and do therefore most humbly beseech Your Majesty that it may be enacted; and be it 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:

Issue of 20,000,000*l.* out of the Consolidated Fund for the service of the year ending 31st March 1878.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and seventy-eight the sum of twenty million pounds.

Power to the Treasury to borrow.

2. The Commissioners of the Treasury may borrow from time to time on the credit of the said sum, any sum or sums not exceeding in the whole the sum of twenty million pounds, and shall repay the moneys so borrowed with interest not exceeding five pounds per centum per annum out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said moneys were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

CHAPTER 25.

An Act for regulating the Examination of persons applying to be admitted Solicitors of the Supreme Court of Judicature in England, and for otherwise amending the Law relating to Solicitors. [23d July 1877.]

WHEREAS under or by virtue of the enactments of the Act of the sixth and seventh years of the reign of Her present Majesty, chapter seventy-three, and of the Act of the twenty-third and twenty-fourth years of the same reign, chapter one hundred and twenty-seven, and of the Supreme Court of Judicature Acts, 1873 and 1875, relating to the admission of persons as solicitors of the Supreme Court, and of regulations made under the authority of those enactments, persons applying to be admitted as solicitors of the Supreme Court of Judicature in England are (with certain exceptions) required to pass examinations known respectively as the preliminary, the intermediate, and the final examination:

36 & 37 Vict. c. 66.
38 & 39 Vict. c. 77.

And whereas under the above-mentioned enactments the power of making regulations for the conduct of the said examinations and of appointing examiners is vested in certain judges of Her Majesty's High Court of Justice:

And whereas it is expedient that such powers, subject as herein-after mentioned, be vested in the Incorporated Law Society, and that other amendments be made in the law relating to solicitors of the Supreme Court:

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:

Preliminary.

Short title and construction of Act.

1. This Act may be cited for all purposes as "The Solicitors Act, 1877," and the Act of the sixth and seventh years of the reign of Her present Majesty, chapter seventy-three, "For consolidating and amending several of the laws relating to Attorneys and Solicitors "practising in England and Wales," and the Act of the twenty-third and twenty-fourth years of the same reign, chapter one hundred and twenty-seven, "To amend the laws "relating to Attorneys Solicitors Proctors and Certificated Conveyancers," may be respectively cited for all purposes as "The Solicitors Act, 1843," and "The Solicitors Act, 1860," and this Act shall (so far as is consistent with the tenour thereof) be construed as one

6 & 7 Vict. c. 73.
23 & 24 Vict. c. 127.

with the said Solicitors Acts, 1843 and 1860, and with the other enactments for the time being in force relating to solicitors.

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

Commencement of Act.

3. This Act shall, so far as regards the power of certain of the judges of Her Majesty's High Court of Justice and of the Incorporated Law Society to make regulations thereunder, and so far as regards the issue of notices and other proceedings preliminary to holding the first examinations thereunder, come into operation on the passing thereof, and for all other purposes shall come into operation on the first day of January one thousand eight hundred and seventy-eight.

Interpretation.

4. In this Act,—

"The Incorporated Law Society" or "The Society" means "The Society of Attorneys "Solicitors Proctors and others not being Barristers practising in the Courts of Law "and Equity of the United Kingdom:"

"Solicitor" means solicitor of the Supreme Court of Judicature in England:

"Preliminary examination" means an examination in general knowledge of persons becoming bound under articles of clerkship to solicitors:

"Intermediate examination" means an examination of persons bound under articles of clerkship to solicitors in order to ascertain the progress made by such persons during their articles in acquiring the knowledge necessary for rendering them fit and capable to act as solicitors:

"Final examination" means an examination of persons applying to be admitted as solicitors as well touching the articles and service as the fitness and capacity of such persons to act as solicitors, in all business and matters usually transacted by solicitors, and includes, where any allegation is made by the registrar of solicitors as to the moral unfitness of any such person to be an officer of the Supreme Court, an inquiry into the truth of such allegation.

Examinations.

Certificate of having passed examinations requisite for admission as solicitor.

5. Subject to the exemptions allowed by this Act, or by regulations made under the authority thereof, a person shall not be admitted as a solicitor unless he has obtained from the Incorporated Law Society, or some person authorised in writing by that Society, a certificate or certificates to the effect that he has passed a preliminary, an intermediate, and a final examination.

