such as the Sergeant in waiting shall be appointed by warrant from the Treasury
 - 5 That the keeper of the Great Seal shall not be considered an advisor of the Patron
 - 6 That the keeper of the Great Seal shall not affix the Great Seal to any instrument except the same be under the hand of the Patron
 - 7 That the proceedings in the Society shall be regulated by Parliamentary usage except in the sittings of the Banks in which they shall be regulated by the practice of the Court of King's Bench
 - 8 That no ordinance shall be in force until it shall have been engrossed in the Ordinance Book and read from the Bench by the keeper of the Great Seal or one of the first officers of the Society in the presence of the two Chambers which officer shall between the title and preamble note the day it was so read
 - 9 That all money rules shall originate in the Forum
 - 10 That the Session of the Society shall commence on the first day of every Term on which day the Bank shall meet and on the following the Forum and they shall continue to sit alternately to the end of the Session
 - 11 That neither of the Chambers shall adjourn sine die without the consent of the other and also of the Patron
 - 12 That on the first day of the meeting of the Bank in Session that Chamber shall immediately proceed to the election of the Benchers during which time the Prothonotary shall preside at the Table and then to the election of Vice Benchers
 - 13 That on the first day of the meeting of the Forum in each Term that Chamber shall immediately proceed to the election of a Speaker during which time the Prothonotary shall

Advocate Society. Michaelmas Term 1822

preside at the table and then to the election of a Vice Speaker

14 That four members and the Bench or Speaker shall form a quorum of each of the Chambers respectively

15 That three members and the Bench and Vice Bench or either of them or the Speaker or Vice Speaker shall form a quorum of each of the Chambers in sitting respectively

16 That each of the Chambers may make orders for its own internal arrangement provided such orders do not interfere with the other branches of the Society

17 That the Bank only shall keep journals in which the Forum shall register the election of the Speaker and Vice Speaker and the admission of any new member and may register any other matter by sending the minutes thereof by the Speaker or the Vice Speaker and another member or by three members to the Bar of the Bank and requesting that such minutes may be registered

18 That the Forum shall have only a negative in the choice of a Patron

19 That the Bank in sitting shall only discuss points of Law and not general subjects

20 That the Forum in sitting shall only discuss constitutional and other general subjects and not points of Law

21 That the proceedings of the two Chambers in sitting shall be entered by the Prothonotary in two books to be kept by him for that purpose

22 That the Keeper of the Great Seal shall be the sole Judge of the Court of Treasury Chamber

23 That all matters of fact to be determined in the Court of Treasury Chamber shall be tried by an inquest of four members to be summoned by the Court

24 That upon judgment being given in the Treasury

4/
Advocate Society Michaelmas Term 1822

chamber the Court shall award its writ of execution directed to the serjeant in waiting by which he shall be ordered to exclude the Defendant from the Society until he shall have received the amount recovered in the execution of which writ all the Officers and members of the Society shall be aiding and assisting the serjeant in waiting

25 That reasonable fine shall be the punishment for all offences within the jurisdiction of the Court of Treasury Chamber

26 That no member of the Society be expelled from the Society but by judgment of the Bank upon an impeachment by the Forum for base ungentlemanly crime

27 That no person who has been once expelled from the Society shall ever be admitted within the walls of the Society

28 That any member intending to draw himself from the Society by giving one days previous notice to the Bank and then appearing publicly at the Bar of that Chamber and, all business ceasing, openly withdrawing himself in the face of the Chamber

29 That after any member of the Society shall become Baron he shall cease to have any right to speak or vote in the Society

30 That so soon as any member whether Baron or Bachelor takes upon himself the Patronage he from that moment ceases to hold a seat in the Society as a member nor shall he ever be readmitted as such

1st of Michaelmas

Title An Ordinance to raise a revenue to defray the expenses of the internal Government of the Society

Delivered 18th day of November 1822

Preamble Whereas it is necessary to raise a revenue to

Advocate Society Michaelmas Term 1822

defray the expenses of the internal Government of the Society

Chap 1 Be it therefore ordained by the Patron Bank and Forum of the Advocate Society in Session assembled

Section 1st That every member of the Society shall pay into the treasury on the first day of every Term a fee of one fourth of a Guinea

Section 2nd Provided always that such member shall have taken his seat in the Society five Terms during the preceding term

