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reformatory are exercising disciplinary, not judicial, powers; and statutes conferring such powers do not impose judicial duties on non-judicial bodies. *In re Cassidy*, 13 R. I. 143; *In re Murphy*, 62 Kan. 422, 63 Pac. 428.

In Illinois, where the courts have no discretion to sentence to the penitentiary instead of to the reformatory, the contrary is held. *People v. Mallary*, 195 Ill. 582, 63 N. E. 508, 88 Am. St. Rep. 212; *In re Dumford*, 7 Kan. App. 89, 53 Pac. 92, *contra*, cited in *Pellissier v. Reed*, has been overruled by *Murphy's case*, *supra*.

Where a statute provides either a workhouse sentence or a longer reformatory sentence for the same offense, and a prisoner is sentenced to the reformatory, from which in the interests of discipline he is temporarily removed to the workhouse by the reformatory authorities, he is not entitled to discharge even after serving in the workhouse the full term of the sentence to that institution prescribed by law. *In re Bonn*, 17 R. I. 572, 23 Atl. 1017. In *Stagway v. Riker* (N. J.), 86 Atl. 440, where a prisoner was transferred to the penitentiary by the commissioners of the reformatory, it was held that the statute authorizing such transfer is constitutional. In neither of these cases, however, was the question of conferring judicial powers on non-judicial bodies raised.

It is not an assumption of judicial powers for the board of managers of a reformatory, when empowered by statute, to release a prisoner on parole or terminate his confinement altogether. *State v. Page*, 60 Kan. 664, 57 Pac. 514.

CONTEMPT—DISRESPECT TO THE JURY.—An attorney in his opening statement remarked to the jury: "Lawyers usually close their statements of this kind that they expect a verdict at the hands of the jury. I do not expect more than a hung jury here against the defendant. If this case were in Dillon, Helena, Billings, Missoula, I would"—but here he was stopped by the court. *Held*, the statements were disrespectful to the jury and punishable as contempt. *In re Maury* (C. C. A.), 205 Fed. 626.

The power to punish summarily for contempt is inherent in every court. *Ex parte Terry*, 128 U. S. 289. Where the tribunal is created by the constitution it cannot be deprived of this power by legislative action. *Carter's Case*, 96 Va. 791, 32 S. E. 780, 45 L. R. A. 310, 4 VA. LAW REG. 822, and note.

The term court in its broadest significance denotes a justice-dispensing organism, which may be composed of the judge and jury, either petit or grand jury. Contempt of any component part is contempt of the whole. Defamatory statements concerning the judge constitute contempt of court. *United States v. Gehr*, 116 Fed. 520. And so do any wilful and contemptuous acts committed in the presence of the grand jury. *In re Tyler*, 64 Cal. 434, 1 Pac. 884. It would seem to follow that statements disrespectful to the petit jury constitute contempt of court.

CONTRIBUTORY NEGLIGENCE—DOCTRINE OF LAST CLEAR CHANCE.—In an action by an employee to recover damages of a railroad company for personal injury, the lower court refused to charge that although the