Examinations to be held under management of Incorporated Law Society.

6. The Incorporated Law Society are hereby authorised and required to hold, at least three times in the year commencing with the first day of January one thousand eight hundred and seventy-eight, and in every succeeding year, a preliminary examination, an intermediate examination, and a final examination, and the Society shall, subject to the provisions of this Act, have the entire management and control of all such examinations, and shall have power from time to time to make regulations with respect to all or any of the following matters; (that is to say,)

(A.) With respect to the subjects for and the mode of conducting the examination of candidates; and

(B.) With respect to the times and places of examinations and the notices of examinations; and

(C.) With respect to the certificates to be given to persons of their having passed any examination; and

(D.) With respect to the appointment and removal of examiners (other than the ex-officio examiners in this Act mentioned) and with respect to the remuneration by fees or otherwise of the examiners so appointed; and

(E.) With respect to any other matter or thing as to which the Society think it expedient to make regulations for the purpose of carrying this section into execution.

Any regulation made under the authority of this section may be altered or revoked by a subsequent regulation; and copies of all regulations made under the authority of this

section shall be transmitted to the presidents of the Queen's Bench Division, the Common Pleas Division, and the Exchequer Division of the High Court of Justice, and to the Master of the Rolls, and if within twenty-eight days after a copy of any regulation has been so transmitted, any two of those judges (the Master of the Rolls being one) signify by writing under their hands, addressed to the president or the vice-president or secretary of the Society, their dissent from such regulation or any part thereof, the same shall be of no force or effect; and if after any such regulation or any part thereof has come into force any two of those judges (the Master of the Rolls being one) shall signify in manner aforesaid their dissent from such regulation or any part thereof the same shall, at the expiration of two months, cease to be of any force or effect.

Masters of Queen's Bench, Common Pleas, and Exchequer Divisions to be ex-officio examiners.

7. Unless and until the presidents of the Queen's Bench Division, Common Pleas Division, and Exchequer Division of the High Court of Justice, and the Master of the Rolls otherwise order, the several masters for the time being of those divisions shall be ex-officio examiners for the intermediate and the final examinations, and one of such ex-officio examiners shall act in the conduct of every such examination in conjunction with the examiners appointed by the Society in pursuance of this Act.

Fees payable to Incorporated Law Society in respect of examinations.

8. Any person applying to be examined or re-examined at a preliminary, intermediate, or final examination shall pay to the Incorporated Law Society such fees in respect of such examinations (and in such proportions and at such times) as may be from time to time determined by regulations to be made by the presidents of the Queen's Bench Division, the Common Pleas Division, and the Exchequer Division of the High Court of Justice, and the Master of the Rolls, or any two of them, of whom the Master of the Rolls shall be one.

All moneys paid to the Society in pursuance of this Act in respect of the preliminary, intermediate, and final examinations shall be applied by the Society in payment of the expenses from time to time incurred by the Society with reference to such examinations, and with reference to the lectures, classes, and other teaching provided by the Society from time to time for persons bound or about to be bound under articles of clerkship to solicitors.

Appeal to Master of the Rolls against refusal of certificate.

9. Any person who has been refused a certificate of having passed an intermediate or final examination, and who objects to such refusal, whether on account of the nature or difficulty of the questions put to him by the examiners, or on any other ground whatsoever, shall be at liberty within one month next after such refusal to appeal by petition in writing to the Master of the Rolls against such refusal, such petition to be presented in such manner and subject to such regulations as the Master of the Rolls may from time to time direct.

In the meantime and until the Master of the Rolls otherwise directs, such petition shall, as to a final examination, be presented at the Petty Bag Office without the payment of any fee, and a copy of such petition shall be left therewith and shall be delivered by the clerk of the petty bag to the secretary of the Incorporated Law Society, and the clerk of the petty bag shall also notify to such secretary the day appointed for the hearing of the petition, and the same shall be heard by the Master of the Rolls on such day after the expiration of fourteen days from the day on which such petition was presented and at such time as he may appoint.

On the hearing of any petition under this section the Master of the Rolls may make such order as to him may seem meet, and where any person who has been refused a certificate of having passed his final examination, on appeal to the Master of the Rolls, obtains an order for his admission, such order shall entitle him to a certificate from the Incorporated Law Society of his fitness and capacity to act as a solicitor, and in the usual business transacted by a solicitor, in the same manner as if he had passed his final examination.

