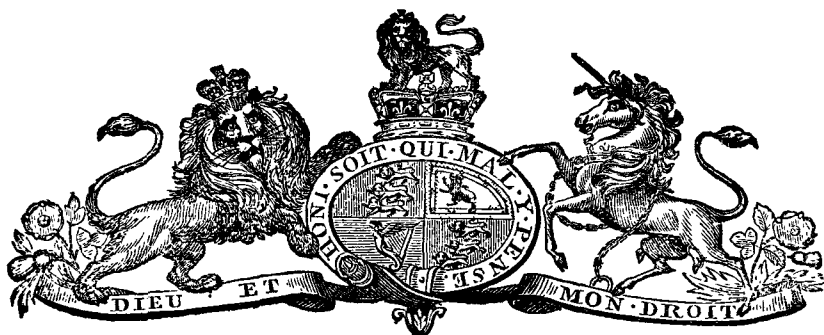


## NEW ZEALAND.



QUADRAGESIMO SECUNDO  
**VICTORIÆ REGINÆ.**  
 No. 36.

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## ANALYSIS.

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| <p>Title.<br/>         Preamble.<br/>         1. Short Title.<br/>         2. Repeal.<br/>         3. Districts.<br/>         4. Power to constitute District Law Societies.<br/>         5. How meetings to be convened.<br/>         6. Quorum.<br/>         7. Meeting may elect officers and make by-laws.</p> | <p>8. Number and powers of Council.<br/>         9. Council to admit members.<br/>         10. Council may appoint person to conduct prosecution, &amp;c.<br/>         11. Prosecutions on behalf of Society.<br/>         12. Appeal.<br/>         13. In case of vacancy, Governor may appoint President.<br/>         14. Law libraries.</p> |
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AN ACT to amend "The New Zealand Law Society's Act, 1869." Title.  
[1st November, 1878.]

WHEREAS "The New Zealand Law Society Act 1869 Amendment Act, 1877," has been found ineffective in its operation, and it is expedient to make other provisions in lieu thereof: Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act shall be "The District Law Societies Act, 1878." Short Title.

2. "The New Zealand Law Society Act 1869 Amendment Act, 1877," is hereby repealed: Repeal. Provided always that any Law Society in existence at the time of passing of this Act, which may have been constituted under such repealed Act, shall be deemed to be a Society constituted under this Act, and shall be the District Law Society of the district for which the same shall have been so constituted, and that the officers thereof shall hold office and the rules thereof shall be in force until removed or altered in due course under the provisions of this Act.

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Districts.

3. In the interpretation of this Act "judicial district," "district," mean—

- (1.) A judicial district of the Supreme Court; or,
- (2.) When within any judicial district of the Supreme Court there shall be constituted separate portions thereof for the purposes of delivery of pleadings and other proceedings in the Supreme Court, then every such portion of such judicial district of the Supreme Court.

"New Zealand Law Society" means the New Zealand Law Society incorporated under "The New Zealand Law Society's Act, 1869."

"District Law Society" means the Law Society of a judicial district associated under this Act.

Power to constitute District Law Societies.

4. It shall be lawful for the solicitors of the Supreme Court of New Zealand, residing and practising within the limits of any judicial district, present at any meeting duly convened as hereinafter provided, to resolve that the solicitors of the said Supreme Court residing within the limits of such district shall be associated as a society by the name of "The Law Society of the District of" [the name of such judicial district], and every such resolution passed by any such meeting shall be published in the *New Zealand Gazette*, and from and after the publication thereof all solicitors of the said Supreme Court then residing and practising in such judicial district, and all such solicitors who may thereafter be admitted members in manner hereinafter provided, shall be members of such District Law Society, and subject to the by-laws, rules, and orders thereof.

How meetings to be convened.

5. A meeting of the solicitors of the said Supreme Court residing and practising within any judicial district shall be deemed, for the purpose of forming a District Law Society under this Act, to be duly convened, if a circular signed by any two or more solicitors residing and practising in such judicial 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 solicitor residing and practising within such district seven days at the least before the day named in such circular as that upon which the meeting is to be held, and if notice of such meeting be also given by advertisement in some newspaper published and circulating in such judicial district: Provided always that the accidental omission to deliver or send such circular to any one or more of such solicitors shall not render the proceedings at any such meeting invalid.

