

CHAPTER 139.

[H. B. 374.]

RELATING TO ADMISSION OF PERSONS TO PRACTICE LAW.

AN ACT relating to attorneys and counsellors at law.

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

SECTION 1. No person shall be permitted to practise as an attorney and counsellor at law or to commence, conduct or defend any action or proceeding in which he is not a party concerned, in any of the courts of this state, either by using or subscribing his own name or the name of any other person, or to solicit business as, or to advertise, or represent himself, in any way, as an attorney or counsellor at law, unless he has been previously admitted to practise law in this state.

Attorney defined.

SEC. 2. No person shall hereafter be admitted to practise law in this state except by order of the supreme court, either on motion or by examination. Each applicant for admission shall show by his affidavit to the court that he is over twenty-one years of age, a citizen of the United States and a resident of this state, or has come into this state for the purpose of making it his permanent residence, that he intends to actively engage in the practise of the law as a profession, and that he is not laboring under suspension or disbarment of any court whatsoever, and that he never was suspended or disbarred by any court, or if so, in what courts and when, and giving the time of reinstatement, and shall also file a certificate of at least two members of the bar of the supreme court to the effect that he is of good moral character and recommending his admission: *Provided*, That attorneys living outside of this state may practise in the courts of this state on the same terms and conditions as attorneys of this state are permitted to practise in the courts of their respective states, territories or districts, and not otherwise. The fee for admission shall be twenty-five dollars, to be paid to the clerk of the court at the time of filing his application, and in case the

Supreme court to admit.

Qualification.

Attorneys residing outside the state.

court refuses to admit the applicant the fee shall be returned to him, otherwise to be accounted for as other court fees. It shall be competent for any person to present to the court any reason why an applicant should not be admitted as an attorney and counsellor at law in this state.

SEC. 3. The following applicants may be admitted on motion:—

Admitted
on motion.

(a) Graduates of the law department of the State University.

Probation.

(b) Members of the bar of other states having been entitled to practise in the highest courts of record in their respective states for at least two years immediately preceding their application for admission to practise in this state: *Provided*, That such applicant upon showing the qualifications as provided in section 2 of this act, the court, if satisfied of the applicant's fitness, shall enter an order permitting such applicant to practise law in this state for a period of one year, at the end of which time, the court being satisfied that such applicant is of good moral character and a fit and proper person to practise law in this state, an order shall be entered so admitting such applicant.

Examination.

SEC. 4. Examinations for admission to the bar shall be held at the state capital on the first Thursday and Friday after the second Monday in January, May, and October of each year, and shall be both oral and written as to the applicant's knowledge of the law. No person shall be admitted to such examination unless he present to the court evidence that he has sufficient general education to admit him to the freshman or higher class in the State University, or has completed a full four years' course in a high school of approved standing, or holds a certificate or diploma recognized as equal or equivalent to a diploma from such high school, or is the holder of a first grade teachers' certificate in this state, or a certificate of a higher grade. Nor shall any such applicant be examined unless he shall have filed with the clerk of the supreme court, two years before such examination, a notice of his commencement of the study of the law: *Provided*, This provision shall not apply to any one taking the examination within two years

General
education.

Two years'
study,
notice of.

after the taking effect of this act, who shall on or before the first day of January, 1910, file with the said clerk a statement in which the time he commenced the study of the law is set forth, provided the time he applies for admission is at least two years after the time named in such statement. Every applicant shall also present an affidavit by some member of the bar of the supreme court, or a certificate from the dean, or head, of some law school of approved standing, to the effect that such applicant has regularly and attentively studied law under the direction of the affiant, or dean or head of such law school, as the case may be, for a period of two years: *Provided*, That thirty-five full weeks of study in a law school in any one year shall be equivalent to a year's study.

Notice of commencement of study.

Certificate of study.

