

**13.** The witness who appears, cannot be exempted from giving his evidence before the payment of his taxation.

**14.** The Court may, however, in its discretion, adopt the measures necessary to assure to such witness, if needy, the payment of such taxation. It may even order that the witness be not heard before the payment of his taxation.

**15.** In everything respecting the payment of the witness, the Court will be guided by circumstances, having regard to the pecuniary condition of the parties and witnesses, and shall act in such a manner as to assure to the witness who suffers a serious inconvenience from the delay, the payment of his taxation, and on the other hand, not to deprive the party with limited means, of the evidence of an exacting witness who can, without running into debt, await the end of the case.

**16.** No execution shall henceforth be issued for the taxation of a witness before the final judgment, and it shall enter into the bill of costs of the case. The witness may, however, notify in writing the party condemned to pay such costs, not to pay his taxation to any one but himself, and such payment made voluntarily, notwithstanding such notification, shall not be valid.

**17.** The taxation of a witness shall include only the actual expenses, unless the witness be poor and suffer from the loss of his time, in which case the approximate value of his work shall be allowed him. Provided always that in no case more than one dollar per day's absence shall be allowed him.

**18.** Every witness who, without valid excuse, neglects to appear in Court to there give his evidence, may, in addition to the penalty hereinafter set forth, be sued for the damages occasioned to the party who summoned him, owing to his being deprived of his testimony.