

IN RE W. H. BOORAM. SUSPENSION AS ATTORNEY-AT-LAW.*. December 13, 1918*

Ponente: MOIR, J.

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A complaint of unprofessional conduct against W. H. Booram, an attorney of this court, was presented by A. T. Hashim on December 5th, 1916. This complaint was forwarded to the Attorney-General of the Philippine Islands who investigated the same, and in a report dated July 9th, 1917, recommended that the said attorney be suspended from the practice of the law, in accordance with section 21 of the Code of Civil Procedure.

The evidence was taken by a commissioner appointed by this court to which commissioner later the said Booram objected. But in view of his answer and the exhibits filed in this case, it is considered that there is no need for passing upon his objections to the hearing before the commissioner.

It appears from the record that A. T. Hashim had an account against one Antonio Villeta, a tailor of this city, for the sum of P265.17 which was placed in the hands of Booram for collection. The sum of P40 in cash was collected, and he collected by means of clothing made for him by the said Villeta the sum of P92.58, making a total of just one-half of the account of Hashim against Villeta.

On November 22, 1916, Booram and Mahoney by W. H. Booram, attorneys, made the following return to Hashim, as appears from Exhibit H.

"November 22, 1916.

"The Hashim Commercial & Trading Co. Ltd.,

"Dr. to Booram and Mahoney.

"To attorney fees vs. A. Villeta 50 per cent of P265.17..... P132.58

"Collected from A. Villeta and applied on fee..... P132.58

"Booram and Mahoney,

"By (sgd.) W. H. Booram."

There is no dispute about this fact. The fee which Booram charged for collecting the account against Villeta was the whole amount collected, though only half of the original claim.

Booram in his written answer makes no satisfactory explanation of this transaction. He pretends that Hashim owed him for former legal work, but this does not excuse his receiving an account for P265.17 and collecting half of that account from the debtor, and claiming all the money collected as his fee for the work done in that case. Nor does the evidence sustain his defense that he had done other work for Hashim for which he had not been paid.

We are of the opinion, and so hold, that this conduct on the part of W. H. Booram, an attorney of this court, was unprofessional and unethical, and that the recommendation of the Attorney-General that he should be suspended

from the practice of the law is a proper recommendation, and should be granted.

Wherefore, it is adjudged, ordered and decreed that the said W. H. Booram be and he is hereby suspended as an attorney-at-law in the Philippine Islands for a period of two years from this date. So ordered.

Arellano, C. J., Torres, Johnson, Carson, Araullo, Street, and Avanceña, JJ., concur.

Malcolm, J., did not take part.

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