

The Register.

ADELAIDE : THURSDAY, FEBRUARY 1, 1883.

THE NEW LAW EXAMINATIONS.

The Supreme Court is invested by Act with the power of making regulations with regard to the articling of law clerks and the admission of legal practitioners. In pursuance of this power, and with a view to bringing into practical operation the scheme approved by the ruling powers of the University of Adelaide, and embodied in statistics of that body published by us two or three months ago, the Judges have framed rules, printed elsewhere, handing over to the University the examination of such persons as shall be articulated after March 15 in this year, subject only to the stipulation that the examiners appointed by the University shall be approved by the Court. Articled clerks are already required, as a condition to being articulated, to have matriculated at the University, and by the new rules they are required as a condition to being admitted practitioners to have taken the degree of Bachelor of Laws in Adelaide or to be entitled to take it, or else to pass the University examination in the law of property, constitutional law, the law of obligations, the law of wrongs (civil and criminal), and the law of procedure. Those who are already articulated, if they shall either pass for the degree or pass the last-mentioned examination, are to be exempted from the present law examinations by the Board of Legal Examiners, now held under the existing rules Nos. 6 and 17. This, of course, does not shorten the currency of the articles—which might be unfair to master, or clerk, or both—but simply gives the student the option of substituting one set of examiners for another, and one test of proficiency for another. The Board of Legal Examiners have still to be satisfied of the candidates' proficiency, but they are to be satisfied, as it were, vicariously—namely, by the certificate of the University examiners. The new rules, therefore, create, from the 15th of March, two classes of students, one of which classes enjoys the option of three courses. Those who are already articulated may be examined, as before, under the present rules numbered 6 and 17, or they may pass the University examinations in the subjects mentioned, or they may pass for the LL.B. degree, which will involve a little more. Those

who enter into articles after the rules come into operation have only before them the choice of the two University examinations—the one for the degree, and the other not for the degree. The right of attorneys or advocates admitted in Great Britain, or Ireland, or the colonies, to admission here is left untouched.

As long as the profession of the law remains a close profession, like that of medicine, and is not thrown open to the public, it is desirable that the lawyers, having special privileges, should also have special qualifications. As long as these are sufficiently ascertained and certified it does not matter to the public by whom the work is done. But the University of Adelaide, having the machinery for teaching as well as for examining, is likely to ensure more efficient learning than the present Examining Board, which is a mere collection of solicitors, teaching nothing and taking up the duties of examiners from time to time by rotation or chance. The question of whether the University of Adelaide should give a man any degree in respect of wholly professional knowledge after no greater test of general culture than the matriculation examination is one which may well exercise the mind of the public, and perhaps in time a change will be made in this respect. A great deal of fault was found with the University of London for doing precisely what the University of Adelaide is doing now, except that the London matriculation is harder. The Supreme Court, in framing its new rules, cares for none of these things. All it looks to is the efficiency of the lawyers of the future, and the safety in regard of law of the public of the future. And, having these objects in view, there can be little doubt that the Court has acted wisely in taking advantage of an institution such as the University, ready made to its hand and willing to do its work. The days have long since gone by when mere residence and tuition or mere apprenticeship could be accepted by the public as evidence of proficiency. The Universities, until about a century ago, relied upon residence and tuition only, and gave a degree, after so many terms kept, without examination. The Inns of Court, until quite recently, did the like. The attorney of half a century ago was admitted on the mere conclusion of his apprenticeship, and, even after the first examinations were instituted they remained for some time a mere farce. Now, both in England and in Scotland, the solicitors and the advocates are ex-