

1 property damage, the judge will turn to the jury and give
2 them his instructions on the law. He will tell the jury
3 what the law is, and he will tell them that they are bound
4 by his statement to them of what the law is.

5 And the jury in its function as a fact-finding
6 body decides what the facts are under the law as the court
7 has given it to them, each taking its own place in our scheme
8 of justice.

9 But when you come to a criminal case which may
10 be one involving the question of whether the crime was
11 robbery, whether it was receiving stolen goods, whether it
12 was larceny or whether it was embezzlement, and all the
13 complications involved in all of those descriptions of what
14 the law may be, the judge has to say to the jury: "Ladies
15 and gentlemen of the jury, what I have told you about the
16 law is not binding on you. It is advisory only."

17 In other words, a jury of lay people is supposed
18 to be able to figure out for themselves what the complicated
19 law may be in a given case.

20 Now, if they get fooled and the verdict is
21 not guilty, there can't be another trial, there can't be