Section 3rd Provided always that such member shall not be a Baron

Chap 2 And be it further ordained by the authority aforesaid

Section 1st That every person on his admission into the Society shall pay into the Treasury a fee of half a Guinea

2nd of Michaelmas

Title An Ordinance to remedy the difficulties which may occur during such time as the Society may be without a Patron

Delivered 18th day of November 1822

Preamble Whereas difficulties may occur during the time which must necessarily intervene between the death Resignation or Resignation of one Patron and the investiture of a successor which may require immediate remedy

Chap 1 Be it therefore ordained by the Patron Bank and Forum of the Advocate Society in Session assembled

Section 1st That if a vacancy of the Patronage shall happen during a Recess of the Society the Society shall thereupon meet in Session and proceed to the choice of a Patron as soon as may be

Chap 2 And be it further ordained by the authority aforesaid

Section 1st That if during the vacancy of the Patronage the two chambers in Session shall pass

Advocate Society Michaelmas Term 1822.

any Ordinance the keeper of the Great Seal shall upon having such Ordinance presented to him by the Benchers and Speaker affix the Great Seal thereto whereupon such Ordinance shall be as perfect as if a Patron of the Society had assented thereto.

Section 2^d. Provided always that such Ordinance shall run thus "Be it therefore ordained by the Bank and Forum of the Advocate Society in Session convened".

Section 3^d. And Provided further that such Ordinance shall only remain in force during the vacancy of the Patronage.

Chap 3 And be it further ordained by the authority aforesaid Section 1st. That if during such time there shall happen to be no keeper of the Great Seal the Benchers and Speaker shall take possession of the Great Seal and shall affix the Great Seal to any such Ordinance which shall be to all intents and purposes as good as affixing as if the same had been done by a keeper of the Great Seal.

Mr Baldwin seconded by Mr Notman moved that Select Committee of three Members be appointed to take into consideration the Constitutional Code for extending the benefits of this Institution to others as well as Students at Law and that their powers be to send for persons and papers and assuming it as a fact that the Society had already resolved to admit other Gentlemen to enquire whether that Code is the best calculated to carry such a resolution into effect with advantage to the other Gentlemen and security to the Students at Law but not into the expediency or inexpediency of admitting other Gentlemen AND that the Committee be composed of Messrs Robison Smith and Robert Baldwin.

which was ordered.

Mr Notman from the Committee for the arrangement of the

17

Advocate Society. Michaelmas Term 1822

papers of last Term informed the Society that the Committee had agreed to a report which he was ready to submit when the Society should be pleased to receive the same

Ordered that the report be received and it was read as follows
To the Learned the Advocate Society

The Committee appointed to arrange the papers of last Term beg leave to report

that your Committee have arranged and filed fourteen Documents of last Term being all that your Committee think of any importance and that your Committee have destroyed all the useless papers

All which is most humbly submitted

Advocate Society

Committee room

27th November 1822

Signed Wm Notman

Chairman of the
Committee

Mr Robison gives notice that he will tomorrow move a resolution explanatory of the Ordinance for imposing fines on absentees

Mr Robison gives notice that he will tomorrow move for leave to bring up the petitions of Messrs Jiving and Campbell students at Law

The Society then adjourned till Wednesday next at 6 o'clock

Wednesday 4th December 1822

Present

Mr Bencher

Mr Robert Baldwin

Mr Notman

Mr Henry Baldwin

The Bencher adjourned the Society for want of a quorum

Friday 6th December 1822

The Society met

The Journals were read

In pursuance to notice Mr Robison seconded by Mr Smith

178
Advocate Society Michaelmas Term 1822

moved that he have leave to bring up the Petition of W^m William Alexander Campbell of the Town of York Gentleman and that the same be now read - which was ordered and the Petition brought up and read as follows -

To the Learned the Advocate Society
The Petition of William Alexander Campbell of the Town of York Gentleman Student at Law -

Humbly Sheweth
That your Petitioner is a student articled to George Macaulay Esquire and duly entered in the Books of the Law Society of this Province - That your Petitioner is desirous of becoming a member of your Learned Society and therefore humbly prays that your Learned body will take such steps to procure his admission as to your Learned Body may seem expedient.

