

confirming the sale and directing conveyances to be executed.

SEC. 10. That in all other respects such sale shall be governed by the laws of the State of Washington now in force governing the sale of real property belonging to such estates.

SEC. 11. All acts or parts of acts conflicting in any manner with this act are hereby repealed.

Approved March 8, 1893.

CHAPTER LV.

[H. B. No. 86.]

REGULATING PRACTICE OF DENTISTRY.

AN ACT to regulate the practice of dentistry in the State of Washington, and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. The members of the board of dental examiners to be appointed on or before the first Monday in February, 1894, for terms commencing the first Monday of March, 1894, shall be appointed and commissioned by the governor for the following terms, to wit: Two members of said board for the term of one year, and three members of said board for the term of two years. All members of said board appointed subsequent to the year 1894 for regular terms shall be appointed for the term of two years and until their successors, respectively, are appointed and qualified. In each odd numbered year, subsequent to the year 1894, two members of said board shall be appointed, and in each even numbered year three members shall be appointed. Appointments for each year shall be made on or before the first Monday in February of such year, and the term of office of each such member so appointed shall begin on the first Monday of March of such year. At least

Terms of
members of
board of
examiners.

two of said members of said board shall be selected from east of the summit of the Cascade mountains, and at least two from west of said summit. All vacancies occurring in said board of examiners may be filled by the governor at any time. ^{Vacancies, how filled.} The board of dental examiners appointed under the act entitled "An act to regulate the practice of dentistry, and to protect the people against empiricism in relation thereto in the Territory of Washington," approved January 28, 1888, whose terms of office will expire on the first Monday of March, 1894, are hereby recognized and confirmed as the state board of dental examiners for the State of Washington, and said board shall continue to hold their said offices until the expiration of their said terms, and to perform the duties of the same in accordance with the provisions of this act.

SEC. 2. Each member of said board hereafter shall, before entering upon the duties of his office, take and subscribe an oath or affirmation in substantially the following form:

STATE OF WASHINGTON, }
 COUNTY OF } ss.

I,, do solemnly swear or affirm that I will support the constitution and laws of the United States of America and of the State of Washington, and that I will faithfully perform the duties of the office of member of the board of dental examiners of the State of Washington. So help me God. ^{Oath of office.}

(Signed)

SEC. 3. The board shall choose one of its members president and one secretary thereof, and it shall meet at least twice in each year, in May and November, or oftener at the call of the president and secretary. Thirty days' notice must be given of the time and place of the meeting of said board by publication of such notice in at least four newspapers in general circulation published in the State of Washington, no two of such newspapers to be published in any one county. Three members of said board shall constitute a quorum and the proceedings thereof shall at all reasonable times be open to public inspection. ^{Organization; meetings.} ^{Notice of meeting.}

SEC. 4. Any person or persons who desire to begin the practice of dentistry in the State of Washington after the passage of this act shall file his or her name, together with an application for examination, with the secretary of the state board of dental examiners, and at the time of making such application shall pay to the secretary of the board a fee of twenty-five dollars, and shall present him or herself at the first regular meeting thereafter of said board to undergo examination before that body. No person shall be eligible for such an examination unless he or she shall be of good moral character, and shall present to said board his or her diploma from some dental college in good standing and shall give satisfactory evidence of his or her rightful possession of the same: *Provided*, That the said board may admit to examination such other persons of good moral character as shall give satisfactory evidence of having been engaged in the practice of dentistry ten years prior to the date of the application for examination. Said board shall have the power to determine the good standing of any college or colleges from which such diplomas may be granted. Said examination shall be elementary and practical in character, but sufficiently thorough to test the fitness of the candidate to practice dentistry. It shall include, written in the English language, questions on the following subjects: Anatomy, physiology, chemistry, materia medica, therapeutics, metallurgy, histology, pathology, operative and surgical dentistry, mechanical dentistry, and, also, demonstrations of their skill in operative and mechanical dentistry. All persons successfully passing such examinations shall be registered as licensed dentists in the board register as hereinafter provided, and also receive a certificate, said certificate to be signed by the president and secretary of said board and in substantially the following form, to wit:

Certificate.

