ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

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C A P. XLVIII.

An Act to amend the several Acts for the Regulation of Attornies and Solicitors.

[8th *June* 1821.]

WHEREAS by an Act passed in the Second Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the better Regulation of Attornies and Solicitors*, it (2 G. 2. c. 23.) was among other Things enacted, that from and after the Time in the said Act mentioned, no Person should be permitted to act as an Attorney or Solicitor respectively, in any of the Courts of Law or Equity in *England* in the said Act mentioned, unless such Person should have been bound by Contract in Writing to serve as a Clerk for and during the Space of Five Years to an Attorney or Solicitor respectively, duly and legally sworn and admitted, as in the said Act is directed, in some or one of the Courts of Law or Equity in *England* in the said Act mentioned; and that such Person for and during the said Term of Five Years should have continued in such Service: And whereas (22 G. 2. c. 46.) by an Act passed in the Twenty-second Year of the Reign of His said late Majesty King *George* the Second, for making further Regulations (among other Things) with respect to Attornies and Solicitors, it was enacted, that every Person who should so have been bound to serve any Attorney or Solicitor should, during the whole Time of such Service, continue and be actually employed by such Attorney or Solicitor,

Solicitor, or his or their Agent or Agents, in the proper Business, Practice, or Employment of an Attorney or Solicitor; and also, that every Person bound as a Clerk as aforesaid, should, before being admitted an Attorney or Solicitor, cause an Affidavit of himself, or of such Attorney or Solicitor to whom he was bound, to be duly made and filed, that he had actually and really served and been employed in manner aforesaid, during the said whole Term of Five Years: And whereas by an Act passed by the Parliament of *Ireland* in the Seventh Year of the Reign of His Majesty King *George* the Second, intituled *An Act for the Amendment of the Law in relation to Popish Solicitors, and for remedying other Mischiefs in relation to the Practitioners in the several Courts of Law and Equity*, it was enacted, that no Person should be admitted an Attorney, or licensed to be a Solicitor, who shall not have served an Apprenticeship for the Space of Five Years at least, to a Six Clerk of the High Court of Chancery in *Ireland*, or to a Six Clerk of the High Court of Chancery in *England*, or to an Attorney of one of the other Courts in *Ireland*, or to an Attorney or Solicitor duly admitted or licensed in that Kingdom, or in *England*: And whereas it may happen that Persons who have taken or may take the Degree of Bachelor of Arts or of Law, in either of the Universities of *Oxford* or *Cambridge*, or of *Dublin*, may afterwards be desirous of becoming Attornies or Solicitors, but may be deterred by the Length of Service required for that Purpose by the said recited Acts; and it is expedient that the Admission of such Graduates should be facilitated, in consideration of the Learning and Abilities requisite for the taking such Degree: And whereas it would tend to the better qualifying of Persons to act as Attornies and Solicitors if Part of the said Service of Five Years were allowed to be performed in manner herein-after mentioned; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, in case any Person who shall have taken or who shall take the Degree of Bachelor of Arts or Bachelor of Law, either in the University of *Oxford*, or in the University of *Cambridge*, or in the University of *Dublin*, shall, at any Time after he shall have taken or shall take such Degree, be bound by Contract in Writing to serve as a Clerk, for and during the Space of Three Years, to an Attorney or to a Solicitor, or to a Six Clerk duly and legally sworn and admitted under the Provisions and Directions of the said recited Acts of the Second Year and Seventh Year of the Reign of King *George* the Second, or of this Act, or of any other Act or Acts in force for the Regulation of Attornies and Solicitors, in some or One of the Courts of Law or Equity in the said recited Acts mentioned, and during the said Term of Three Years shall continue in such Service, and during the whole Time of such Three Years Service, shall continue and be actually employed by such Attorney or Solicitor, or Six Clerk, or his or their Agent or Agents, in the proper Business, Practice, or Employment of an Attorney or Solicitor, and shall also cause an Affidavit, or being one of the People called Quakers, a solemn Affirmation of