And your Petitioner will ever pray
York 6th day of December 1822. Signed W^m A Campbell
The Society then adjourned till Monday next at 6 o'clock being Dec^r 1822
Monday 9th December 1822

The Society met

The Journals were read

The Benchers made the following Report from the Legal Sitting
In the Legal Sitting of the Advocate Society of the Term of Michaelmas in the year of our Lord one thousand eight hundred and twenty two -

Do on the demise of James Warne the Ancestor of the lessor William Warne } of devised his estate of £3000 per annum
or } to his Cousin Elizabeth Warne for life
Catharine Warne } with remainder to her sister Catharine Warne in fee. James Warne afterwards married Elizabeth Warne and had by her a son William Warne the present lessor of the plaintiff James Warne afterwards died and Catharine Warne registered the will regularly and entered as devisee her sister Elizabeth having died a few weeks after her husband. William Warne brought ejectment against Catharine Warne and a verdict was taken for Plaintiff subject to the opinion of the Court whether the plaintiff had proved a legal title. Mr Robert Baldwin having obtained a Conciliun the case was argued by Mr Robison of Mess^{rs} Robison Smith and Rotman Counsel for the Plaintiff } for the Plaintiff
and Mess^{rs} Robert Baldwin and Taylor of Mess^{rs}

19

Advocate Society Michaelmas Term 1822

Robert Baldwin Richardson and Taylor Counsel
for defendant / for defendant - after hearing Counsel
held by the Bench that the plaintiff had proved a
legal Title and Postea to Plaintiff accordingly -

(Signed) Albewell
Benchers

Mr Richardson seconded by Mr Smith move that
the Society do now resolve itself into a Committee
of the whole to attend for the admission of Mr William
Alexander Campbell

Mr Robert Baldwin was called to the chair of the Committee
The Society resumed

Mr Robert Baldwin reported Mr William Alexander Campbell
admitted unanimously

Ordered that the report be received and Mr William
Alexander Campbell was admitted a Member of
the Society accordingly

Mr Benchers informed the Society that Mr William
Alexander Campbell a Member of the Society was
in attendance at the Bar and waiting to be intro-
duced -

Mr William Alexander Campbell was then introduced
by Messrs Richardson and Taylor -

Mr Richardson seconded by Mr Bethune moved that
hereafter it shall be the duty of the Prothonotary to
notify the Members of the Society of the time when
the Society meets when the Society shall have been
unable to meet on the day it was adjourned to -

The previous Question was put and carried -

The Society then adjourned till Friday the 13th December next

Friday 13th December 1822

The Society met

The Journals were read

Mr Robinson seconded by Mr Robert Baldwin moved. That
Whereas doubt had arisen in the Advocate Society
upon the construction of an Ordinance passed in
the said Society in Trinity Term 1822 Entitled "An
Ordinance to impose a fine upon any members
of the Society who shall absent himself without
a sufficient excuse" It is therefore resolved
that the provisions of the said Ordinance do
not extend to members present without the
Home District -

which was carried unanimously

Then adjourned till Wednesday next at 6 o'clock being
the 18th December 1822.

26
Advocate Society. Michaelmas Term 1822

Wednesday 18th December 1822

The Society met and the Benchers being absent the Vice Benchers took the Chair.

The Journals were read

Mr Robert Baldwin for Mr Robison on the Bench from the select Committee on the Constitutional Code informed the Society that the Committee had agreed to a report which he was directed to submit when the Society should be pleased to receive the same.

Ordered that the report be received and the Code as amended by the Committee was read as follows

Constitutions of Saint Michael.

Articles of Association

By the Advocate Society solemnly convened at York in the Province of Upper Canada this eighteenth day of December in the Term of the Most Holy Saint Michael in the second year of the Society and in the year of our Lord One thousand eight hundred and twenty two for the purpose of consulting together concerning such things as may be meet to be done for extending the benefits of the Institution and for establishing it upon a firm and lasting foundation.

It is after fit deliberation declared.

That this Society is an Institution for the increase and cultivation particularly of legal and constitutional but generally of all useful knowledge.

