

28 EDWARD III, CH. 13

REPEALED BY CH. 611, ACTS OF 1973:

ART. 51, §18.

TITLE 9. WITNESSES.

SUBTITLE 1. COMPETENCE, COMPELLABILITY, AND PRIVILEGE.

[[SEC. 9-101. GENERAL.

UNLESS OTHERWISE PROVIDED IN THIS SUBTITLE, EVERY PERSON IS COMPETENT TO BE A WITNESS.]]

[[SEC. 9-102. PERSON OF UNSOUND MIND.

A PERSON OF UNSOUND MIND MAY NOT TESTIFY IF HE LACKS SUFFICIENT UNDERSTANDING OF THE NATURE OF AN OATH OR IS UNABLE TO GIVE A COHERENT ACCOUNT OF WHAT HE HAS SEEN OR HEARD.]]

[[SEC. 9-103. INFANT.

AN INFANT MAY NOT TESTIFY IF HE LACKS SUFFICIENT UNDERSTANDING OF THE NATURE OF AN OATH. IF HE HAS THAT UNDERSTANDING, HE MAY TESTIFY IN THE SOUND DISCRETION OF THE COURT.]]

SEC. 9-101. GENERAL.

UNLESS OTHERWISE PROVIDED IN THIS SUBTITLE: (1) A PERSON SHALL NOT BE EXCLUDED FROM TESTIFYING IN A PROCEEDING BECAUSE OF INCAPACITY FROM CRIME OR INTEREST IN THE MATTER IN QUESTION; AND (2) LITIGANTS AND THEIR SPOUSES ARE COMPETENT AND COMPELLABLE TO GIVE EVIDENCE.

REVISOR'S NOTE: This Section presently appears as a portion of Art. 35, §1. The section was reinstated at the direction of the Senate Judicial Proceedings and House Judiciary Committees, which objected to the codification of case law in the commission's draft of §§9-102 and 9-103, as they appeared in the first reader copy of SB 1.

SEC. 9-104. CONVICTED PERJURER.