7 G. 2. (I.)

Any Person who has taken a Degree at Oxford, Cambridge, or Dublin, may act as an Attorney or Solicitor, after having served a Clerkship of Three Years.

of himself, or of such Attorney or Solicitor, or Six Clerk to whom he was bound as aforesaid, to be duly made and filed, that he hath actually and really so served and been employed during the said whole Term of Three Years, in like manner as is required by the said recited Acts of the Second Year, and of the Seventh Year, and of the Twenty-second Year of the Reign of King *George* the Second, with respect to Persons by the said Acts required to serve for the Term of Five Years, shall and may be qualified to be sworn, or to take his solemn Affirmation, and to be admitted and inrolled as an Attorney or Solicitor respectively (according to the Nature of his Service) in the several and respective Courts of Law or Equity, as fully and effectually to all Intents and Purposes, as any Person having been bound and having served Five Years, is qualified to be sworn, or to take his solemn Affirmation, and to be admitted or inrolled under or by virtue of the said recited Acts, or any other Act or Acts for the Regulation of Attornies or Solicitors in *England;* any thing in the said Acts, or any of them, to the contrary in anywise notwithstanding.

Persons bound for Five Years, and serving Part of that Time, not exceeding One Year, with a Barrister or Special Pleader, may be admitted, on applying to a Judge or other sufficient Authority.

II. And be it further enacted, That from and after the passing of this Act, if any Person who now is or hereafter shall be bound by Contract in Writing to serve as a Clerk as aforesaid, for the Space of Five Years in Manner mentioned by the said recited Acts, or any or either of them, or any other Act now in force relating to the Service of Persons intended to be admitted as Attornies or Solicitors in *England* or *Ireland*, shall actually and *bonâ fide* be and continue as Pupil to any practising Barrister, or to any Person *bonâ fide* practising as a certificated Special Pleader in *England* or *Ireland*, for any Part or Parts of the said Term of Five Years, not exceeding One Year, it shall be lawful for the Judge or other sufficient Authority to whom such Person shall apply to be admitted as Attorney or Solicitor as aforesaid, upon Affidavit or Affirmation of such Clerk, and of such Barrister or Special Pleader, to be duly made and filed, and upon being satisfied that such Person so applying for Admission had actually and really been and continued with, and had been employed as Pupil by such practising Barrister or Special Pleader as aforesaid, (but not otherwise), to admit such Person as Attorney or Solicitor, in like Manner as is now done in Cases where the Clerk has served Part of the Term of his Clerkship with the Agent of the Person to whom he has been bound.

41 G. 3. c. 79. not to extend to the Registrars or Solicitors of the Universities, &c.

III. And whereas an Act was made in the Forty-first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Regulation of Public Notaries in* England, be it enacted, That nothing in the said Act contained shall extend, or be construed to extend, to the Registrars or Solicitors of the Universities of *Oxford* and *Cambridge*, or to the Steward or Solicitors of any College or Hall within the said Universities, or to the Chapter Clerk of any Cathedral or Collegiate Church, acting only as such Registrars, Solicitors, Stewards, or Chapter Clerks.

This Act to extend only to Bachelors

IV. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to any Person who shall have taken or shall take such Degree of Bachelor of Arts, unless

of Arts who have taken their Degrees within the Periods herein mentioned, &c.

unless such Person shall have taken or shall take such Degree within Six Years next after the Day when such Person shall have been or shall be first matriculated in the said Universities respectively; nor to any Person who shall take or shall have taken such Degree of Bachelor of Law within Eight Years after such Matriculation; nor to any Person who shall be bound, by Contract in Writing, to serve as a Clerk to any Attorney, Solicitor, or Six Clerk, under the Provisions of this Act, unless such Person shall be so bound within Four Years next after the Day when such Person shall have taken such Degree.

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