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Date Fixed for Annual Law School Banquet

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Date Fixed for Annual Law School Banquet

The annual banquet of the University of Washington Law School will be held on Friday, January 13, 1939, at 6:30 p. m. at the Edmond Meany Hotel in Seattle. It is doubtful whether the January number of the REVIEW will be issued in sufficient time to contain a detailed announcement of the arrangements for the banquet. In any event, such an announcement will be made by letter to each of the Bar Associations of the state.

The principal speaker at the banquet will be the Honorable Hall S. Lusk, one of the justices of the Oregon Supreme Court. Prior to his appointment to the Oregon Supreme Court, Judge Lusk had a distinguished career as a lawyer and trial judge, and is an accomplished speaker.

In accordance with past tradition, the program will also include a number of entertainment features of high quality.

Owing to the fact that the seating capacity is not unlimited, it is

suggested that those desiring to attend the banquet make their reservations as early as possible. Reservations may now be made by communicating with the secretary of the Law School.

SUPPLEMENT TO SHEPARD'S WASHINGTON CITATION

The law library now maintains a card index supplementing the last paper supplement to Shepard's Washington Citation. Attorneys are welcome to make use of it when seeking the latest Washington citations.

COMMENTS

CRIMINAL LAW—PERJURY—DEPOSITIONS— SUGGESTED LEGISLATION

By an amended information, in a recent Washington case, respondent was charged with the crime of perjury in the first degree, the information alleging that respondent came before a notary public for the purpose of giving his deposition which was to be used in a pending civil case, that he was sworn according to law to tell the truth, and that he thereupon testified falsely with the intent that his testimony as written in the deposition be used in that civil case. It affirmatively appeared, both from the allegations of the original information and from the state's admission in open court, that the deposition was never subscribed by respondent. The superior court sustained respondent's demurrer and dismissed the prosecution. Upon the state's appeal, it was *held* that the demurrer had been properly sustained.¹

The decision is founded upon Remington's Revised Statutes, Section 2356,^{2a} which relates to perjury and which provides:

"The making of a deposition, certificate or affidavit shall be deemed to be complete when it is *subscribed and sworn to or affirmed* by the defendant with intent that it be uttered or published as true." (Italics mine.)

The reasoning of the majority opinion, in brief, is that this statute means that perjury cannot be based upon a false deposition unless that deposition be subscribed by the defendant.

The dissenting opinion is based upon the concept that, even though the deposition itself is not complete, still the defendant knowingly and deliberately testified falsely under oath before the notary in aid of a pending judicial proceeding, and this false swearing is perjury under the general statute defining the offense. That statute is dissected and quoted as follows:

"Every person who, in any action, proceeding, hearing

¹State v. Ledford, 95 Wash. Dec. 490, 81 P. (2d) 830 (1938). (En banc; two of the judges dissented.)

^{2a}Laws 1909, C. 249, § 104.