

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

E I G H T Y - S I X T H   L E G I S L A T U R E

---

---

**Legislative Document**

**No. 94**

H. P. 33

House of Representatives, Jan. 26, 1933.

ORDERED, that 500 copies be printed of House Paper No. 33, Bill "An Act Providing for Waiver of Jury Trial by Persons Accused of Crime." Read and passed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Tompkins of Houlton.

---

---

S T A T E   O F   M A I N E

---

IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED  
AND THIRTY-THREE

---

AN ACT Providing for Waiver of Jury Trial by Persons Accused of Crime.

---

Be it enacted by the People of the State of Maine, as follows :

**R. S. c. 91, amended.** Chapter 91 of the revised statutes is hereby amended by inserting after section 25 thereof the following sections :

'Sec. 25-A. The constitutional right of trial by jury may be waived by the accused as hereinafter provided, excepting in cases involving the crimes of treason, murder or judicial corruption. In case of such waiver, the justice presiding at a term of the superior court shall hear and decide the case without the aid of a jury and exercise all of the powers now conferred upon juries by law.

Sec. 25-B. Any such waiver shall be evidenced by a writing signed by the respondent, filed with the clerk of courts, and entered on the court docket. When two or more respondents are tried together, there shall be no such waiver unless all consent.

Sec. 25-C. Such waiver shall be received only when the consent of the accused thereto is approved by counsel for the state and sanctioned by the court acting within the bounds of sound and advised discretion.

Sec. 25-D. No such waiver shall affect in any way the right of appeal or of exceptions now granted a respondent, and such rights shall remain the same as if the trial were by jury.'