

certificate or order within said time shall be a waiver by the witness of all claim to compensation for such attendance.

*Hutchins v. Eden*, 3 H. & McH. 101. *Davis v. Batty*, 1 H. & J. 270, (note a.) *Hall v. Somerset Co.*, '82 Md. 624.

1888, art. 35, sec. 11. 1860, art. 37, sec. 11. 1791, ch. 68, sec. 7.

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

*Schamel v. Washington Co.*, 83 Md. 129.

*Ibid.* sec. 12. 1860, art. 37, sec. 12. 1789, ch. 35, sec. 8.

**13.** A witness summoned by a surveyor in execution of an order for a survey from the circuit court shall be allowed the same pay as in the circuit court, and payment may be enforced by attachment or order from the court which issued the order for the survey.

*Ibid.* sec. 13. 1860, art. 37, sec. 13. 1752, ch. 13.

**14.** Where a witness against any person accused of a crime cannot find security for his appearance to testify against the person so accused and for want of such security shall be committed to prison, the county where the prosecution shall be carried on shall be chargeable with and pay the imprisonment fees of such witness; and the county commissioners or the mayor and city council of Baltimore shall levy the same, from time to time, as the case may require.

*Hall v. Somerset Co.*, 82 Md. 620

*Ibid.* sec. 14. 1860, art. 37, sec. 14. 1809, ch. 188, sec. 24.

**15.** If any person shall be presented or indicted for a misdemeanor, or any offense of an inferior nature, and shall on trial thereof be acquitted, or shall plead guilty and submit his case to the court, the court may, at its discretion, order that no compensation for any attendance of the prosecutor be allowed.

#### Commissions to take Testimony out of this State.

*Ibid.* sec. 15. 1860, art. 37, sec. 15. 1773, ch. 7, sec. 7. 1843, ch. 348. 1884, ch. 82.

**16.** The several courts of law and any of the judges thereof in recess, upon written application to be filed in the cause made to them by a party to or interested in a suit, action or other proceeding therein depending, either original or on appeal from a justice of the peace, and the orphans' court of this State, in any proceeding pending before them, and on being satisfied,