

As Delegate Dulany says, the legislature may impose the death penalty for picking pockets. It is also true that that offense may be tried in the district court.

Under this amendment, that defense could be determined by a jury of six people. There may be reasons why we should depart from the principle that no man and no woman shall go to jail or be fined unless twelve fellow citizens agree that they are guilty of a crime against society.

If there are reasons, I have not heard them in this Committee. I suggest that we not so lightly depart from what everybody has always understood as an essential freedom.

I ask each of you whether you would be willing to stand trial before six rather than twelve for an offense no matter how slight it may be, regardless of whether it sentences you to prison for one year or ten years, an offense which takes away your freedom and your liberty and which brands you forever as a person convicted of a crime.

I urge you to reject this amendment.

THE CHAIRMAN: Are you ready for the question?

(Call for the question.)

The question arises on the adoption of Amendment No. 14 as modified. A vote Aye is a vote for the Amendment; a vote No is a vote against.

Cast your votes. Has every delegate voted? Does any delegate desire to change his vote?

(There was no response.)

The Clerk will record the vote.

There being 55 votes in the affirmative and 72 in the negative, the motion is lost and the amendment is rejected.

The Chair recognizes Delegate Powers.

DELEGATE POWERS: Mr. Chairman, I move that the Committee of the Whole rise and report that it has not completed consideration of Committee Recommendation R&P-1.

THE CHAIRMAN: Is there a second?

(The motion was seconded.)

THE CHAIRMAN: All in favor signify by saying Aye; contrary, No. The Ayes have it. It is so ordered.

The Convention will please come to order.

(Whereupon, at 1:25 P.M., the Committee of the Whole rose, and the Convention reconvened.)

(The mace was replaced by the Sergeant-at-Arms.)

PLENARY SESSION

DECEMBER 12, 1967—1:25 P.M.

PRESIDENT H. VERNON ENEY,
PRESIDING

THE PRESIDENT: The Convention will please come to order.

The Chair has an important announcement to make. On behalf of the Committee of the Whole, the Chair reports the Committee has had under consideration Committee Recommendation R&P-1 and it still has it under consideration and desires leave to sit again.

As I indicated shortly after the Convention convened this morning, I will advise you at this time as to the policy that the Chair intends to follow in connection with second readers before the Convention.

Rule 4 of the Convention provides that the presiding officer shall fairly assign floor rights. In an effort to do this the Chair will follow this procedure. Prior recognition will be given to persons submitting amendments which have been submitted in writing at least three hours in advance of the beginning of the session at which the second reading of the recommendation is scheduled.

Prior recognition will be given to amendments sponsored by at least fifteen delegates.

After action on all amendments given prior recognition, a delegate will be recognized to move the previous question.

The purpose of this is to enable the Convention to determine whether it desires to consider amendments other than those which have been submitted in writing sufficiently in advance so that everyone can see them, and whether it desires to consider amendments other than those which have been sponsored by a sufficient number of delegates.

If the motion for the previous question is not carried, we would, of course, continue to receive any other amendments as they were offered.

Under the Convention rules there is no limitation on debate other than the 15-minute limitation on each speech.

Quite obviously if the debate on second readers is very extended, the work of the entire Convention could be slowed very ma-