

CHAPTER XCI.

[H. B. No. 348.]

RELATING TO ATTORNEYS.

AN ACT in relation to attorneys and counselors at law, providing for admission to the bar.

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

"Attorney"
and "counsel"
defined.

SECTION 1. An attorney is a person duly admitted to practice law and authorized to appear 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 authority is limited to the acts that are done in the court or before such officer at that time.

Attorneys,
by whom
admitted.

SEC. 2. No person shall be permitted to practice as an attorney or counselor at law, or to commence, conduct or defend any action or proceeding in which he is not a party concerned, either by using or subscribing his own name, or the name of any other person, unless he has been previously admitted to the bar by order of the supreme court or of two judges thereof; and the court shall fix times when examinations shall take place, which may be either in term or vacation, and shall prescribe and publish rules to govern such examinations; but this section shall not be applied to persons admitted under pre-existing laws.

Examinations.

SEC. 3. When a person applies to the said court for admission to the bar he shall be examined by the court at a certain stated time, to be fixed by said court, touching his fitness and qualifications, and if on such examination the court is satisfied that he is of good moral character and has a competent knowledge of the law and sufficient general learning, an oath of office shall be administered to him and an order shall be made on the journal that the applicant be admitted to practice as an attorney and counselor at law in all the courts of record in this state, and a certificate thereof shall be issued by the clerk of said court.

SEC. 4. No person shall be admitted to such examination Qualifications. unless he is twenty-one years of age, has resided in the state for one year next preceding, and is a citizen of the United States; nor until he has produced from some attorney at law practicing in this state a certificate setting forth that the applicant is of good moral character; and that he has regularly and attentively studied law during the period of two years previous to his application, and that he believes him to be a person of sufficient legal knowledge and ability to discharge the duties of an attorney and counselor at law; but any person residing in the state or coming into the state for the purpose of making it his permanent residence, upon producing satisfactory evidence that he has studied law for the period of two years, under the tuition of some attorney at law, or has been admitted as an attorney and counselor at law in some court of record within the United States, may be admitted to such examination upon producing satisfactory evidence that he is of good moral character.

SEC. 5. All persons making application for admission to the bar, as herein provided, shall file a notice of such application with the clerk of the supreme court at least one week before the date of such examination, as shall be fixed by rule of the supreme court, and shall pay to such clerk the sum of \$20, in full for all fees, for filing his application, entering his admission and the issuing of a certificate therefor, and the fees so paid the clerk shall be accounted for by the clerk of said court as other fees. Application, notice of. Fees.

SEC. 6. No person shall practice as an attorney and counselor at law in any court of this state who does not reside in the state, or is not a citizen of the United States, or who holds a commission as judge of any court of record, or who is a sheriff, coroner or deputy sheriff; nor shall the clerk of the supreme court or of the superior court, or the deputy of either, practice in the particular court of which he is clerk or deputy clerk; but nothing herein contained shall prevent attorneys and counselors at law, who reside without this state, practicing in this state, unless the state or territory in which they reside prohibits attorneys and counselors at law residing in this state to practice therein, Additional qualifications and restrictions.

but nothing herein contained shall prevent any judge of any of the courts of this state from finishing any business by him undertaken in the district, circuit or supreme court of the United States prior to his election as judge.

Sex.

SEC. 7. No person shall be excluded from acting as an attorney at law and practicing in all the courts of this state on account of sex.

Passed the house March 12, 1895.

Passed the senate March 14, 1895.

Approved March 19, 1895.

CHAPTER XCII.

[H. B. No. 220.]

RELATING TO THE ESTABLISHMENT OF PRIVATE ROADS OF NECESSITY.

AN ACT relating to the location and establishment of private roads of necessity, and providing for compensation for lands taken therefor.

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

SECTION 1. The owner or owners of any lands, which do not abut on any highway, or which are so situated that it is necessary to cross the lands of others to obtain a reasonable way to any public highway, may obtain the location and establishment of a road between his or their said lands and the highway by proceedings in the superior court of the county in which the lands over which such proposed road is to run are situated, in the manner provided by law for the appropriation of private property by corporations, except as in this act provided.

SEC. 2. The person or persons desiring the location and establishment of such road shall set out in his or their petition a description of his or their lands, the situation of the highway with reference to such land, and such other facts as will show the necessity of the establishment of the road, and shall set out the estimated value of the lands to be appropriated for such road.