And it is ordained and established

- 1 That this Society shall from hence forth and forever consist of two Chambers.
- 2 That one of the Chambers be called the Banc and the other the Forum.
- 3 That none be eligible to be admitted a member of the Banc but such as be a Barrister or Student at Law Bachelors
- 4 That none be eligible to be admitted a member of the Forum but such as be a Gentleman Bachelors
- 5 That persons duly qualified may be admitted to seats upon petitioning the chambers respectively
- 6 That the Legislative power be lodged solely in

Advocate Society. Michaelmas Term 1822

Constitution of Saint Michael

- the Bane and Forum in Session assembled
- 7 That the Executive power be lodged solely in the hands of a Council of the Ministers of the Society.
 - 8 That the judicial power be lodged in a Court of record to be called the Treasury Chamber and in the Bane in Session. That there shall be a Session of the Society every Term
 - 10 That the Chambers may during these recesses sit for discussion only.
 - 11 That the two Chambers may at any time when the same may be expedient choose a patron
 - 12 That none be eligible to be chosen Patron but such as be a Lawyer
 - 13 That the Patron shall form a third branch of the Legislative power
 - 14 That the whole Executive power shall vest in the Patron immediately after his investiture
 - 15 That no alteration whatsoever be hereafter made in these fifteen articles of Association except such alteration be proposed by the Executive Department

Articles Declaratory

Forasmuch as the fifteen Articles of Association now here solemnly agreed upon and approved are not sufficient for the good Government of the Society and it appears expedient and necessary to declare the manner of executing the same that they who may come in after days may have no clamour concerning this matter and to declare what other Laws are to be observed and kept for the profit of the Society it is therefore in manner before recorded further declared -

- 1 That although there shall be a Session of the Society at the Commencement of every Term the Executive Department has full power to summon by writ under the Great Seal of the Society a Special Session at any time when it may seem expedient.

22
Advocate Society Michaelmas Term 1822

Constitutions of Saint Michael

- 2 That the Executive Department shall appoint all the officers of the Society by Commission under the Great Seal except the Keeper of the Great Seal who shall be invested with his Office by the delivery of the Great Seal into his hands by the Executive Department.
- 3 That when there shall be no Minister to form an Executive Department the Keeper of the Great Seal shall appoint a Treasurer or two or more Commissioners of the Treasury and affix the Great Seal to his or their Commission by his sole authority.
- 4 That when there shall be no Minister to form an Executive Department and no Keeper of the Great Seal to appoint to the Treasury the Benchers President and Vice Benchers for the time being or a majority of them shall take possession of the Great Seal and deliver the same to such person as they or the majority of them shall think fit.
- 5 That all the Servants of the Society such as the Sergeant in waiting shall be appointed by warrant from the Treasury.
- 6 That the Keeper of the Great Seal shall not be considered a Minister.
- 7 That the Keeper of the Great Seal shall not affix the Great Seal to any instrument except under the authority of a warrant from the Executive Department.
- 8 That the proceedings in the Society shall be regulated by Parliamentary usage except in the sittings of the Bench in which they shall be regulated by the Practice of the Courts of Justice.
- 9 That no Ordinance shall be in force until it shall have been engrossed in the Ordinance Book and read from the Bench by the Keeper of the Great Seal or one of the first Officers of the Society in the presence of the two Chambers assembled by virtue of a message from the Executive Department which officer shall between the Title and the Preamble note the day it was so read.

Advocate Society Michaelmas Term 1822

Constitutions of Saint Michael

- 10 That all money Rules shall originate in the Forum
- 11 That the Session of the Society shall commence on the first day of every Term on which day the Bane shall meet and on the following the Forum and they shall continue to sit alternately to the end of the Session -
- 12 That neither of the Chambers shall adjourn sine die without the consent of the other and ~~and~~ that of the Executive Department -
- 13 That on the first day of the meeting of the Bane in Session in each and every Term that chamber shall immediately proceed to the election of a Benchman during which time the Prothonotary shall preside at the Table and then to the election of a vice Benchman -
- 14 That on the first day of meeting of the Forum in Session in each and every Term that chamber shall proceed immediately to the election of a President during which time the Prothonotary or one of the Executive Department shall preside at the Table and then to the election of a Vice President -
- 15 That four Members and the Benchman or President shall form a Quorum of each of the Chambers in Session respectively -
- 16 That three Members and the Benchman and Vice Benchman or either of them shall form a sitting of the Bane and that three Members and the ~~or~~ ^{or vice President} President shall form a Quorum of the Forum in sitting -
- 17 That each of the Chambers may make orders for its own internal arrangement provided such orders do not interfere with the other ~~and~~ Branches of the Society -
- 18 That the Bane only shall keep Journals in which the Forum shall register the election of a President and a Vice President and the admission of any new member and may register any other matter by sending the minutes thereof by the President or

Advocate Society Michaelmas Term 1822

Constitutions of Saint Michael

the Vice President and another Member or by three Members to the Bar of the Banc and requesting that such minutes may be registered.