This is to certify that is hereby licensed to practice dentistry in the State of Washington. This certificate must be filed for record in the office of the auditor of any county in which the party holding said certificate desires to practice, and it is unlawful for him (or her) to practice

dentistry in any county in which said certificate is not filed for record.

Dated at this day of, A. D. 189.....

.....
President of said Board of Dental Examiners.

.....
Secretary of said Board.

SEC. 5. The certificates in this act provided for shall entitle the holder thereof to practice dentistry in any county in the State of Washington: *Provided*, Such certificate shall first be filed for record in the office of the auditor of the county in which such holder desires to practice, and nothing herein contained shall be construed to permit any holder of any certificate to practice in any county in this state unless such certificate shall have been first recorded in the office of the auditor of such county as herein provided: *Provided further*, That any such holder of a certificate may practice in more than one or any number of counties in this state on having such certificate recorded in each of such counties in which such holder desires to so practice. Said board of dental examiners shall, upon satisfactory proof of the loss of any certificate issued under the provisions of this act, issue a new certificate in place thereof. Any person failing to pass the first examination successfully may demand a second examination at a subsequent meeting of said board, and no fee shall be charged to [for] said examination: *Provided*, That the second examination is taken before the expiration of one year.

Certificate to
be recorded.

SEC. 6. It shall be the duty of said board to meet at the city of Olympia in said state on the 2d day of May, 1893, and within ten days thereafter to transfer to a register to be provided by them for that purpose, the name, residence and place of business of each and every person who at the time of the passage of this act, pursuant to said act of the legislature of the Territory of Washington, approved January 28, 1888, shall be qualified to practice dentistry in the State of Washington, and who shall then be registered on the books of the board. It shall be the duty of the secretary of the said board to send to each person so registered prior to the passage of this act, without fee, a certificate

Register.

Certificate. similar in form to the other certificate provided for by this act, signed by the president and secretary of said board of examiners, which certificate the holder thereof shall have recorded with the county auditor of the county in which the holder desires to practice, within ninety days from the date of said certificate.

Auditor's record.

SEC. 7. The county auditor of each county is required to record, in a special book to be kept by him for that purpose, all certificates issued under the provisions of this act which may be presented to him for that purpose. After the record of any such certificate, such auditor shall return the same with a certificate of its record to the party entitled to the same. Said auditor shall receive for such filing and record a fee of one dollar.

Penalty.

SEC. 8. Any person who, as principal, agent, employer, employé, assistant, or in any manner whatever shall practice dentistry, or who for reward or hire shall do any act of dentistry without having first filed for record and had recorded in the office of the auditor of the county wherein he shall so practice or do such act, a certificate from said board of dental examiners entitling him to so practice, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than fifty dollars nor more than two hundred dollars, or be confined for any period not exceeding six months in the county jail for each and every offense: *Provided*, The foregoing provisions of this section shall not, prior to the 2d day of July, A. D. 1893, apply to any person who shall be a duly licensed and practicing dentist in this state at the time of the passage of this act, and whose name shall be registered as such in the records of said board. After said 2d day of July, A. D. 1893, all the provisions of this section shall apply to all persons whomsoever. All fines recovered under this act shall be paid into the common school fund of the county in which the conviction is had.

SEC. 9. In any prosecution for misdemeanor under the provisions of this act, the certificate of the county auditor of the county within which such misdemeanor is alleged to have been committed, to the effect that there is no certificate of the board of dental examiners of this state on file

in such auditor's office issued under the provisions of this act to the person accused of such misdemeanor, shall be sufficient proof *prima facie* that such person is not entitled to practice dentistry in such county.

