

**RULES OF THE SUPREME
COURT OF THE STATE
OF CALIFORNIA**

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Rules of the Supreme Court of the State of California by Various

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VARIOUS

**RULES OF THE SUPREME
COURT OF THE STATE
OF CALIFORNIA**

RULES
OF THE
SUPREME COURT
OF THE
STATE OF CALIFORNIA.

Adopted in Bank April 13, 1892, to take effect July 1, 1892.

SACRAMENTO:
A. J. JOHNSTON, : : : : SUPT. STATE PRINTING.
1892.



SUPREME COURT.

CHIEF JUSTICE:

HON. W. H. BEATTY.

ASSOCIATE JUSTICES:

HON. J. R. SHARPSTEIN,
HON. T. B. MCFARLAND,
HON. VAN R. PATERSON,
HON. RALPH C. HARRISON,
HON. C. H. GAROUTTE,
HON. J. J. DEHAVEN.

OFFICERS OF THE COURT:

W. H. H. HART.....Attorney-General.
WM. H. LAYSON.....Deputy Attorney-General.
C. C. POMEROY.....Reporter.
H. J. GEAR.....Assistant Reporter.
L. H. BROWN.....Clerk.
D. S. CULP.....Deputy Clerk, San Francisco.
GEO. E. MADISON.....Deputy Clerk, San Francisco.
GEO. A. MCCALVY.....Deputy Clerk, San Francisco.
W. H. GOVAN.....Deputy Clerk, Sacramento.
M. J. ASHMORE.....Deputy Clerk, Los Angeles.
FRANK T. MEAGHER.....Secretary.
H. C. FINKLER.....Secretary.
E. A. GIRVIN.....Phonographic Reporter.
EZRA WASHBURN.....Bailiff.
WILLIAM H. RUSSELL.....Bailiff.

COMMISSIONERS:

I. S. BELCHER, H. S. FOOTB,
P. VANCLIEF, W. F. FITZGERALD,
 JACKSON TEMPLE.
D. B. WOOLF.....Secretary to Commissioners.

TERMS OF COURT.

The Supreme Court meets at the following places, viz.:

AT THE CITY OF SAN FRANCISCO:

On the second Monday in January, and on the third Monday in July.

AT THE CITY OF LOS ANGELES:

On the first Monday in April, and on the second Monday in October.

AT THE CITY OF SACRAMENTO:

On the first Monday in May, and on the second Monday in November.

RULES OF THE SUPREME COURT.

RULE I.

ADMISSION OF ATTORNEYS.

1. Applicants for license to practice as attorneys and counselors will be examined in open Court on the first day of each regular term, and on that day only. Until further order the examination will be based upon the following books: Blackstone's Commentaries, Kent's Commentaries, Greenleaf's Evidence (first volume), Story's Equity Jurisprudence, Gould's Pleadings, Lube's Equity Pleadings, Parsons on Contracts, Pomeroy's Introduction to Municipal Law, Code of Civil Procedure, Civil Code, Constitutions of the United States and the State of California. Persons applying for admission, whether upon examination or motion, must personally appear in Court at the time the application for admission is made. No applicant will be examined unless there shall have been filed with the Clerk of the Court, before the first day of the term at which the application is made, a certificate signed by at least two attorneys of the Court, each of whom shall have been regularly engaged in practice as such attorney for at least four years next theretofore, stating, in substance, that they have, and that each of them has,

carefully and diligently examined the applicant touching the qualifications of such applicant in point of learning in the law; that it satisfactorily appeared to them, and to each of them, upon such examination, that the applicant had been engaged in the study of the law for a period of time to be named in the certificate, naming the place at which, and the person under whom, if any, such study had been prosecuted; that the applicant had, during that time, read certain books of law, which books shall be enumerated in the certificate; and stating any other fact tending to show the character of the attainments of the applicant, and also stating that, in their opinion, the applicant possesses the requisite qualifications, in point of learning in the law, to be entitled to be admitted to practice.

FEE.

2. The fee for license must, in all cases, be deposited with the Clerk of the Court before the application is made, to be returned to the applicant in case of rejection.

REJECTION.

3. No person rejected shall be at liberty to renew the application earlier than the third regular term next after such rejection.

RULE II.

TRANSCRIPT.

1. The appellant in a civil action shall, within forty days after the appeal is perfected, and the bill of exceptions and the statement (if there be any) are settled, serve and file the printed transcript of the record, duly certified to be correct by the attorneys of the respective parties, or by the Clerk of the Court from which the appeal is taken.

EVIDENCE OF SERVICE.

2. Written evidence of the service, upon the adverse party, of the transcript shall be filed therewith.

EXTENSION OF TIME.

3. The time above limited may be extended by stipulation, but shall not be extended by the Court more than twenty days; and such extension of time shall be granted only upon good cause shown by affidavit.

BRIEFS.

4. Thirty days after the filing of the transcript, and in cases where the transcript shall be on file at the date when this rule takes effect, then within thirty days after such date, the appellant shall file with the Clerk his printed points and authorities, and with it proof of the service of one copy thereof upon the attorney or attorneys of each respondent who shall have appeared separately in the Superior