

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventy-first Legislature.

SENATE.

No. 204

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THREE.

AN ACT to amend an act entitled "An Act to regulate the admission to practice of attorneys, solicitors and counselors, to provide for a board of examiners, and to repeal conflicting acts", approved March 17, 1899.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 1. Section three of chapter one hundred and thirty-
2 three of the public laws of eighteen hundred and ninety-nine
3 is hereby amended by omitting the words "meet annually at
4 Portland in January, at Bangor in April, at Augusta in Octo-
5 ber, during the sessions of the supreme judicial court, and
6 also at such other" in the tenth, eleventh, twelfth and thir-
7 teenth lines thereof, and by inserting after the words "such
8 board shall" in the tenth line, the words, "hold at least two

9 sessions annually at such', so that said section, as amended,
10 shall read as follows:

'Sect. 3. The governor shall on the recommendation of the
12 chief justice of the supreme judicial court, and on and before
13 the first day of July, eighteen hundred and ninety-nine ap-
14 point a board of examiners, composed of five competent law-
15 yers of this state, for the examination of applicants for the
16 admission to the bar, whose term of office shall be as follows:
17 One for one year, one for two years, one for three years, one
18 for four years and one for five years, and thereafter each year
19 the governor, on like recommendation, shall appoint one mem-
20 ber of the board for the term of five years. Such board shall
21 hold at least two sessions annually at such times and places
22 in the state as the supreme judicial court shall direct, for the
23 purpose of examining all applicants for admission to the bar,
24 as to their legal learning and general qualifications to practice
25 in the several courts of this state as attorneys and counselors
26 at law and solicitors and counselors in chancery and, upon
27 such examinations being had, the board shall issue to such
28 applicants as shall pass the required examination a certificate
29 of qualification stating the standing of the applicants and
30 recommending their admission to the bar. Such board shall
31 elect from their number a secretary and a treasurer and shall
32 make such rules and regulations relative to said examination
33 as to them may seem proper. The president of said board
34 shall be the member whose term of office soonest expires.
35 Three members of said board shall constitute a quorum for
36 the transaction of business.'

Sect. 2. Section four of said act is hereby amended by in-
2 serting after the word "examination" in the tenth line the
3 words 'if deemed necessary,' so that said section as amended,
4 shall read as follows:

'Sect. 4. The residences and the names of said applicants
6 shall be made to appear to said board and satisfactory evi-

7 dence shall also be produced by applicants of their good
8 moral character and of their having pursued the study of the
9 law in the office of some attorney or in some recognized law
10 school or university for at least three years prior to such ex-
11 amination; and a fee to be fixed by said board of not more
12 than twenty dollars shall accompany the application. The
13 applicant shall be required to submit to a written examination
14 which shall be prepared by said board, also to an oral exami-
15 nation by the board, if deemed necessary, and shall be re-
16 quired to answer correctly a minimum of seventy per cent of
17 the questions given him to entitle him to the certificate of the
18 board. The board shall, however, have power to establish
19 such higher grades of standing as to them may seem proper.'

Sect. 3. Section five of said act is hereby amended so as to
2 read as follows:

'Sect. 5. The examination papers shall be kept on file in
4 the office of the secretary of the board, and a record kept of
5 each application, the name of the applicant, and his qualifica-
6 tions and general standing as ascertained by such examina-
7 tion, and the secretary of the board shall furnish each appli-
8 cant with a card, showing the proficiency he has attained in
9 each branch or subject upon which he has been examined,
10 whether a certificate is issued or not. Any applicant failing
11 to pass the examination may again apply after six months,
12 by showing to the board that he has diligently pursued the
13 study of the law six months prior to the examination; if such
14 second application is within one year after his first examina-
15 tion, he shall not be required to pay an extra fee for the second
16 examination.'

Sect. 4. Section of said act is hereby amended by omit-
2 ting the words "as examiners in going to, holding and return-
3 ing from, such examination," so that said section, as amended,
4 shall read as follows:

'Sect. 6. The board of examiners shall receive as compensation for their services five dollars per day for the time actually spent, and the necessary expenses incurred in the discharge of their duties, to be certified by the clerk or one of the justices of the supreme judicial court; provided, however, that all compensation for services and expenses shall not exceed the amounts received as fees from applicants.'

Sect. 5. This act shall take effect September first, nineteen hundred and three.

STATE OF MAINE.

IN SENATE, March 12, 1903.

Reported by Mr. WING from Committee on the Judiciary, and laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.