SEC. 10. In order to provide the means for carrying out and maintaining the provisions of this act, the said board of examiners shall charge such person applying to or appearing before them for examination for a certificate of qualification the fee hereinbefore provided for, which fee ^{Fee.} shall be in no case returned; and out of the funds coming into the possession of the board from the fees so charged the sum of five dollars for each day actually engaged in the duties of their office and all legitimate and necessary expenses incurred in attending to the duties of said board shall be paid to each member of said board. ^{Compensation of board.} Said board may also pay out of said fund all expenses which may be reasonably incurred by them in carrying out and maintaining the provisions of this act. Said board may, if deemed best by said board, with the consent of the prosecuting attorney of any county, employ and compensate out of said fund special counsel to assist in the prosecution in the courts of such county and the supreme court of any offense alleged to have been committed under the provisions of this act in such county. Said expenses shall be paid from the fees received by the board under the provisions of this act, and no part of the salary or expenses of said board shall ever be paid out of the state treasury. All moneys received in excess of salaries and expenses as above provided for shall be held by the secretary of said board as a special fund for meeting the expenses of said board and carrying out the provisions of this act, he giving such bond as the board may from time to time direct; and said board shall make an annual report of its proceedings to the governor on or before the fifteenth day of October of each year, together with an account of moneys received and disbursed by them pursuant to this act.

SEC. 11. All persons shall be said to be practicing dentistry within the meaning of this act, who shall for a fee or salary, or other reward paid either to himself or to another

person for operations or parts of operations of any kind, treat diseases or lesions of the human teeth or jaws or correct malpositions thereof, but nothing in this act contained shall be taken to apply to *bona fide* students of dentistry or one in pursuit of clinical advantages, under the direct supervision of a preceptor or licensed dentist in this state, during the period of their enrollment in a dental college and attendance upon a regular uninterrupted course in such a college, nor to physicians in the regular discharge of their duties.

Prosecuting
attorney.

SEC. 12. It shall be the duty of the prosecuting attorney for each county to attend to the prosecution of all complaints made under this act, both upon the preliminary hearing in the justice court or before any magistrate before whom such complaint may be made, and also upon any hearing in the court, either upon such complaint or upon any information or indictment filed against any person under this act: *Provided*, Nothing in this act shall be construed to prevent the prosecution of any person for violation of any provision of this act upon information of the prosecuting attorney directly. The attorney general of this state shall appear in the supreme court and attend to the prosecution of all criminal cases arising under this act which may be appealed to said court or be taken to said court by writ of error.

SEC. 13. Sections 1, 3, 4, 5, 6, 7, 8, 9 and 10 of the act of the Territory of Washington entitled "An act to regulate the practice of dentistry and to protect the people against empiricism in relation thereto in the Territory of Washington," approved January 28, 1888 (said sections being sections 2854, 2856, 2857, 2858, 2859, 2860, 2861, 2862 and 2863 of the first volume of Hill's Statutes and Codes of Washington), are hereby repealed.

SEC. 14. All laws or parts of laws in conflict with the provisions of this act are hereby repealed.

Emergency.

SEC. 15. Whereas, no adequate law relative to the practice of dentistry exists, and great embarrassment and inconvenience in relation thereto in this state will arise from delay of time when this act shall take effect; it is, there-

fore, declared that an emergency exists, and that this act shall take effect and be in force from and after the approval by the governor.

Approved March 8, 1893.

CHAPTER LVI.

[H. B. No. 114.]

RELATIVE TO GARNISHMENTS.

AN ACT in relation to garnishments.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. The clerks of the superior courts in the various counties in the state may issue writs of garnishment returnable to their respective courts in the following cases:

1. Where an original attachment has been issued in accordance with the statutes in relation to attachments.

2. Where the plaintiff sues for a debt and makes affidavit that such debt is just, due and unpaid, and that the garnishment applied for is not sued out to injure either the defendant or the garnishee.

3. Where the plaintiff has a judgment wholly or partially unsatisfied in the court from which he seeks to have a writ of garnishment issued.

SEC. 2. In the case mentioned in subdivision two of the Bond. preceding section the plaintiff shall execute a bond with two or more good and sufficient sureties, to be approved by the clerk issuing the writ, payable to the defendant in the suit, in double the amount of the debt claimed therein, conditioned that he will prosecute his suit and pay all damages and costs that may be adjudged against him for wrongfully suing out such garnishment.

SEC. 3. Before the issuance of the writ of garnishment the plaintiff or some one in his behalf shall make application therefor by affidavit, stating the facts authorizing the issuance of the writ, and that the plaintiff has reason to believe, Affidavit.