

REVISED STATUTES OF 1846

CHAPTER 2 OF THE LEGISLATURE.

4.82 Contempts; punishable offenses.

Sec. 2. Each house may punish as a contempt, and by imprisonment, a breach of its privileges, or the privileges of its members, but only for 1 or more of the following offences, to wit: First, The offence of arresting a member or officer of the house, or procuring such member or officer to be arrested, in violation of his privilege from arrest. Second, That of disorderly conduct in the immediate view of the house, and directly tending to interrupt its proceedings. Third, That of refusing to attend, or be examined as a witness, either before the house, or a committee, or before any person authorized by the house, or by a committee, to take testimony in legislative proceedings: Fourth, That of giving or offering a bribe to a member, or of attempting by menace, or other corrupt means, or device directly or indirectly to control or influence a member in giving his vote, or to prevent his giving the same: but the term of imprisonment which such house may impose for any contempt specified in this section shall not extend beyond the same session of the legislature.

History: R.S. 1846, Ch. 2;—CL 1857, 18;—CL 1871, 21;—How. 38;—CL 1897, 35;—CL 1915, 48;—CL 1929, 15;—CL 1948, 4.82.

4.83 Contempts; misdemeanor; penalty.

Sec. 3. Every person who shall be guilty of any contempt specified in the preceding section shall also be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment in the state prison, not exceeding 5 years, or by imprisonment in the county jail, not exceeding 1 year, or by fine, not exceeding 1,000 dollars, or by both such fine and imprisonment in the county jail, in the discretion of the court.

History: R.S. 1846, Ch. 2;—CL 1857, 19;—CL 1871, 22;—How. 39;—CL 1897, 36;—CL 1915, 49;—CL 1929, 16;—CL 1948, 4.83.

4.84 Administration of oath of office.

Sec. 4. The oath of office of any member or officer of the senate or house of representatives may be administered by, and taken and subscribed before, the secretary of the senate, the clerk of the house of representatives, any justice of the supreme court, the lieutenant governor, the president pro tempore of the senate, or the speaker of the house of representatives.

History: R.S. 1846, Ch. 2;—CL 1857, 20;—CL 1871, 23;—How. 40;—CL 1897, 37;—CL 1915, 50;—CL 1929, 17;—CL 1948, 4.84;—Am. 2014, Act 397, Imd. Eff. Dec. 26, 2014.

Compiler's note: The office of Chancellor was abolished by Act 23 of 1847.

4.85 Oath of witnesses.

Sec. 5. Any senator or representative while acting as a member of a committee of the legislature, or either branch thereof, shall have authority to administer oaths to such persons as shall be examined before the committee of which he is a member.

History: R.S. 1846, Ch. 2;—CL 1857, 21;—CL 1871, 24;—How. 41;—CL 1897, 38;—CL 1915, 51;—CL 1929, 18;—CL 1948, 4.85.