

forcement of the laws of the State in any County, or when requested by a majority of the Board of County Commissioners of any County, or when petitioned by twenty-five tax paying citizens of any County, may make an investigation in any such County to the end that the laws of the State shall be enforced therein and all violators thereof brought to trial.

Sec. 2. EXPENSES OF INVESTIGATION. HOW PAID.) The necessary expenses, as determined by the Attorney General, not otherwise specifically provided for by law, incurred in making such investigations in any County and in prosecuting any resulting cases, shall be paid by said County out of the Contingent Fund of the State's Attorney of said County appropriated by the Board of County Commissioners, as is provided for in Section 3382, Compiled Laws of 1913.

Sec. 3. EXPENSES UPON ORDER OF ATTORNEY GENERAL.) All such expenses paid from said Contingent Fund of the State's Attorney shall be paid by the County Treasurer upon the warrant of the Auditor of such County, which warrant shall be executed and delivered by such Auditor in an amount and to the person designated therein upon the written order of the Attorney General.

Approved February 14, 1919.

## ATTORNEYS

### CHAPTER 69.

(H. B. No. 103—Patterson.)

#### STATE BAR BOARD.

An Act to Amend and Re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Creation of a State Bar Board, its Members, Their Term of Office, Qualifications, Compensation and Duties and Providing for the Admission of Attorneys to Practice. Issuance of License.

*Be it Enacted by the Legislative Assembly of the State of North Dakota:*

Sec. 1. AMENDMENT.) Section 782 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 782. APPOINTMENT BY THE GOVERNOR.) The Governor shall appoint from the resident members of the bar of this state, three persons, who shall be learned in law, to constitute a State Bar Board, which shall succeed to and execute the duty of the State Board of Examiners in Law.

Sec. 2. AMENDMENT.) Section 783 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 783. TERM OF OFFICE. VACANCY. HOW FILLED. QUALIFICATIONS.) The members of the said State Bar Board shall be appointed within one month after this act becomes a law. The term of office of the members of the first board shall be as follows: One for the term of two years and three months; one for the term of four years and three months; and one for a term of six years and three months; and their successors shall receive their appointment in like manner for a term of six years each after the expiration of such respective terms; in case of a vacancy occurring by death, resignation, or otherwise, there shall be appointed in a like manner a person to serve through the unexpired term of such member to whose place he is appointed. Each person appointed to such board shall qualify within ten days after such appointment by taking an oath to support the constitution and the laws of this state and to faithfully perform the duties of his office and by giving a bond under the State Bonding Act in the sum of \$2500.00 to faithfully perform the duties of his office and account for all moneys received. The premium of such bonds shall be paid to the State Bonding Fund out of the fees received by the Board under the provisions of the law.

Sec. 3. AMENDMENT.) Section 784 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 784. OFFICERS OF BOARD. PUBLIC EXAMINATION. RECORD OF PROCEEDINGS.) The said board shall organize within one month after the appointment of the members thereof by electing one of its members president. The clerk of the Supreme Court shall be ex-officio secretary and treasurer of said board. The said board shall at least two times each year hold public examinations for admission to the bar of this state, which examinations shall be both written and oral at such places and such times in this state as the said board or the manager thereof shall direct. The said board shall keep a record of all of its proceedings and also a record of all its applications and admissions to the bar and shall enroll in a book kept for such purpose the name of each person admitted as an attorney at law.

Sec. 4. AMENDMENT.) Section 787 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 787. SALARIES. FEES.) Each member of such board shall receive a salary of ten dollars per day for actual time devoted to the duties of his office and shall receive his actual expenses while away from his place of residence in attending to his duties. The said State Bar Board may employ such assistants, purchase such supplies and incur such expense as may be neces-

sary to carry on the work provided for herein but such expenditures shall all remain within the sums derived from fees paid to said State Bar Board. All claims for such salaries, fees and expenses of such board shall be submitted to the auditing board of this state on sworn vouchers as now required by law and shall be paid by the treasurer of the State Bar Board out of the state bar fund.

Sec. 5. AMENDMENT.) Section 799 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 799. FORFEITURE OF, AND WHAT COURTS MAY REVOKE OR SUSPEND ADMISSION TO BAR.) The revocation of any attorney's admission to the bar is, and shall constitute, a forfeiture of his office as an attorney or counsellor at law to practice in the courts of this state, but not until a copy of the charges against him shall have been delivered to him by the clerk of the court in which the proceedings shall be had and an opportunity shall have been given to him to be heard in his defense.

