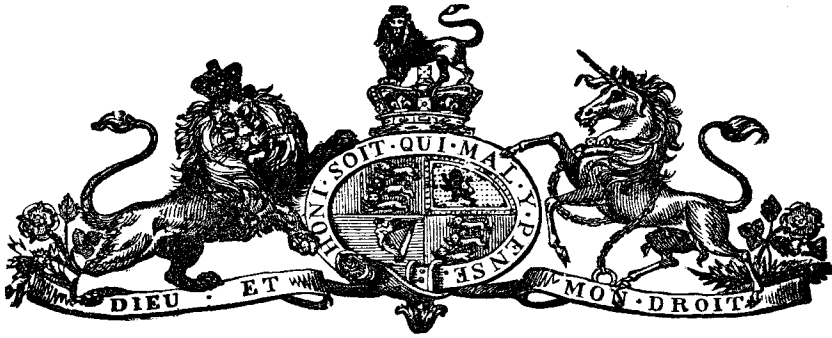


T A S M A N I A.



1887.

ANNO QUINQUAGESIMO-PRIMO

VICTORIÆ REGINÆ,

No. 25.

AN ACT to provide for the Incorporation of A.D. 1887.
one or more Law Societies in *Tasmania*.
[20 December, 1887.]

WHEREAS it is expedient to provide for the Incorporation of PREAMBLE.
Law Societies in *Tasmania* :

Be it enacted by His Excellency the Governor of *Tasmania*, by and
with the advice and consent of the Legislative Council and House of
Assembly, in Parliament assembled, as follows :—

1 This Act may be cited as “The *Tasmanian* Law Societies Act, Short title.
1887.”

2 In this Act, unless the context otherwise determine, “ Legal Prac- Interpretation.
titioner ” shall mean and include any Barrister only, or any Barrister,
Attorney, Solicitor, and Proctor of the Supreme Court of *Tasmania*
now or hereafter lawfully practising in *Tasmania*, or who shall have
voluntarily retired from such practice.

3 For the purposes of this Act, *Tasmania* shall be divided into Two Division of Tas-
Districts, called the Northern and Southern Districts. The Northern mania into Two
District shall comprise the Legislative Council Districts of *Russell*, Districts.
Mersey, *Morven*, *Tamar*, *Westmorland*, *North Esk*, *South Esk*, and
Launceston, and the Southern District shall comprise the Legislative

Tasmanian Law Societies.

A.D. 1887.
49 Vict. No. 12.

Council Districts of *Macquarie*, *Cambridge*, *Pembroke*, *Derwent*, *Buckingham*, *Huon*, and *Hobart*, as mentioned respectively in "The Electoral Act, No. 7," and in the Act of 50 *Victoria*, No. 3.

Law Societies
may be formed in
each District.

4 It shall be lawful for the Legal Practitioners residing and practising within the limits of either District, present at any Meeting duly convened as hereinafter provided or any adjournment thereof, to resolve that the Legal Practitioners residing and practising within the limits of such District shall be associated as a Society; and every such Resolution passed by any such Meeting shall be published in the *Hobart Gazette*, and from and after the publication thereof such Society shall be deemed to be duly incorporated under the name of "The Southern [*or* Northern] Law Society"; and all Legal Practitioners then residing and practising in such District, and all Legal Practitioners who may thereafter be admitted Members in manner hereinafter provided, shall be Members of such Law Society, and subject to the By-laws, Rules, and Orders thereof. And the publication of such Resolution in the *Hobart Gazette* shall in all proceedings be conclusive evidence of the incorporation of such Society.

Society shall have
Common Seal.

5 Any such Society when so incorporated as aforesaid shall have and use a Common Seal for the affairs and business thereof, and such Society shall have perpetual succession, and shall be able and capable in Law to acquire, receive, hold, dispose of, sell, convey, demise, exchange, and mortgage real and personal estate of what nature and kind soever, and to sue and be sued as a body corporate in any Court in *Tasmania* in the same manner and form as effectually as any private person.

Sue and be sued.

How meeting of
Legal Prac-
titioners may be
convened.

6 A Meeting of the Legal Practitioners residing and practising within either District shall be deemed, for the purpose of forming a Law Society under this Act, to be duly convened if a circular, signed by any two or more Legal Practitioners residing and practising in such District, stating the purpose for which such Meeting is to be held, and the time and place for holding the same, be delivered or sent by post to every Legal Practitioner residing or practising within such District at least Seven clear days before the day named in such circular as that upon which the meeting is to be held, and if notice of such meeting signed as aforesaid be also given by advertisement in some newspaper published and circulating in such District; Provided always, that the accidental omission to deliver or send such circular to any one or more of such Legal Practitioners shall not render the proceedings at any such meeting invalid.