General exemptions from preliminary examination.

10. A certificate of having passed a preliminary examination under this Act shall not be required from any person who has taken the degree of Bachelor of Arts or Bachelor of Laws in the Universities 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,) or who has been called to the degree of Utter Barrister in England, or who has passed the first public examination before moderators at Oxford or the previous examination at Cambridge, or the examination in arts for the second year at Durham, or who has passed one of the local examinations established by the University of Oxford, or one of the non-gremial examinations established by the University of Cambridge, or one of the examinations of the Oxford and Cambridge Schools Examination Board, or one of the matriculation examinations at the Universities of Dublin or London (notwithstanding he may not have been placed in the first division of such matriculation examination), or the examination for the first-class certificate of the College of Preceptors incorporated by Royal Charter in 1849.

The presidents of the Queen's Bench Division, the Common Pleas Division, and the Exchequer Division of the High Court of Justice, and the Master of the Rolls, or any three of them (the Master of the Rolls being one), may make, and from time to time alter and revoke regulations extending the above exemption to any persons who pass any examination held in any of the above-mentioned universities or in the Owen's College, Manchester, or in any other university, college, or educational institution, and specified in that behalf in the said regulations.

Power of judges to grant special exemptions from preliminary examination.

11. The presidents of the Queen's Bench Division, the Common Pleas Division, and the Exchequer Division of the High Court of Justice, and the Master of the Rolls, or any one or more of them, may, where under special circumstances they or he see fit so to do, exempt any person from compliance with the enactments and regulations for the time being in force with respect to the preliminary examination either entirely or partially, or subject to any such conditions as to them or him may seem fit.

Exemption of certain barristers from intermediate examination.

12. Any person who has been called to the degree of Utter Barrister in England, and is of not less than five years standing at the bar, and has procured himself to be disbarred with a view of becoming a solicitor, and has obtained from two of the benchers of the inn to which he belongs or to which he belonged a certificate of his being a fit and proper person to practise as a solicitor, shall not be required to obtain a certificate of having passed an intermediate examination under this Act, and shall be entitled on passing a final examination under this Act (except so much of such examination as relates to articles and service under articles) to be admitted and enrolled as a solicitor.

Power of judges to provide for admission in certain cases after four years service.

13. The presidents of the Queen's Bench Division, the Common Pleas Division, and the Exchequer Division of the High Court of Justice, and the Master of the Rolls, or any three of them (the Master of the Rolls being one), may make and from time to time alter and revoke regulations directing that any person having passed any examination held in the Universities of Oxford Cambridge Dublin Durham or London, or in the Queen's University in Ireland, or in any of the Universities in Scotland, or in the Owen's College, Manchester, or in any other university, college, or educational institution, and specified in that behalf in such regulations, may be admitted and enrolled as a solicitor after service under articles of clerkship to a practising solicitor for the term of four years, but not so as to allow in any case a less term of service than four years.

Time of regulations coming into force.

14. All regulations duly made by any of Her Majesty's judges or by the Society in pursuance of this Act before the first day of January one thousand eight hundred and seventy-eight shall come into force on that day, and on that day the general rules and regulations, dated the second day of November one thousand eight hundred and seventy-five, and the schedules thereto, (with the exception of the regulations "As to re-admission and the taking out and renewal of certificates," and "As to custody of rolls and documents," and "Provisions as to notices, &c. already given,") shall cease to be of any force or effect.

Miscellaneous Amendments of Law.

Power for Master of Rolls to admit though service under

15. Where any person articled to a solicitor has not served as a clerk under such articles strictly within the provisions of The Solicitors Act, 1843, and The Solicitors Act, 1860, and any Act amending the same, but subsequently to the execution of his articles bonâ fide

articles is irregular. 6 & 7 Vict. c. 73. 23 & 24 Vict. c. 127.

serves (either continuously or not) one or more solicitors as an articled clerk for periods together equal in duration to the full term for which he was originally articled, and has obtained such certificates as he is required by this Act to obtain, it shall be lawful for the Master of the Rolls in his discretion, if he is satisfied that such irregular service was occasioned by accident, mistake, or some other sufficient cause, and that such service, although irregular, was substantially equivalent to a regular service, to admit such person to be a solicitor in the same manner as if such service had been a regular service within the meaning of the said Acts and any Act amending the same.

