

1 law clerk for Judge Day in the Circuit Court for Harford
2 County. I saw consistently the State's Attorney there
3 reading the jury the law. I saw two murder cases in which
4 the jury returned life imprisonment, in which had mandatory
5 instructions been given, I am sure the jury would have re-
6 turned no greater than manslaughter and two manslaughter
7 in the House of Corrections today for life because of
8 this provision.

9 I have no question occasionally it lets the
10 guilty go free but also sometimes it puts the innocent in.
11 It provides even-handed justice. I think we are here to
12 provide for equal justice for all and I support the amendment
13 and urge you to vote in favor of it.

14 DELEGATE JAMES: Are you ready for the question?

15 Delegate Willoner, for what purpose do you rise?

16 DELEGATE WILLONER: I just wanted to answer one
17 question real quickly. One is that Judge Sobolov this year,
18 1967, ruled this provision to be Constitutional, although
19 he disliked the provision.

20 I just want to make it clear that I do not think
21 it is an unconstitutional provision; at least until