

1 THE CHAIRMAN: Let's resume if we can, and I
2 want to keep the pressure on you a little bit for the rest
3 of the afternoon because a number of you have indicated
4 to me that it is either very difficult or, in some in-
5 stances, impossible for you to be here this evening,
6 therefore, I would like to not cut off debate at all but
7 just ask that we move briskly.

8 The question is before you on the motion to
9 amend the Committee's recommended provision with respect
10 to trial by jury in civil proceedings on page 13 of the
11 report. Dr. Bard.

12 DR. BARD: I would like to ask Mr. Case whether
13 he would object to having the statement as amended in
14 Article IV dealing with the judiciary rather than in the
15 Declaration of Rights. I think the amendment, as I see
16 it now, would not be qualified for the Declaration of
17 Rights which is concerned primarily with inherent rights.

18 THE CHAIRMAN: I don't think Mr. Case's motion
19 went to its position and I would rather leave that to the
20 Committee on Style.

21 DR. BARD: All right. Therefore the sentence