- 19 That the Banc in sitting shall only discuss points of Law and not general Subjects.
- 20 That the Forum in sitting shall only discuss Constitutional and other general Subjects and not points of Law.
- 21 That the proceedings of the two Chambers in sitting shall be entered by the Prothonotary in two Dockets to be kept by him for that purpose.
- 22 That the Keeper of the Great Seal shall be the sole judge of the Court of Treasury Chamber.
- 23 That all matters of fact to be determined in the Court of Treasury Chamber shall be tried by an inquest of four Members to be summoned by the Court.
- 24 That upon judgment being given in the Treasury Chamber the Court shall award its writ of execution directed to the Prothonotary by which he shall be ordered to exclude the Defendant from the Society until he shall have received the amount recovered in the execution of which writ all the Officers and members of the Society shall be aiding and assisting the Prothonotary.
- 25 That reasonable fine shall be the punishment for all offences within the Jurisdiction of the Court of Treasury Chamber.
- 26 That no Member of the Society be expelled from the Society but by judgment of the Banc upon an Impeachment by the Forum for Base and gentlemanly crime.
- 27 That no person who has been once expelled shall ever be admitted within the walls of the Society.
- 28 That no Member may withdraw himself from the Society except by giving one day's previous notice to the Banc and then appearing publicly at the bar of that Chamber and all business ceasing openly withdrawing himself in the face of the Chamber.

25

Advocate Society Michaelmas Term 1822

Constitution of Saint Michael 1st of Michaelmas

Title An Ordinance to raise a revenue to defray the
expenses of the Internal Government of the Society
Delivered 18th day of November 1822

Preamble Whereas it is necessary to raise a revenue to defray
the expenses of the Internal Government of the
Society

Chapter 1st Be it therefore ordained by the Bane and Council
of the Advocate Society in Session Assembled
Section 1st That every Member of this Society shall
pay into the Treasury on the first day of every Term
a fee of One fourth of a Guinea -

Section 2^d Provided always that such Member shall
have taken his seat in the Society five times during
the preceding Term -

Chapter 2^d And Be it further ordained by the Authority afore-
said -

Section 1st That every person on his Admission into the
Society shall pay into the Treasury a fee of half
a Guinea -

Article to prevent a hasty determination to admit others
than Students at Law reported by the Committees
was read a first time

Mr Baldwin Seconded by Mr Taylor moved that the
rule to prevent the hasty determination to admit
others than Students at Law be read a second
time tomorrow -

which was ordered

Mr Richardson Seconded by Mr Baldwin moved
that he have leave to bring up the petition of Mr
James Givins and that the same be now read
which was ordered and the petition brought up and
read as follows -

To the learned the Advocate Society

The petition of James Givins of the Town of York Gentleman
Student at Law -

Humbly Sheweth

Advocate Society. Michaelmas Term 1822

That your Petitioner is a Student articled to James B. Macaulay Esquire and duly entered on the Books of the Law Society of this Province. That your Petitioner is desirous of becoming a Member of your Learned Society and therefore humbly prays that your Learned Body will take such Steps to procure his admission as to your learned Body may seem expedient.

And your Petitioner.

York ——— with ever pray
18th December 1822 Signed James Givins

The Society then Adjourned till Monday next at 6 o'clock.

Monday 23rd December 1822.

The Society met

The Journals were read

Mr Baldwin seconded by Mr Bethune moved that the order of the day be postponed and that the Society do now resolve itself into a Committee of the whole to ballot for the admission of Mr James Givins -

which was ordered

Mr Nottman was called to the chair of the Committee

The Society returned

Mr Nottman reported Mr James Givins admitted unanimously -

Ordered that the report be received and Mr James Givins was admitted a Member of the Society accordingly -

Mr Bencher informed the Society that Mr James Givins a Member of the Society was in attendance at the Bar and waiting to be introduced -

Mr James Givins was then introduced by Messrs R. Baldwin and Bethune and took his seat -

