

§427. Witnesses

1. Oaths. A military judge detailed under this Code may administer oaths.
[PL 1983, c. 460, §3 (NEW).]

2. Subpoena. A military judge, notary public or clerk of any District Court or Superior Court may issue subpoenas for witnesses and subpoenas duces tecum to compel the production of books, papers and photographs relating to any questions in dispute before the court-martial or to any matters involved in a trial by court-martial.
[PL 1983, c. 594, §29 (AMD).]

3. Fees and mileage. Fees and mileage payments shall be paid to witnesses at the rate allowed to witnesses attending the District Courts. The fees and mileage payments shall be paid out of the Military Fund.
[PL 1983, c. 460, §3 (NEW).]

4. Violation. It is a Class E crime for a person not subject to this Code intentionally to fail to appear as a witness, refuse to qualify as a witness or refuse to produce evidence if that person:

A. Has been subpoenaed to give testimony or produce evidence; or [PL 1983, c. 460, §3 (NEW).]

B. Has been paid fees and mileage as a witness. [PL 1983, c. 460, §3 (NEW).]
[PL 1983, c. 460, §3 (NEW).]

5. Prosecution. The Attorney General may prosecute persons who violate this section.
[PL 1983, c. 460, §3 (NEW).]

SECTION HISTORY

PL 1983, c. 460, §3 (NEW). PL 1983, c. 594, §29 (AMD).

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