

New Jersey:

C. PARKER, Esq.—No code of criminal procedure has been adopted; the common law practice in the main prevails.

Pennsylvania:

J. J. BARCLAY, Esq.—Yes, the present criminal code, already referred to, was adopted in 1860.

Maryland:

A. STERLING JR., Esq.—We have no codification of criminal law. Our code is a mere digest of statute law.

Kentucky:

E. S. VAN WINKLE, Esq.—We have an entire new system of criminal procedure, known as the criminal code; nevertheless, we preserve the *substance* of the old in all its essential features, without its useless formalities.

Indiana:

HON. CONRAD BAKER,—We have a practice act, but the common law in the main prevails.

Michigan:

H. K. CLARKE, Esq.—The common law practice remains in full force, with but two exceptions, as I now remember, viz., the accusation by information instead of by indictment, as specified in answer to interrogatory No. 27, and the change which permits a prisoner to make an unsworn statement of facts, which the jury are allowed to consider in making up their verdict.

QUESTION XXXIII.

What, in your judgment, if any, are the defects in the existing system of criminal procedure, and what suggestions can you offer on the subject of improvements to be made therein?

ANSWERS.

Massachusetts:

GEO. W. SEARLE, Esq.—For my ideas on the defects of our system of criminal procedure, and for some suggestions on the subject of improvements to be made, see my article on the *Penal System of Massachusetts*, in the annual report of the Prison Association for 1864.

New Hampshire:

HON. S. D. BELL.—I am not prepared to suggest defects or improvements in our system.