Form of registrar's certificate.

16. The annual certificate required by law to be obtained by every practising solicitor from the registrar of solicitors, and the declaration required to be delivered to the registrar for the purpose of obtaining such certificate, may respectively be in the forms (A.) and (B.) in the first schedule to this Act, or to the like effect.

Solicitors eligible to practise in ecclesiastical courts.

17. Any solicitor may practise in all courts and before all persons having or exercising power, authority, or jurisdiction in matters ecclesiastical in England, and shall be deemed to be duly qualified to practise and may practise in all matters relating to applications to obtain notarial faculties, and generally shall have and may exercise all the powers and authorities, and shall be entitled to all the rights and privileges, and may fulfil all the functions and duties which appertain or belong to the office or profession of a proctor, whether in the provincial, diocesan, or other jurisdictions in England.

As to commissioners for taking oaths in ecclesiastical courts.

18. Commissioners for taking oaths in the Supreme Court of Judicature in England shall be commissioners for taking oaths in or for the purpose of any of the ecclesiastical courts or jurisdictions, or matters ecclesiastical in England, or matters relating to application for notarial faculties.

Council of Incorporated Law Society may act on behalf of Society.

19. All rules and regulations acts matters and things respectively authorised or required to be made or done by the Incorporated Law Society under or in pursuance of this Act or of The Solicitors Act, 1843, or of The Solicitors Act, 1860, or under any orders, rules, and regulations made in pursuance thereof respectively, may be made or done by the Council for the time being of the Society on behalf of the Society.

Authentication of regulations and other documents.

20. All rules regulations certificates notices and other documents made or issued by the Incorporated Law Society for any purpose whatever may be in writing or print, or partly in writing and partly in print, and may be signed on behalf of the Society by the secretary, or by such other officer or officers of the Society as may be from time to time prescribed by the Council.

Construction of enactments referring to attorneys and examinations.

21. All enactments referring to attorneys which are in force immediately after the coming into operation of this Act shall be construed as if the expression "solicitor of the Supreme Court" were therein substituted for the expression "attorney," and all enactments relating to the examinations of attorneys and solicitors which are in force immediately after the coming into operation of this Act shall be construed as relating to the examinations to be held in pursuance of this Act.

Temporary Provision and Repeal.

Temporary provision as to examinations.

22. All persons who before this Act comes into operation have passed a preliminary but have not passed an intermediate or final examination, and all persons who have passed an intermediate but have not passed a final examination under the enactments and regulations hereby repealed, shall be deemed respectively to have passed a preliminary or a preliminary and intermediate examination under this Act as the case may be, and all persons who have passed a final examination under the said enactments and regulations but have not been admitted shall be deemed to have passed a final examination under this Act.

Repeal of scheduled enactments.

23. The Acts mentioned in the first part of the second schedule to this Act are hereby repealed as from the first day of January one thousand eight hundred and seventy-eight, to the extent specified in the third column in the said part of that schedule, with the qualification that so much of the said Acts as is set forth in the second part of that

schedule shall be re-enacted in manner therein appearing, and shall be of the same force as if enacted in the body of this Act: Provided also, that this repeal shall not affect—

(A) Anything duly done or suffered under any enactment hereby repealed; or

(B) Any right, liability, or penalty acquired, accrued, or incurred under any enactment hereby repealed, or any legal proceeding or remedy in respect of any such right, liability, or penalty, and any such legal proceeding and remedy may be carried on as if this Act had not been passed;

And the regulations made by certain of the judges of the High Court of Justice in pursuance of the power contained in section 14 of The Judicature Act, 1875, for adapting the enactments and forms therein mentioned, shall as from the said first day of January one thousand eight hundred and seventy-eight cease to be of any force or effect. 38 & 39 Vict. c. 44.

The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

FORM (A.)

Registrar's Certificate.

No. 18

Pursuant to The Solicitors Act, 1843, and the Acts amending the same, the Incorporated Law Society, as the registrar of solicitors, hereby certifies that 6 & 7 Vict. c. 73.

solicitor of the Supreme Court, whose place of business { are / is } at , hath this day left with the secretary of the said society a declaration in writing signed by (*a*) , containing his name and place or places of business, together with the term and year, or the month and year in or as of which he was admitted, and hereby further certifies that the said solicitor is duly enrolled a solicitor of the Supreme Court, and is entitled to practise as such solicitor on this certificate being duly stamped as required by law.

