

no compulsory powers. False testimony given before a person appointed to take evidence in accordance with this article shall be punishable in the courts of the country for which the evidence is required in the same manner as if such testimony had been given before a court of such country.

(c) Requests to appear issued by such person shall, unless the recipient is a subject of the High Contracting Party for whose judicial authority the evidence is required, be drawn up in the language of the country where the evidence is to be taken, or be accompanied by a translation into such language.

(d) The evidence may be taken in accordance with the procedure recognized by the law of the country for whose judicial authority the evidence is required, and the parties will have the right to be present or to be represented by any persons competent to appear before the courts of either of the countries concerned.

ARTICLE 9

The fact that an attempt to take evidence by the method laid down in Article 8 has failed, owing to the refusal of any witness to appear, to give evidence or to produce documents, samples or other objects, does not preclude a request being subsequently made in accordance with Article 7.

ARTICLE 10

(a) Where evidence is taken in the manner provided in Article 7, the High Contracting Party by whose judicial authority the "Letters of Request" are addressed shall repay to the other High Contracting Party any expenses incurred by the competent authority of the latter in the execution of the request in respect of any charges and expenses payable to witnesses, experts, interpreters or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom such authority may have deputed to act in cases where the law of his own country permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed. These expenses shall be such as are usually allowed in similar cases in the courts of the country where the evidence has been taken.

(b) The repayment of these expenses shall be claimed by the competent authority by whom the "Letters of Request" have been executed from the Diplomatic or Consular Officer by whom they were transmitted when sending to him the documents establishing their execution.

(c) Except as above provided, no fees of any description shall be payable by one High Contracting Party to the other in respect of the taking of evidence.

IV.—*Judicial Assistance for Poor Persons; Imprisonment for Debt and Security Costs*

ARTICLE 11

The subjects of one High Contracting Party shall enjoy in the territory of the other High Contracting Party a perfect equality of treatment with subjects of that High Contracting Party as regards free judicial assistance for poor persons and imprisonment for debt; and, provided that they are resident in any such territory, shall not be compelled to give security for costs in any case where a subject of such other High Contracting Party would not be so compelled.