

1 not the amendment to put the grand jury into the
2 constitution stays or goes.

3 I would suggest to you that the placing of the
4 right to indictment by a grand jury in the new Maryland
5 constitution is a backward step. The right to indictment
6 by grand jury dates back, as I understand it, to feudal
7 times, to days when both judges and juries were laymen
8 and peers, to the time when the grand jury not only
9 presented the case, not only decided that there was prima
10 facie evidence on which the accused should be brought to
11 trial, but actually tried the case itself.

12 Under our modern practices today, the grand
13 jury does not serve many of its traditional functions.
14 It is not an effective screening body between the accused
15 and the court, as was stated to us by witnesses and has
16 been seen by statistics which unfortunately I do not have
17 here, the practice has been for the grand jury to be nothing
18 more than a conduit between state's attorneys and the court.

19 It has been a source of delayed justice rather
20 than advanced justice. It has saved no one from the
21 glare of publicity or the embarrassment or expense of making