Meeting must
consist of at least
one-third of Legal
Practitioners.

7 No business of any kind shall be transacted at any such Meeting or any adjournment thereof unless One-third at least of the Legal Practitioners residing and practising within the District shall be present thereat, or represented by proxies appointed in writing under their several hands.

Appointment of
Officers.

8 The Legal Practitioners present or represented by proxy at any Meeting so convened as aforesaid, or at any adjournment thereof, shall elect a President, Vice-President, and Seven other Members as a Council of such Society, and such other Officers as may be deemed expedient, to hold office until their successors are appointed at a General Meeting of the

Tasmanian Law Societies.

Society to be held in manner provided by the By-laws to be made in manner hereinafter mentioned ; and may also ordain and make By-laws, Rules, and Orders as they may see fit for any of the following purposes :—

A.D. 1887.
Regulations.

- (1.) For defining the objects of the Society and for the regulation and good government thereof and of its Members :
- (2.) Subject to the provisions hereinbefore contained, for fixing and determining the number of Members of which the Council shall consist, the manner of electing the President, Vice-President, and other Members of the Council, and the number that shall form a quorum thereof ; for fixing the period of their continuance in office, and the manner and time in which any vacancy in the office of President or Vice-President, or any vacancies in the Council, by death, resignation, disqualification, or otherwise, shall be supplied :
- (3.) For regulating the times and places at which Meetings of the Council shall be held, and the convening the General or any Special Meetings of the Members :
- (4.) For admitting and enrolling Members of the Society, and for removing or expelling Members from the Society :
- (5.) For imposing Fees and Subscriptions and Penalties for offences against or disobedience to the By-laws or any of them :
- (6.) And generally for carrying out the objects of the Society.

And the said By-laws, Rules and Orders, and Penalties, or any of them, may from time to time be altered, changed, or annulled at any General or Special Meeting as the Members present or voting thereat shall think requisite : Provided, that all and singular such By-laws, Rules and Orders, and Penalties be reasonable and not inconsistent with or repugnant to this Act or to Law.

9 The Council of every such Society shall, subject and without prejudice to the powers hereinbefore vested in the General Meetings of the Society, have the sole management of the Society, and of the income and property thereof, for the uses, purposes, and benefit of the Society ; and shall have exclusive right of nominating and appointing such Officers as it may deem necessary or useful to the Society, and of removing them if it shall think fit, and shall prescribe their several duties and salaries.

Council of
Society to have
sole management
of Society.

10 Any such Society may appear before the Supreme Court of *Tasmania*, and shall be entitled to be heard by Counsel before the said Court in any matter relating to the admission of Legal Practitioners, or the striking of any Legal Practitioner off the Rolls of the said Court, or in the matter of any offence committed against or act done under or by virtue of "The Barristers and Attorneys Act, 1874," or any Act amending the same, or of this Act.

Society may
appear by Counsel
before the
Supreme Court.

11 Notwithstanding anything in this Act contained, it shall be lawful for the Law Societies of the two Districts herein named, if two such shall be incorporated under this Act, at any time after incorporation to unite together and form one Incorporated Law Society for the whole of *Tasmania*, if each of the said two Law Societies

District Societies
may be incorpo-
rated into one
Society.

Tasmanian Law Societies.

A.D. 1887.

shall, by a majority of at least Three-fourths of the Members thereof respectively, pass a Resolution for the formation of one Law Society for *Tasmania* at meetings duly convened for that purpose ; and upon such Resolutions when passed as aforesaid being duly published in the *Hobart Gazette*, such united Law Society shall be deemed to be duly incorporated, under the name of "The Incorporated Law Society of *Tasmania* ;" and all the provisions of this Act shall, so far as the same may be applicable thereto, apply to such united Law Society.

Penalties.

19 Vict. No. 8.

12 All penalties imposed or made payable by any By-law made under this Act shall be recoverable in the mode prescribed by *The Magistrates Summary Procedure Act* ; and any person aggrieved by any decision of the Justices in this behalf may appeal against the same in the mode prescribed by *The Appeals Regulation Act*.

19 Vict. No. 10.

Appropriation.

13 All penalties recovered under any proceeding as aforesaid shall be paid to the Society instituting such proceedings.