

1 Junior Bar Association proposed an amendment to this
2 provision of the Constitution eliminating the provision that
3 the jury shall be the judges of the law, but the bill was
4 defeated."

5 Possibly the proposal was considered too revolu-
6 tionary or drastic. Doubtless many members of the General
7 Assembly felt that the provision has not outlived their use-
8 fulness. I am not disposed to disagree with them. My
9 quarrel is not with the provision, but with the procedural
10 practice derived from it. Now as I understand it, and
11 Judge Henderson will correct me if I am wrong, he did not
12 like the procedure where you could not agree or the judges
13 could not determine the sufficiency of the evidence, and I
14 agree with him in that regard. The minority doesn't tell us
15 the effect of it. There has been no research which has been
16 developed which would tell what leaving this out would do to
17 the law of Maryland.

18 DELEGATE JAMES: Delegate Henderson, do you speak
19 in favor?

20 DELEGATE HENDERSON: I do.

21 DELEGATE JAMES: The Chair recognizes Delegate