

CHAPTER 7

Witnesses

SECTIONS

§ 701. Witness summons.

§ 702. Detention and release of witness.

§ 701. Witness summons.

A witness summons in a proceeding before an official authorized to issue a warrant, who is not a court, may be issued by such an official. Failure by any person without adequate excuse to obey such a witness summons may be deemed a contempt of the district court within whose territorial jurisdiction it was issued.

Source: TT Code 1966 § 487; TT Code 1970, 12 TTC 301; TT Code 1980, 12 TTC 301.

§ 702. Detention and release of witness.

(1) Whenever the court has reason to believe that a witness may be intimidated or become unavailable at the trial, he may be detained as a material witness; provided, that no such person shall be detained for a period of more than 21 days without a further order being made. A report of such detention shall be made forthwith in the manner provided for the transmission of the record.

(2) A person detained as a material witness shall be entitled to be released as a matter of right upon giving bail for his appearance as witness in an amount fixed by the court ordering the detention or any higher court. The court ordering the detention, or any higher court, may order the witness' release without bail if he has been detained for an unreasonable length of time and may modify at any time the requirement as to bail.

Source: TT Code 1966 § 488; TT Code 1970, 12 TTC 302; TT Code 1980, 12 TTC 302.

Cross-reference: The statutory provisions on the FSM Supreme Court and the Judiciary are found in title 4 of this code. The statutory provisions the President and the Executive are found in title 2 of this code.