

[No. 622, A.]

[Published April 15, 1885.]

CHAPTER 369.

AN ACT relating to punishment for contempts, and amendatory of sections 2434 and 3177, of the revised statutes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Said section 2434, of the revised statutes, be and the same hereby is amended so as to read as follows, to wit: Section 2434. Every court commissioner may issue subpoenas for witnesses, and attachments and other process, to compel their attendance, administer oaths, take depositions and testimony in civil actions, when authorized by law, or by rule, or order of any court having jurisdiction of such actions, and return and report such depositions and testimony; take and certify the acknowledgments of deeds, and other instruments in writing, state accounts between parties referred to him by order of court, determine upon the amount and sufficiency of bail, allow writs of *habeas corpus* and *ne exeat*, and grant injunctive orders; and may exercise, within his county, the powers of a circuit judge at chambers, in any civil action pending in such county, except as otherwise provided by law; and he may do such other things as he may be authorized by law to do, and perform such other duties as may be required of him by the circuit court, or as are necessary and proper for the full exercise of the powers hereby granted; and shall also have power concurrent with, but not exceeding that of a judge of the circuit court at chambers, to punish, as for contempt, disobedience of any lawful order made by himself, in supplementary and other proceedings and matters properly and lawfully instituted or pending before him; subject, however, to review in all cases by the circuit court, as provided by law, and the rules and practices of the court. He shall keep a record of all proceedings before him, and at the expiration of his term of office, shall deposit such record, and all papers remaining on file

Respecting punishment for contempts.

with him, in the office of the clerk of the circuit court.

Powers of judges in regard to contempt in certain cases.

SECTION 2. Said section 3477, of the revised statutes, also be and hereby is amended so as to read as follows, to wit: Section 3477. Every court of record, and every judge of such court at his chambers, shall have power to punish by fine and imprisonment, or either, any neglect or violation of duty, or any misconduct by which the rights or remedies of a party in an action or proceeding depending or liable in such court or before a court commissioner for the same county, may be defeated, impaired, impeded or prejudiced in the following cases:

1. All attorneys, counselors, clerks, registers, sheriffs, coroners, and all other persons in any manner duly elected or appointed to perform any judicial or ministerial services for any misbehavior in such office or trust, or for any wilful neglect or violation of duty therein; for disobedience of any process of such court, or of any lawful order thereof, or of any lawful order of a judge of such court, or of any officer authorized to perform the duties of such judge.

2. Parties to actions for putting in fictitious bail or sureties, or for any deceit or abuse of the process or proceedings of the court.

3. Parties to actions, attorneys, counselors and all other persons, for the non-payment of any sum of money ordered by such court to be paid in cases where by law, executions cannot be awarded for the collection of such sum; and for any other disobedience to any lawful order, judgment or process of such court. And the powers of such court to punish, as in this chapter provided, for non-payment of money, may be exercised by the judge or judges thereof in vacation.

4. All persons for assuming to be officers, attorneys or counselors of any court and acting as such without authority; for rescuing any property or person which shall be in the custody of any officer, by virtue of process issued from such court or judge or judges thereof in vacation; for unlawfully detaining any witness or party to an action, while going to, remaining at or returning from the court where such action shall be noticed for trial; and for any other unlawful interference with the process or proceedings in any action.

5. All persons summoned as witnesses or garnishees, for refusing or neglecting to obey such summons, or to attend or to be sworn, or to answer as such witnesses or garnishees.

6. Persons summoned as jurors in any court, for improperly conversing with any party to an action to be tried at such court, or with any person in relation to the merits of such action; for receiving communications from any such party or from any other person, in relation to the merits of such action without immediately disclosing the same to the court.

7. All inferior magistrates, officers and tribunals, for disobedience of any lawful order or process of a superior court, or for proceeding in any action, or proceeding contrary to law after such action or proceeding, shall have been removed from their jurisdiction; and,

8. All other cases where attachments and proceedings, as for contempts, have been usually adopted and practiced in courts of record, to enforce the civil remedies of any party or to protect the rights of any such party.

SECTION 3. This act shall take effect from and after its passage and publication.

Approved April 8, 1885.

[No. 70, S.]

[Published April 9, 1885.]

CHAPTER 370.

AN ACT appropriating a certain sum of money to Messrs. Bently and Nowlan.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is hereby appropriated out of any money in the general fund not otherwise appropriated, for extra work, made necessary by a change of plans upon the extensions of the capitol, under directions of W. W. Boynton, architect, to Messrs. Bently and Nowlan, contractors, the sum of eleven thousand one hundred and sixty-nine dollars and ninety-five cents, being the amount approved by said architect, audited by the

Appropriation
to Messrs. Ben-
tly and Now-
lan.