Pursuant to the order of the day the rule to prevent a hasty determination to admit others than Students at Law was read a second time -

Mr Robinson seconded by Mr Baldwin moved that the Society do now resolve itself into a Committee of the whole on the rule to prevent a hasty determination

27

Advocate Society Michaelmas Term 1822

to admit others than Students at Law
which was ordered

Mr Richardson was called to the Chair of the Committee
The Society resumed

Mr Richardson reported the rule without amendment
Ordered that the report be received

Mr Robison seconded by Mr Baldwin moved that the rule
to prevent a hasty determination to admit others than
Students at Law be engrossed and read a third time
tomorrow -

which was ordered

The Society then adjourned till Monday the 13th day of
January next at 6 of the clock PM.

Monday 13th January 1823

The Bench and Vice Bench being absent the Society was
unable to meet -

Wednesday 15th January 1823

The Society met

The Journals were read

In pursuance to the Order of the day the rule to prevent a hasty
determination to admit others than Students at Law
was read a third time

Mr Baldwin seconded by Mr Stotman moved that the rule
to prevent a hasty determination to admit others
than Students at Law do now pass and that it
be entitled "An Ordinance to prevent too hasty a de-
termination to admit as members of this Society
others than Students at Law" -

which was ordered

An Ordinance entitled "An Ordinance to prevent too hasty a
determination to admit as members of this Society
others than Students at Law" was read from the Bench
and delivered -

Mr Baldwin gives notice that he will early in next Term
move for leave to bring in a rule to add ordinances to
the Constitution of Saint Michael

The Society then adjourned sine die -

TRAVEL SCHOOLS
The 12th annual meeting of the National Association of Travel Schools, held at the Hotel Hamilton, New York, on Dec. 15, 1919, was a most successful one. The meeting was held in the afternoon, and the first session was devoted to the presentation of reports by the various schools. The reports were most interesting and informative, and the meeting was a most profitable one for all concerned.

TRAVEL SCHOOLS
The 12th annual meeting of the National Association of Travel Schools, held at the Hotel Hamilton, New York, on Dec. 15, 1919, was a most successful one. The meeting was held in the afternoon, and the first session was devoted to the presentation of reports by the various schools. The reports were most interesting and informative, and the meeting was a most profitable one for all concerned.

TRAVEL SCHOOLS
The 12th annual meeting of the National Association of Travel Schools, held at the Hotel Hamilton, New York, on Dec. 15, 1919, was a most successful one. The meeting was held in the afternoon, and the first session was devoted to the presentation of reports by the various schools. The reports were most interesting and informative, and the meeting was a most profitable one for all concerned.

TRAVEL SCHOOLS
The 12th annual meeting of the National Association of Travel Schools, held at the Hotel Hamilton, New York, on Dec. 15, 1919, was a most successful one. The meeting was held in the afternoon, and the first session was devoted to the presentation of reports by the various schools. The reports were most interesting and informative, and the meeting was a most profitable one for all concerned.

TRAVEL SCHOOLS
The 12th annual meeting of the National Association of Travel Schools, held at the Hotel Hamilton, New York, on Dec. 15, 1919, was a most successful one. The meeting was held in the afternoon, and the first session was devoted to the presentation of reports by the various schools. The reports were most interesting and informative, and the meeting was a most profitable one for all concerned.

TRAVEL SCHOOLS
The 12th annual meeting of the National Association of Travel Schools, held at the Hotel Hamilton, New York, on Dec. 15, 1919, was a most successful one. The meeting was held in the afternoon, and the first session was devoted to the presentation of reports by the various schools. The reports were most interesting and informative, and the meeting was a most profitable one for all concerned.

TRAVEL SCHOOLS
The 12th annual meeting of the National Association of Travel Schools, held at the Hotel Hamilton, New York, on Dec. 15, 1919, was a most successful one. The meeting was held in the afternoon, and the first session was devoted to the presentation of reports by the various schools. The reports were most interesting and informative, and the meeting was a most profitable one for all concerned.

TRAVEL SCHOOLS
The 12th annual meeting of the National Association of Travel Schools, held at the Hotel Hamilton, New York, on Dec. 15, 1919, was a most successful one. The meeting was held in the afternoon, and the first session was devoted to the presentation of reports by the various schools. The reports were most interesting and informative, and the meeting was a most profitable one for all concerned.