

# MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

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**Legislative Document**

**No. 576**

H. P. 1323

House of Representatives, February 12, 1935.

Referred to Committee on Judiciary, sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Oliver of Bath.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-FIVE

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**AN ACT Relating to the Failure of the Accused to Take the Stand in  
Criminal Cases.**

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

**Failure of defendant to take stand may be commented on.** The failure of the accused to take the stand in the trial of a criminal cause may be commented on by counsel, and the jury may give consideration to such failure in arriving at a verdict.

Likewise in a trial without a jury the magistrate may take into consideration the failure of the accused to take the stand.