ANNO SEPTIMO

GEORGII IV. REGIS.

C A P. XLIV.

An Act to allow, until the Tenth Day of *October* One thousand eight hundred and twenty-six, the Enrolment of certain Articles of Clerkship; to prevent Attornies and others from being prejudiced in certain Cases by the Neglect to take out their annual Certificates; to prohibit the stamping Articles of Clerkship after a certain Time; and to extend the Period for taking out Certificates after Matriculation at the Universities.

[26th *May* 1826.]

WHEREAS many Persons who may have paid the proper Stamp Duties, either before or within Six Months after the Execution of the Contracts in Writing entered into by them to serve as Clerks to Attornies or Solicitors, Scriveners or Notaries Public, in *Great Britain*, have omitted to cause Affidavits to be made, and afterwards to be filed in the proper Office, of the actual Execution of such Contracts, and the Indentures thereof to be enrolled within the Time in which the same ought to have been done, and many Infants and others may thereby incur certain Disabilities: For preventing thereof, and relieving such Persons, be it 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

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present Parliament assembled, and by the Authority of the same, That every Person who shall have, either before or within Six Months after the Execution of such Contract or Indenture, paid the proper Stamp Duty in that Behalf, and who at the passing of this Act shall have neglected or omitted to cause any such Affidavit or Affidavits as aforesaid to be made and filed, or such Contract or Indenture to be enrolled, and who on or before the Tenth Day of *October* One thousand eight hundred and twenty-six shall cause such Contract or Indenture to be enrolled with the proper Officer in that Behalf, and one or more Affidavit or Affidavits to be made, and afterwards to be filed, in such Manner as the same ought to have been made and filed, in due Time, shall be and is hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities, in or by any Act or Acts of Parliament mentioned, and incurred or to be incurred for or by reason of such Neglect or Omission; and every such Affidavit and Affidavits so to be made, and which shall be duly filed on or before the said Tenth Day of *October* next, shall be as effectual to all Intents and Purposes as if the same had been made and filed within the respective Times the same ought, by the Laws now in being for that Purpose, to have been made and filed; and it shall be lawful for the respective Officer or Officers who ought to receive, enrol, register, make, and file every such Contract or Indenture and Affidavit respectively, and such Officer or Officers respectively are hereby authorized and required to receive, enrol, and register, and to make and file every such Contract, Indenture, or Affidavit respectively, at any Time on or before the said Tenth Day of *October* next; any thing in any Act or Acts to the contrary in anywise notwithstanding.

Persons who shall have paid the Duties within Six Months after Execution of Indentures to serve as Clerks to Attornies, but shall have neglected to cause the necessary Affidavits to be filed within the Time required, indemnified on so doing by 10th October 1826.

II. And be it further enacted, That in case any Action, Suit, Bill of Indictment or Information, shall, from and after the passing of this Act, be brought, carried on, or prosecuted against any Person or Persons hereby meant or intended to be indemnified, recapacitated, or restored, for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever, incurred or to be incurred by any such Neglect or Omission to enrol such Contracts or Indentures as aforesaid, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the Special Matter in Evidence upon any Trial to be had thereupon.

Persons prosecuted, and hereby meant to be indemnified, may plead the General Issue.

III. And whereas many Solicitors, Attornies, Writers to the Signet, Notaries, Proctors, Agents, Procurators, and others in *Great Britain*, may have omitted to take out Annual Certificates, or to enter the same in the proper Office or Offices within the Time in which the same ought to have been done, by means whereof such Persons are rendered incapable to maintain or prosecute any Action or Suit in any Court of Law or Equity, for the Recovery of any Fees or Disbursements on account of Business done without such Certificate: For relieving such Persons be it enacted, That every Person in *Great Britain*, who shall have neglected to take out a Certificate at the Time and in the Manner by Law directed, and who at the Time of the passing of this Act, or before the Tenth Day of *October* One thousand eight hundred and twenty-

Attornies, &c. who may have omitted to take out annual Certificates, rendered capable in certain Cases of suing for Fees, &c. notwithstanding 37 G. 3. c. 90. s. 30.

twenty-six, shall have regularly obtained a proper Certificate, duly stamped, shall be and is hereby rendered capable to maintain or prosecute any Action or Suit in any Court of Law or Equity, for the recovering of any Fee, Reward, or Disbursement, on account of prosecuting, carrying on, or defending any Action, Suit, or Proceeding, or any Matter or Thing relating thereto, without a proper Certificate; any thing in an Act made in the Thirty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for granting to His Majesty certain Stamp Duties on the several Matters therein mentioned, and for better securing the Duties on Certificates to be taken out by Solicitors, Attornies, and others, practising in certain Courts of Justice in* Great Britain, or in any other Act or Acts to the contrary in anywise notwithstanding.

Commissioners of Stamps prohibited from stamping any Articles of Clerkship, &c. after Six Months from he Date thereof.

IV. And be it further enacted, That it shall not be lawful for the Commissioners of Stamps, or any of their Officers, to stamp, under any Pretence whatever, after the Expiration of Six Months from the Date thereof, any Vellum, Parchment, or Paper, upon which shall be ingrossed, printed, or written any Articles of Clerkship, Contract, Indenture, or other Instrument whereby any Person shall become bound to serve as a Clerk or Apprentice, in order to his Admission as a Solicitor, Attorney, Proctor, Writer to the Signet, Agent, or Procurator, in any of the Courts of Law or Equity, or the High Courts of Admiralty, or any Ecclesiastical Court, or the Courts of Session, Justiciary, Exchequer, Commission of Teinds, or the Commissary Court, or any inferior Court in *Great Britain*.

1 & 2 G. 4. c. 48.

V. And whereas by an Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to amend the several Acts for the Regulation of Attornies and Solicitors*, it was enacted that certain Persons in the said Act mentioned, who had taken certain Degrees therein also mentioned at either of the Universities of *Oxford*, *Cambridge*, or *Dublin*, should, after a Service of Three Years to a Solicitor or Attorney in the Manner by the said Act directed, be qualified to be admitted and inrolled an Attorney or Solicitor in the several Courts of Law or Equity; provided such Persons should have taken their Degree of Bachelor of Arts within Six Years next after their Matriculation at such Universities, or Bachelor of Law within Eight Years after their Matriculation at such Universities: And whereas it is expedient that such Proviso should not apply to such Persons who had taken such Degrees previous to the passing of the said Act; be it enacted, That every Person who shall have taken his Degree of Bachelor of Arts, or Bachelor of Law, at either of the said Universities, previous to the passing of the said recited Act, and who since the passing thereof shall have duly served as a Clerk, by Contract in Writing, duly stamped at or before the signing thereof, or within Six Months afterwards, to an Attorney or Solicitor, for the Term of Three Years, as by the said recited Act is directed, shall be qualified to be sworn and to be admitted and enrolled as an Attorney or Solicitor respectively, according to the Nature of his Service, in the several and respective superior Courts of Law or Equity at *Westminster*, 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,

Any Person who had taken a Degree at Oxford, Cambridge, or Dublin, previous to the passing of the recited Act, and has since duly served as a Clerk for Three Years, may be ad-

mitted to act as an Attorney or Solicitor.

sworn, and to be admitted or enrolled an Attorney or Solicitor under or by virtue of any Act or Acts now in force for the Regulation of Attornies or Solicitors in *England*; any thing in the said Acts, or any of them, to the contrary thereof in anywise notwithstanding.

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