

1 There is no magic in the number 1]. I believe
2 that in the beginning, it goes back to the early days when,
3 if you could get 12 jurors to swear for you, it was released.
4 You were released. It had nothing to do with a fact-
5 finding jury and where you limit it to not less than six
6 and not less than the five-sixths verdict, it seems to me
7 you have removed some of the difficulties and meet all the
8 objections to this form of relief.

9 I urge its adoption.

10 THE CHAIRMAN: Are there any questions of the
11 sponsor of the amendment?

12 Delegate Bamberger:

13 DELEGATE BAMBERGER: Delegate Henderson, if this
14 amendment is adopted, do you propose a similar amendment for
15 Section 7 with respect to juries in civil cases?

16 THE CHAIRMAN: Delegate Henderson.

17 DELEGATE HENDERSON: I have such an amendment
18 prepared which would accomplish the same result by providing
19 for five-sixths verdict as prescribed by law. The
20 Commission, I might add, in Section 7 has provided for a
21 six-man jury, but limited to civil cases only. I think if