

1 they could not convict President Johnson save in a
2 judicial sense, that the case must be decided as if the
3 Senate were a court. There is a confusion here, it
4 seems to me, in this debate as to what the purpose of
5 this trial is, this is not a trial as Delegate Hanson
6 suggested, which is to replace an action by the court.
7 This is a trial to determine whether an individual can be
8 removed from office. He is still subject to action by
9 a court if accusation be made against him according to
10 law.

11 By all means, it seems to me we should remove
12 the trial of impeachment cases from the political atmos-
13 phere of the Senate and put it where it belongs in a
14 commission of judges.

15 THE CHAIRMAN: Any further discussion?

16 Delegate Gill.

17 DELEGATE GILL: Just a matter of statistics,
18 Mr. Chairman and fellow delegates. The 1957 report of
19 the Citizens Conference on State Legislatures: Impeach-
20 ment and trial of governors: Of the power of impeachment,
21 49 empowered the legislature to impeach the governor. Of