

5. Every informer shall be a competent witness without releasing his interest in the fine or penalty unless the law creating the offence prohibits him.

6. In every suit or action at law or in equity in which it may be necessary to prove the execution of any instrument of writing whatsoever attested by a subscribing witness or witnesses, it shall be lawful to prove the execution of such instrument of writing in the same manner and by the same evidence that the same might be proved by if not attested by a subscribing witness; but this shall not apply to the proof of the execution of any last will and testament.

ATTENDANCE AND PAY OF WITNESSES.

7. Whenever any witness shall be summoned to attend any of the courts of this State, and shall without sufficient excuse neglect to appear, he may be attached and fined by the court not exceeding fifty dollars, and shall be liable to answer the party for whom he shall be summoned in an action upon the case for the damage sustained for want of his appearance to testify according to such summons.

8. If any witness summoned or attached being present shall refuse or delay to give his evidence, he shall be committed to jail, there to remain until he shall willingly do the same.

9. Any court from which execution shall issue on any recognizance forfeited for not attending as a witness in any case not capital, may upon motion, and good and sufficient cause fully shown by such person, discharge him from the execution, upon such terms as the court shall think fit and proper.

10. There shall be allowed to each witness attending the Circuit Courts or Orphans' Courts of this State the sum of one dollar for each day such witness shall attend for the discharge of his duty, besides itinerant charges to be allowed to witnesses coming from other counties.

11. A witness summoned before a justice of the peace shall be allowed thirty-three cents per day for each day's attendance.

12. A witness summoned by a surveyor in execution of an order for a survey from the Circuit Court shall be allowed the