Given under the hand of the secretary of the Incorporated Law Society this day of 187 .

Secretary.

Produced and entered this day of 187 .

(*a*) The said solicitor *or* the said solicitor's partner on his behalf *or* the said solicitor's London agent *as the case may be. The name of the partner or agent need not be inserted here.*

*** *If this Certificate is stamped after the 1st January, it must be produced to the registrar of solicitors within a month of the payment of the duty.*

If admitted a notary this certificate should be entered at the Faculty Office; if a proctor it should be entered in the court in which he is admitted.

FORM (B.)

Declaration for obtaining the Registrar's Certificate.

No. 18

I hereby declare that was admitted an attorney of (*a*) , in Term in the year 18 [*or*] a solicitor of the Supreme Court in the month of in the year 18 and that { my / his } place of business { is / are } as follows (*b*):—

Dated this day of 18 .

Signature

[Partner or London agent of the said

To the Registrar of Solicitors.

(*a*) One court is sufficient.

(*b*) If removed since last certificate state such removal.

THE SECOND SCHEDULE.

PART I.

Enactments repealed.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
6 & 7 Vict. c. 73. -	An Act for consolidating and amending several of the laws relating to attorneys and solicitors practising in England and Wales.	Sections 15, 16, 17, 18, 20, and so much of section 30 and of the Second Schedule as relates to fees payable to the Incorporated Law Society.
23 & 24 Vict. c. 127. -	An Act to amend the laws relating to attorneys, solicitors, proctors, and certificated conveyancers.	Sections 8, 9, 11, 13, 14, section 19 from the words "and after" to the end of the section; section 20 from the words "and the said Lords Chief Justices" to the words "from time to time," section 23, and the Schedules (A.) and (B.)
33 & 34 Vict. c. 28. -	The Attorneys and Solicitors Act, 1870.	Section 20.

PART II.

6 & 7 Vict. c. 73. s. 15.

If the Master of the Rolls or any of the judges of the Queen's Bench Division, the Common Pleas Division, or the Exchequer Division of the High Court of Justice is, by a certificate or certificates granted in pursuance of this Act, satisfied with respect to any person applying to be admitted a solicitor of the Supreme Court that such person is duly qualified to be admitted to act as a solicitor of the Supreme Court, then and not otherwise the Master of the Rolls shall administer the requisite oath and cause such person to be admitted a solicitor of the Supreme Court, and his name to be enrolled as a solicitor of such court, which admission shall be written on parchment and signed by the Master of the Rolls.

6 & 7 Vict. c. 73. s. 20.

Such person or persons as the presidents of the Queen's Bench Division, the Common Pleas Division, and the Exchequer Division of the High Court of Justice, jointly with the Master of the Rolls, shall for that purpose appoint, shall have the custody and care of the rolls or books wherein persons are enrolled as solicitors of the Supreme Court, and shall be deemed and taken as the proper officer or officers for filing such affidavits as in The Solicitors Act, 1843, are mentioned, and he or they is or are hereby also respectively required from time to time, without fee or reward, other than as in the said Act mentioned, to enrol the name of every person who shall be admitted a solicitor of the Supreme Court pursuant to the directions in the said Act, and the time when admitted, in alphabetical order, in rolls or books to be kept for that purpose, to which rolls or books all persons shall and may have free access without fee or reward.

23 & 24 Vict. c. 127. s. 23.

If any solicitor of the Supreme Court, after having at any time taken out a stamped certificate, neglects for a whole year after the expiration thereof to renew the same for the following year, the registrar shall not afterwards grant a certificate to such solicitor, except under an order of the Master of the Rolls, and it shall be lawful for the Master of the Rolls to direct the registrar to issue a certificate to such person on such terms and conditions as he may think fit.

CHAPTER 26.

An Act to amend the Companies Acts of 1862 and 1867. [23d July 1877.]

30 & 31 Vict. c. 131.

WHEREAS doubts have been entertained whether the power given by the Companies Act, 1867, to a company of reducing its capital extends to paid-up capital, and it is expedient to remove such doubts: