

1 DELEGATE BENNETT: I rise to ask unanimous  
2 consent that this interesting bit of history be put in  
3 the record and that Delegate Murray be granted two minutes  
4 additional .

5 DELEGATE JAMES: All in favor say aye, opposed,  
6 no. This is an unusual honor accorded you, sir.

7 DELEGATE E. C. MURRAY: What is the duty, what  
8 is the duty of a criminal juror? Is it not to adjudge  
9 the criminal guilt of his fellow man in the light of the  
10 time and place of the criminal act?

11 The attitude toward a given act in one part of  
12 the State may vary considerably from another, and the  
13 attitude today may vary tremendously from the attitude  
14 30 years, 20 years, 40 years ago when the law was enacted.

15 It permits the juror to judge his fellow man  
16 as he would expect to be judged.

17 When our ancestors embodied this protection for  
18 themselves in our Constitution of 1851, they obviously  
19 believed it to be wise. Today we have a very different pre-  
20 cedent in the action of the Supreme Court of the United  
21 States who today base their judgments not solely upon the