

CHAPTER LV.

[S. B. No. 110.]

RELATING TO ATTORNEYS.

AN ACT in relation to attorneys.

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

SECTION 1. An attorney is a person authorized to appear Attorney. for and represent a party in the written proceedings in any action or proceeding in any stage thereof. An attorney, other than the one who represents the party in the written proceedings, may also appear for and represent a party in court or before a judicial officer, and then he is known in the particular action or proceeding as counsel only, and his Counsel. authority is limited to the acts that are done in the court or before such officer at that time.

SEC. 2. The powers and duties of the attorney general Powers and duties of attorney general. in relation to actions and proceeding in the courts shall be—

1. To appear for and represent the state before the supreme court in all cases in which the state is interested.
2. To institute and prosecute all actions and proceedings for or for the use of the state, which may be necessary in the execution of the duties of any state officer.
3. To defend all actions and proceedings against any state officer in his official capacity, in any of the courts of this state or the United States.
4. To consult and advise the several prosecuting attorneys in matters relating to the duties of their office, and when, in his judgment, the interests of the state require, he shall attend the trial of any person accused of a crime, and assist in the prosecution.

SEC. 3. Prosecuting attorneys are attorneys authorized Prosecuting attorneys. by law to appear for and represent the state and the counties thereof in actions and proceedings before the courts and judicial officers.

SEC. 4. No person shall be eligible to the office of prosecuting attorney in any county of this state, unless he be a qualified elector thereof, and shall have been admitted as an attorney and counselor of the courts of this state. Eligibility.

SEC. 5. When from illness or other cause the prosecuting attorney is temporarily unable to perform his duties, Temporary disqualification

the court or judge may appoint some qualified person to discharge the duties of such officer in court until such disability is removed.

Deputies.

SEC. 6. The prosecuting attorney of each county may appoint one or more deputies, not to exceed two, who shall have the same power in all respects as their principal. Such appointment shall be in writing, signed by the prosecuting attorney, and filed in the county auditor's office. Each deputy thus appointed shall have the same qualifications required of the district attorney, but his appointment may be revoked by the district attorney at will. The prosecuting attorney shall be responsible for the acts of his deputies.

Duty of prosecuting attorneys.

SEC. 7. The prosecuting attorney of each county shall have authority, and it shall be his duty, subject to the supervisory control and direction of the attorney general, to appear for and represent the state and the county of which he is prosecuting attorney in all criminal and civil actions and proceedings in such county in which the state or such county is a party.

Qualifications of attorneys.

SEC. 8. The following persons are entitled to practice as attorneys and counselors of all the courts of this state: 1. All citizens of the United States who were duly admitted as attorneys and counselors of the supreme court or any district court of the Territory of Washington. 2. All citizens of the United States who shall have been admitted as attorneys and counselors of the supreme court of the State of Washington.

Limit of study.

SEC. 9. Before any person shall be admitted as an attorney or counselor in this state it must appear to the satisfaction of the court to which he applies for admission—
1. That he is a citizen of the United States, and of the age of twenty-one years. 2. That he is of good moral character. 3. That he has the requisite learning and ability to practice as an attorney and counselor at law, and has diligently studied the common law and the laws of this state, for at least eighteen months previous to the date of his application, under the direction of some practicing attorney within the state, or is a graduate of a law school within the United States, or has been admitted as an at-

torney and counselor of the highest court of record of another state or territory of the United States.

SEC. 10. Subject to the provisions and restrictions contained in the last preceding section, the supreme court shall make rules for the examination and admission of attorneys and counselors of the courts of this state, and no person shall be admitted except in accordance with such rules.

Approved February 26, 1891.

CHAPTER LVI.

[S. B. No. 101.]

PROCEEDINGS AGAINST VIOLATORS OF INJUNCTIONS.

AN ACT relating to proceedings against persons who violate injunctions, and amending section 168 of the Code of Washington of 1881.

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

SECTION 1. Section 168 of the code of Washington of 1881 is amended to read as follows: If the court is not in session the officer making the arrest shall cause the person to enter into a bond, with surety, to be approved by the officer, conditioned that he personally appear in open court whenever his appearance shall be required, to answer such contempt, and that he will pay to the plaintiff all his damages and costs occasioned by the breach of the order; and in default thereof he shall be committed to the jail of the county until he shall enter into such bond with surety, or be otherwise legally discharged.

SEC. 2. The foregoing section shall be embodied in the code of procedure of this state, appropriately numbered, and shall be a part thereof.

Approved February 26, 1891.

Sig. 7.