

HOUSE No. 1030

Bill accompanying the petition of Timothy J. Ahern for legislation to provide for a disclosure of the names of witnesses in certain cases. Joint Judiciary. January 18.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eleven.

AN ACT

To compel a Disclosure of the Names of Witnesses in certain Cases.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 *Resolved*, That section sixty-three of chapter one hun-
2 dred and seventy-three of the Revised Laws is hereby
3 amended by adding the following thereto:— but the
4 court may compel a party to disclose the names of wit-
5 nesses and their addresses if justice would seem to require
6 it, upon such terms and conditions as the court may deem
7 expedient, where by reason of peculiar circumstances
8 the names of witnesses are in the exclusive possession of
9 one party to the action, — so as to read as follows:—
10 *Section 63.* The party interrogated shall not be obliged
11 to answer a question or produce a document if it would

12 tend to criminate him, or to disclose his title to any
13 property the title whereof is not material to the trial of
14 the action in the course of which he is interrogated, or
15 to disclose the names of the witnesses by whom, or the
16 manner in which, he proposes to prove his case. But
17 the court may compel a party to disclose the names of
18 witnesses and their addresses, if justice would seem to
19 require it, upon such terms and conditions as the court
20 may deem expedient, where, by reason of peculiar cir-
21 cumstances, the names of witnesses are in the exclusive
22 possession of one party to the action.