

subpoenas for attendance of commonwealth witnesses, one for grand jury and another for trial of accused before petit jury, process server advised defendant that he was being subpoenaed for grand jury in certain case, the subpoena served on defendant required him to appear on first Monday of December, the date grand jury convened, trial of cases before petit jury began on second Monday of December, and second subpoena issued for defendant for his attendance at trial before petit jury was never served on defendant.

failure of defendant to attend trial before the petit jury did not justify conviction for violation of the absconding witness statute. *Com. v. Wilson*, 44 A. 2d 520, 158 Pa.Super. 193, 1946.

The essence of the crime under this statute is in the intent to defeat ends of public justice. *Id.*

The essence of the crime consists in the intent to defeat the ends of public justice. *Com. v. Phillips*, 29 L.L. 268, 1872.

**§ 4326.** Repealed. 1947, July 8, P.L. 1477, § 7

**Historical Note**

This section, derived from the act of 1939, June 24, P.L. 872, § 326, related to protection of accused from mob violence.

The subject matter is now covered by sections 3761-3766 of this title.

**§ 4327. Picketing or parading with intent to influence judge, juror, witness or court officer**

Whoever, with the intent of interfering with, obstructing or impeding the administration of justice, or with the intent of influencing any judge, juror, witness or court officer in the discharge of his duty, pickets or parades in or near any building housing a court of the Commonwealth of Pennsylvania, or in or near a building or residence occupied or used by such judge, juror, witness or court officer, or with such intent uses any sound-truck or similar device, or resorts to any other demonstration in or near any such building or residence, shall be guilty of a misdemeanor and, upon conviction thereof, shall be sentenced to pay a fine not exceeding five thousand dollars (\$5000), or to undergo imprisonment not exceeding one (1) year, or both.

Nothing in this section shall interfere with or prevent the exercise by any court of the Commonwealth of Pennsylvania of its power to punish for contempt. 1939, June 24, P.L. 872, § 327, added 1951, Sept. 26, P.L. 1517, § 1.

Library references: Embracery ⇨1; Obstructing Justice ⇨6; C.J.S. Embracery §§ 1, 3; C.J.S. Obstructing Justice §§ 7, 11.

**Cross References**

Contempt, see sections 2041 to 2048 of Title 17, Courts.

**§ 4328. Falsification in matters within jurisdiction of state agencies**

Whoever, in any matter within the jurisdiction of any department, board, commission or agency of the Commonwealth of Pennsylvania,

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knowingly and willfully falsifies, conceals or covers up, by any trick, scheme or device,<sup>1</sup> a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding three hundred dollars (\$300) or undergo imprisonment not exceeding one (1) year, or both. 1939, June 24, P.L. 872, § 328, added 1951, Sept. 26, P.L. 1535, § 1.

<sup>1</sup> Enrolled bill reads "devise".

Library references: Obstructing Justice ⇐7; C.J.S. Obstructing Justice § 5.

**Cross References**

Public record, false entries, see section 4323 of this title.

**§ 4329. False information concerning bombs**

Any person who furnishes any false information to a police officer or to any appointed or elected official or to any employe of any political subdivision of this Commonwealth or to any official or employe of any public, private or parochial school, railroad or railroad depot or station, theatre or other place of assembly, concerning the placement or setting of a bomb or other explosive, knowing the same to be false, is guilty of a misdemeanor, and shall, upon conviction thereof, be sentenced to pay a fine not to exceed one thousand dollars (\$1000) or undergo imprisonment not to exceed one year, or both. 1939, June 24, P.L. 872, § 329, added 1957, July 28, P.L. 418, No. 229, § 1; 1959, July 21, P.L. 554, § 1.

Library references: Breach of the Peace ⇐1; C.J.S. Breach of the Peace § 1 et seq.; P.L.E. Breach of Peace § 1.

**Historical Note**

The act of 1959 inserted "false" preceding "information" and inserted "or to any appointed or elected official or to any employe", and "or to any official \* \* \* or other place of assembly".

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**Library References**

P.L.E. Breach of the Peace § 1 et seq.

**§ 4401. Riots, routs, assemblies, and affrays**

Whoever participates in any riot, rout, unlawful assembly or affray, is guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to imprisonment not exceeding<sup>1</sup> three (3) years, which imprisonment may be at separate or solitary confinement at labor, or to pay a fine not exceeding one thousand dollars (\$1,000), or both.