Sec. 6. AMENDMENT.) Section 808 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 808. REFERENCE TO STATE BAR BOARD BY SUPREME COURT) Whenever it is brought to the attention of the Supreme Court of the State of North Dakota that any member of the bar of said state is charged with conduct warranting his disbarment or suspension and it appears to such court that such charges should be investigated, the said court may in its discretion refer the matter to the State Bar Board with directions to investigate such charges and when any such matter is so referred to the said State Bar Board for investigation, each of the members of said board shall have power and authority to administer oaths to witnesses and take testimony in regard to such charges and to issue subpoenas commanding witnesses to appear at any place within the county where such witnesses may reside.

Sec. 7. AMENDMENT.) Section 809 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 809. REPORT BY STATE BAR BOARD.) When the State Bar Board has completed the investigation, it shall make a report to the Supreme Court including therein the conclusions of the board as to the truth or validity of the charges investigated and its recommendation as to whether further proceedings should be had.

Sec. 8. AMENDMENT.) Section 810 of the Compiled Laws of the State of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 810. PROSECUTION BY STATE BAR BOARD.) Upon receiving

the report mentioned in Section 809, the Supreme Court may in its discretion order and direct the State Bar Board to file accusations and begin proceedings for the disbarment, suspension or other discipline of the accused attorney in accordance with the method of procedure provided in Sections 799 to 804 inclusive of the Compiled Laws of North Dakota for the year 1913; and if such order is made, it shall then be the duty of said State Bar Board to comply with such order and to designate and select the attorney or attorney's to further prosecute such matter or conduct the prosecution by its own members.

Sec. 9. AMENDMENT.) Section 811 of the Compiled Laws of the State of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 811. WHO MAY PRACTICE. LICENSE FEE.) No person shall be entitled to practice law or act as attorney or counsellor at law in this state unless such person shall first secure a certificate of admission to the bar in addition to the fee provided for securing such certificate shall pay the clerk of the Supreme Court an annual license fee of \$15.00. The said clerk of the Supreme Court shall in his ex-officio capacity as the treasurer of such State Bar Board deposit such license fee with the State Treasurer to be kept in a fund known as the State Bar Fund to be disbursed therefrom only in the manner hereinbefore provided to defray the expenses of the State Bar Board, provided, however, non resident attorneys duly licensed to practice in another state shall not be required to pay said annual license fee when present in this state for the purpose of appearing before the courts of this state.

Sec. 10. AMENDMENT.) Section 812 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 812. LICENCE FEE, WHEN PAID. HOW LICENCE ISSUED.) On and after August first, 1919, every person practicing law in this state and acting as an attorney or counsellor at law therein except those mentioned in Section 793 of the Compiled Laws of North Dakota for the year 1913 shall secure, possess and have an annual license from the State Bar Board. And on or before the first day of January of each and every calendar year thereafter every person engaged in the practice of law in this state shall secure, possess and have an annual license from the State Bar Board. The clerk of the Supreme Court in his capacity as secretary and treasurer of the State Bar Board shall issue to any person holding an unrevoked certificate of admission to the bar of the State of North Dakota and paying the sum of \$15.00 therefor an annual license to practice law, issued by the State Bar Board to such attorney, which license shall be good for one year from and after

the first day of January in the year in which such license was issued.

Sec. 11. All Acts and parts of Acts in conflict herewith are hereby repealed.

Approved March 5, 1919.

## CHAPTER 70.

(S. B. No. 78—Bowman.)

### REVOCATION OR SUSPENSION OF ATTORNEY'S RIGHT TO PRACTICE.

An Act to Amend and Re-enact Section 800 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Revocation or Suspension of an Attorney's Right to Practice.

*Be it Enacted by the Legislative Assembly of the State of North Dakota:*

Sec. 1. AMENDMENT.) That Section 800 of the Compiled Laws of the State of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 800. CAUSES FOR REVOCATION OR SUSPENSION.) The certificate of admission to the bar of an attorney and counsellor at law may be revoked or suspended for either of the following causes:

1. When he has committed a felony or misdemeanor involving moral turpitude.

2. When he is guilty of wilful disobedience or violation of an order of the court, requiring him to do or forbear an act connected with or in the course of the profession.

3. For a wilful violation of any of the duties of an attorney or counsellor as hereinbefore prescribed.

4. For doing any other act to which such a consequence is by law attached or by conviction of any of the offenses mentioned in Section 9417, 9426 and 9427.

5. When he has, while Attorney General of the State or Assistant Attorney General or an employee in the office of the Attorney General, engaged in the private practice of law or rendered any legal services for pay, profit and remuneration to any person, other than the duties imposed upon him by virtue of his office.

6. When he has, while State's Attorney for any county in this State, or Assistant State's Attorney or employee in the office of the State's Attorney; appeared as attorney for the defendant or defense, in any criminal action in this or any other State or in the courts of the United States, except where such appearance was in the exercise of the duties placed upon him by virtue of his office.

Approved February 26, 1919.