

1 don't feel we have been presented enough material in
2 the history or what goes on in the other States. I
3 have here the general reasons of why we should change
4 the present unanimous requirement. I would be in favor
5 of studying it and having research or other arguments
6 brought back to the Commission, but I would not be in
7 favor of it otherwise.

8 THE CHAIRMAN: I don't think that is quite
9 the point. The point made by Mr. Mindel is that the
10 question of whether the verdict of the jury in a criminal
11 case should be unanimous should be determined by the
12 Legislature and not by the Constitution.

13 MR. MINDEL: That is correct.

14 MR. BOND: Even so, I would like to know in
15 what States that is done, et cetera.

16 MR. MARTINEAU: Mr. Bond, in the Index to
17 State Constitutions, it lists only eight States as
18 requiring a unanimous verdict in criminal cases; approxi-
19 mately five or six permit a lesser number to give a
20 verdict, and I think --

21 PROFESSOR ASPER: Criminal cases?