

Citizens to  
vote with  
townships at  
general and  
electoral elec-  
tions.

SECT. 13. *And be it further enacted by the authority aforesaid,* That in the general or electoral elections, the citizens of the said borough shall not be separated from the citizens of Montgomery and Peters townships, nor in any measure preparatory thereto, but shall remain connected with said townships as they have been heretofore.

FREDK. SMITH,

*Speaker of the House of Representatives.*

WM. G. HAWKINS,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, A. D. one thousand eight hundred and thirty-one.

GEO. WOLF.

No. 60.

AN ACT

To compel the attendance of witnesses upon rules and commissions to take depositions.

SECT. 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where a commission shall be issued from, or a rule be taken in any court of record in this commonwealth, or from any justice of peace or alderman, under the act entitled "An act to amend and consolidate with its several supplements the act entitled An act for the recovery of debts and demands not exceeding one hundred dollars, before a justice of peace, and for the election of constables, and for other purposes," and of the supplement thereto, passed on the 30th day of March, 1829, for the examination of witnesses, it shall be competent for the person or persons named in, or authorised by such commission or rule, to issue subpoenas to such witnesses as may be requested by any of the parties concerned, requiring their attendance at a certain day, hour and place therein designated, having regard to the distance of such witnesses, and under a penalty not exceeding one hundred dollars.

SECT. 2. *And be it further enacted by the authority aforesaid,* That in case of the non attendance of any such witnesses, it shall be lawful for such commissioner, or person or persons, duly authorised as aforesaid, on proof by oath or affirmation, of the due service of the subpoena, to issue process of attach-

Persons named in rule or commission under \$100 laws. May issue subpoenas requiring attendance under penalty of \$100.

To issue process in case of non attendance.

ment against the defaulting witness; whereupon the same proceedings shall be had as are used and allowed in like cases in the courts of record in this commonwealth.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the party injured by such non attendance, shall also be entitled to the same remedies at law, against the person subpoenaed as are provided when a subpoena is issued from a court of record. Remedy for party injured by non attendance.

SECT. 4. *And be it further enacted by the authority aforesaid,* That if the person subpoenaed shall attend, but refuse to testify, he shall be liable to the same proceedings on the part of the commissioners or persons authorised as aforesaid, as if he had appeared and refused to testify in a court of record. Witness refusing to testify, liable as in court.

FREDK. SMITH,

*Speaker of the House of Representatives.*

WM. G. HAWKINS,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini, one thousand eight hundred and thirty-one.

GEO. WOLF.

---

## No. 61.

### AN ACT

Authorising compensation to Jacob S. Spang and David Sink, for damages done by certain state roads.

SECT. 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on the written application of Jacob S. Spang, of the township of Oley, in the county of Berks, if the same shall be made within one year after the passage of this act, the judges of the court of quarter sessions of the said county, are hereby authorised and required to appoint six disinterested men to view and adjudge the amount of the damages, if any, sustained by the said Jacob S. Spang, in consequence of a state road leading from Orwigsburg, in Schuylkill county, to Stetler's tavern, in the county of Montgomery, passing through the county of Berks, having been laid out and carried through the land of the said Jacob S. Spang, situate in Pike township, in the county of Berks; and if the said viewers, or any five of them, after ten days notice thereof given to the commissioners of Berks county, shall view the said land, On J. S. Spang's application, court to appoint six viewers.