SEC. 5. The supreme court shall make such other rules as may be necessary for the admission of applicants to practise law, and for the purpose of conducting the examination of applicants may appoint a board consisting of three lawyers, who shall hold their office for a term of three years unless sooner removed by the court: *Provided, however*, That the first appointments after the taking effect of this act one member shall be appointed for one year, one for two years and one for three years, and thereafter each member shall be appointed for a term of three years, except to fill a vacancy. No person shall be eligible as a member of such board unless he shall have been a member in good standing of the bar of the supreme court of this state for not less than five years immediately preceding his appointment, and no person shall be eligible to succeed himself on such board. Each member of said board shall be allowed ten dollars (\$10) per day for each day actually spent in the performance of his duties, and five cents per mile for each mile actually and necessarily traveled in going to and returning from attendance on the court to conduct such examinations.

Board of examiners.

Qualification of members.

Compensation.

SEC. 6. Every person before being admitted to practise law in this state shall take and subscribe the following oath:

Oath of attorney.

1. I will support the constitution of the United States and the constitution and laws of the State of Washington;

2. I will maintain the respect due to the courts of justice and judicial officers;

3. I will not counsel or maintain any suit or proceedings which shall appear to be illegal and unjust except such as I believe to be honestly debatable under the law of the land;

4. I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth, and never seek to mislead the judge or jury by any artifice or false statement of fact or law;

5. I will maintain the confidence and preserve inviolate the secrets of my client and will accept no compensation in connection with his business except from him or with his knowledge and approval;

6. I will abstain from all offensive personalities and advance no fact prejudicial to the honor or reputation of a fellow attorney, party or witness unless required by the justice of the cause with which I am charged;

7. I will never reject from any consideration of personal matters the cause of the defenseless or oppressed or delay any man's cause for lucre or malice, so help me God.

SEC. 7. That upon the production of proof to the supreme court that any person admitted to practise law in this state, has been at the time of his admission to practise law, disbarred or suspended from practise in any state or territory of the United States, or that there was pending against such person any proceedings for disbarment or suspension in any such state or territory at the time of his admission to practise here laboring under any disability to practise in the courts, of any such state or territory, or that such person had ever been, at the time of his admission to practise here, convicted of a felony or misdemeanor involving moral turpitude, then said supreme court shall revoke and cancel the certificate of admission granted to such person. The proceedings for the revocation and cancellation of such certificate may be taken by the court of its own motion, or may be taken upon the information of another, and in either case the party shall have the privilege

Proof of
disbarment.

Certificate
canceled.

of making his own defense; such proceedings shall be by motion and answer, and evidence may be examined on either side.

Passed by the House March 5, 1909.

Passed by the Senate March 10, 1909.

Approved March 15, 1909.

CHAPTER 140.

[S. B. 326.]

RELATING TO THE SALE OF INTOXICATING LIQUORS TO INDIANS.

AN ACT to prohibit the sale or disposal of intoxicating drinks to Indians or to mixed bloods, and providing penalties for the violation thereof, and repealing section 7316 Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That any person who shall sell, give away, dispose of, exchange, or barter any malt, spirituous or vinous liquor of any kind whatever, or any essence, extract, bitters, preparation, compound, composition, or any article whatsoever, under any name, label or brand, which produces intoxication, to any Indian, either of the whole or mixed blood to whom allotment of land has been made while the title to the same shall be held in trust by the government of the United States, or to any Indian of the whole or mixed blood, a ward of the government of the United States, under the charge of any Indian superintendent or agent, or any Indian of the whole or mixed blood, over whom the government of the United States, through its departments, superintendent or agent exercises or assumes to exercise guardianship, or to any Indian of the whole or mixed blood the subject of any foreign nation, or to any Indian of the whole or mixed blood a member of any tribe of Indians, or to any Indian whatsoever, or a mixed blood Indian being more than one-eighth Indian, shall be guilty of a felony and punished therefor by imprisonment in the penitentiary for a period of not less than one or more than two years, or by imprisonment in the

Anything
producing
intoxication.

Indian of
mixed blood.