ANNO VICESIMO QUARTO & VICESIMO QUINTO

VICTORIÆ REGINÆ.

****

C A P. LXVIII.

An Act to amend the Laws relating to Attorneys and Solicitors in *Ireland*. [1st *August* 1861.]

WHEREAS it is expedient to amend the Laws relating to Attorneys and Solicitors in *Ireland* in manner herein-after mentioned: Be it therefore enacted by the Queen'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, as follows:

Interpretation of Terms.

1. In the Construction of this Act, unless there be something in the Subject or Context repugnant to such Construction, the Word "Attorney" shall mean Attorney of One or more of the Superior Courts of Law at *Dublin*, and the Word "Solicitor" shall mean Solicitor of the High Court of Chancery in *Ireland*.

Persons having taken Degrees at certain Universities may be admitted after Three Years Service.

2. Any Person having taken the Degree of Bachelor of Arts or Bachelor of Laws in the University of *Oxford*, *Cambridge*, *Dublin*, *Durham*, or *London*, or in the Queen's University in *Ireland*, or the Degree of Bachelor of Arts, Master of Arts, Bachelor of Laws, or Doctor of Laws in any of the Universities of *Scotland*, none of such Degrees being honorary Degrees, and who at any Time after having taken such Degree, and either before or after the passing of this Act, has been bound by and has duly served under Indentures of Appren-

ticeship to a practising Attorney or Solicitor for the Term of Three Years, and has been examined and sworn in manner directed by the Rules now in force or hereafter to be made by the Benchers of the Society of the *King's Inns* in *Dublin*, and in accordance with the Practice of the Court of Chancery or Superior Courts of Law in *Ireland*, may be admitted and enrolled as an Attorney or Solicitor, and where any Person has before the passing of this Act, and at any Time after having taken such Degree, been bound as aforesaid for any Period exceeding Three Years, he may, after having duly served Three Years of such Term, in such Manner as would have been required if he had been bound for Three Years only, and having been examined and sworn as aforesaid, and with the Consent in Writing (endorsed on his Indentures of Apprenticeship) of the Attorney or Solicitor to whom he may be bound to the immediate Determination of his Indentures of Apprenticeship, be admitted and enrolled as an Attorney or Solicitor, and where such Consent is given as aforesaid, and acted upon, under this Provision, by the Person hereby made eligible to be admitted and enrolled as aforesaid, the Indentures of Apprenticeship shall be deemed to have determined as if they had determined by Effluxion of Time.

Persons having been at the Bar may be admitted after Three Years Service.

3. Every Person who, either before or after the passing of this Act, has been called to the Degree of Utter Barrister in *Ireland*, and after ceasing to be a Barrister has been bound by Indenture to serve as an Apprentice for any Term exceeding Three Years to a practising Attorney or Solicitor, and has in either of the said Cases continued in such Service for the Term of Three Years, and during the whole of such Three Years served in such Manner as is herein-before required in the Case of Persons who have taken Degrees in the said Universities, and been examined and sworn as aforesaid, after the Expiration of such Term of Three Years, may be admitted and enrolled as an Attorney and Solicitor: Provided always, that in the Case of any such Person as aforesaid who has been bound for a Period exceeding Three Years it shall be necessary for such Term to be determined with Consent, as herein-before provided in the Case of Persons having taken Degrees who may have been bound for a Period exceeding Three Years before the passing of this Act.

Persons having been bonâ fide Clerks to Attorneys or Solicitors for Ten Years may be admitted after Three Years Service.

4. Any Person who, either before or after the passing of this Act, shall for the Term of Ten Years have been a *bonâ fide* Clerk to an Attorney or Solicitor, or Attorneys or Solicitors, and during that Term shall have been *bonâ fide* engaged in the Transaction and Performance, under the Direction and Superintendence of such Attorney or Solicitor, or Attorneys or Solicitors, of such Matters of Business as are usually transacted and performed by Attorneys and Solicitors, and who shall produce to the Examiners satisfactory Evidence

dence that he has faithfully, honestly, and diligently served as such Clerk, and who, after the Expiration of the said Term of Ten Years, and after having been examined as may have been or may be required for the Time being of Persons seeking to become Apprentices to Attorneys or Solicitors, has been bound by and has duly served under Indentures of Apprenticeship to a practising Attorney or Solicitor for the Term of Three Years, and has been examined and sworn in manner mentioned in Clause Two, may be admitted and enrolled as an Attorney and Solicitor; and where any such Person has, before the passing of this Act, been bound for any Period exceeding Three Years, he may, after having duly served Three Years of such Term, in such Manner as would have been required if he had been bound for Three Years only, and having been examined and sworn as mentioned in Section Two, and with the Consent in Writing (endorsed on his Indentures of Apprenticeship) of the Attorney or Solicitor to whom he may be bound to the immediate Determination of his Indentures of Apprenticeship, be admitted and enrolled as an Attorney and Solicitor; and where such Consent is given as aforesaid, and acted upon, under this Provision, by the Person hereby made eligible to be admitted and enrolled as aforesaid, the Indentures of Apprenticeship shall be deemed to have determined as if they had determined by Effluxion of Time.

Certain Apprentices not required to keep Terms.

5. No Apprentice within the Third Section and no Apprentice within the Fourth Section who shall have served Two Years or upwards of the said Term of Ten Years in the *Dublin* Office of an Attorney or Solicitor or Firm of Attorneys or Solicitors shall be required to attend Lectures or keep Terms in *Dublin* during his Apprenticeship.

When the Three or Five Years expire in any Vacation, Examination may take place in Term preceding such Vacation.

6. Whenever any of the Periods of Three Years and Five Years mentioned in this Act (whether the same Period shall have commenced before or after the passing of this Act) shall expire in any Vacation, then and in such Case any Person whose Period of Apprenticeship shall so expire shall be at liberty to pass his Examination in the Term immediately preceding the said Vacation, and at any Time in or after such Vacation; and after the said Period of Apprenticeship shall have expired, the Lord Chancellor of *Ireland*, or the Master of the Rolls, as to the Court of Chancery, and any One of the Judges as to the Courts of Common Law at *Dublin*, on being satisfied by Affidavit or otherwise that the Period of Apprenticeship of such Person has expired, may proceed to administer to him the Oath or Oaths usually taken in *Ireland* by Apprentices before being admitted, and may do and direct all other Acts necessary for or towards the Admission and Enrolment of such Person as an Attorney and Solicitor, as provided by any Act or lawful Regulation in that Behalf.

7. Nothing

Not to prejudice Power of Courts, &c. to dispense with Rules.

7. Nothing in this Act contained shall prejudice or take away any Right or Power now possessed by any Court of Law or Equity, or by any of the Judges of such Courts, or by the Benchers of the Society of *King's Inn*, to dispense in any particular Case with any of the Rules or Conditions relating to the Admission or Examination of Attorneys or Solicitors, or Apprentices.

Extent of Act.

8. This Act shall only extend to *Ireland*, save as herein otherwise expressly provided.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1861.