Quorum.

6. No business of any kind shall be transacted at any such meeting unless one-third at least of the solicitors residing and practising within the district shall be present thereat, or represented by proxies appointed in writing under their hands.

Meeting may elect officers and make by-laws.

7. The solicitors present at any meeting so convened as aforesaid, or at any adjournment thereof, may elect a President, Vice-President, and members of a Council of such Society, and such other officers as may be deemed expedient, and may also ordain and make such by-laws, rules, and orders as the New Zealand Law Society, at any general meeting under the provisions of "The New Zealand Law Society's Act, 1869," have power to ordain and make, so as the same be not contrary or repugnant to the by-laws, rules, and orders of the said New Zealand Law Society, and within such district such by-laws, rules, and orders shall have full force and effect as if the same had been made and ordained by the New Zealand Law Society under the provisions and in the manner prescribed by the aforesaid Act.

Number and powers of Council.

8. The Council of every District Law Society shall consist of such members, not being less than five nor more than nine, as may be

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determined in the by-laws, rules, and orders so to be made as aforesaid, and shall have within the judicial district the like powers as are conferred upon the Council of the New Zealand Law Society by "The New Zealand Law Society's Act, 1869."

9. Every District Law Society shall have power from time to time to admit, in the manner and subject to the conditions prescribed by the by-laws, rules, and orders so to be made as aforesaid, any solicitor residing or practising within the limits of such judicial district to be a member of such Society.

Council to admit members.

10. The Council of any Society associated under this Act may appoint any barrister or solicitor of the Supreme Court, whether residing or practising within such judicial district or not, to appear before any Court in the colony in any matter affecting the interest of such Society or the members thereof, or in which such Society shall be concerned or interested; and any barrister appointed by the Council of any such Society shall have audience in any of the Courts of the colony for the purpose of conducting prosecutions instituted by such Society for the breach of any statute or rules relating to the practice of the law or the preparation of deeds or instruments relating to real or personal estate, and also for the purpose of opposing or objecting to any application that may be made by any person under the provisions of "The Law Practitioners Act, 1861," or any Act amending the same, or any other Act of the same nature and effect that may at any time hereafter be in force in the colony, and also for the purpose of moving that any solicitor practising within the district may be suspended from practice, struck off the roll of solicitors, or otherwise dealt with on the ground of professional misconduct.

Council may appoint person to conduct prosecution, &c.

11. It shall be lawful for the President, Vice-President, or any other officer of any District Law Society duly authorized by the Society in that behalf, to institute prosecutions and other proceedings in his own name as such President, Vice-President, or other officer, for the breach of any statute or rules relating to the practice of the law or the preparation of deeds or instruments relating to real or personal estate; and, unless otherwise proved to the contrary, every such prosecution or other proceeding shall be deemed to be instituted by and on behalf of such Society.

Prosecutions on behalf of Society.

12. Any member of any District Law Society who may be aggrieved by the decision of such Society in any matter affecting such member may appeal from such decision to the Council of the New Zealand Law Society; and such appeal shall be considered and heard by such last-named Council in such manner as the said Council shall by regulations in that behalf direct, and the decision of such Council shall be final and conclusive.

Appeal.

13. It shall be lawful for the Governor, by warrant under his hand, to appoint the President of the New Zealand Law Society, or of any District Law Society, whenever the office of any such President has been vacant for a period of three months.

In case of vacancy, Governor may appoint President.

14. Whenever and so soon as a District Law Society shall be established within any district, section four of "The Law Practitioners Act Amendment Act, 1861," shall cease to apply to such district; and it is hereby enacted that all fees payable and received under "The Law Practitioners Act, 1861," and any Acts amending the same or any of them, within any such district, shall form one fund, and shall be managed by the Council of such District Law Society, and shall be applied by such Council, in such manner as such Council shall from time to time direct, in the purchase and maintenance of law libraries in such towns in New Zealand as such Council shall direct; and every such library shall be for the use of the Supreme Court and such other

Law libraries.

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Courts as the Council of the District Law Society (if any) for the district within which such library shall be, or if there shall be no local District Law Society then as the Judges of the Supreme Court, shall direct, and of the barristers and solicitors of the Supreme Court of New Zealand; and all libraries within a district shall be managed as by the Council of the District Law Society shall be directed.

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