

on some day and at some place therein appointed to appear before him and show cause why he, the said witness, has so failed to attend or refused to testify, a copy of which order shall be served upon said delinquent witness at least five days before the day therein appointed; and if the said witness, after having had such notice of said order, shall neglect or refuse to appear before said judge, or appearing shall fail to show good and sufficient cause why he, the said witness, has so failed to attend or refused to testify before the said commissioner, then, and not otherwise, the said court or judge may issue an attachment in the name of the State and compel the appearance and answer of such witness in the same manner as any court in this State would be authorized to do if such witness had been summoned to appear before such court and had failed to attend or refused to answer; provided, that the said court or judge may extend the time for hearing before him if deemed by him necessary or important.

1888, art. 35, sec. 35. 1860, art. 37, sec. 34. 1841, ch. 107, sec. 1.

**37.** All witnesses summoned under such commissions shall be allowed the same pay for their attendance as is allowed for the attendance of witnesses before justices of the peace, to be paid by the party summoning them.

#### **Evidence of Consideration.**

1900, ch. 362, sec. 35A.

**38.** Where an action, suit or other proceeding is brought for the purpose of charging any person on a special promise to be answerable for the debt, default or miscarriage of another person, it shall not be necessary to show that the consideration for such promise is in writing.

#### **Typewriting.**

1900, ch. 598.

**39.** All typewriting heretofore executed or done, and all typewriting which may be hereafter executed or done for any purpose, and in any instrument whatsoever, shall have the same legal force, meaning and effect as writing, and writing shall be taken and held to include typewriting; provided, that this section shall not be so construed as to in any manner affect or change the law as it now is respecting signatures.