

1 "The jury shall consist of either six or twelve
2 as provided by law".

3 THE CHAIRMAN: The amendment has been submitted
4 by Delegate Johnson.

5 Is there a second?

6 Delegate Kirkland.

7 DELEGATE KIRKLAND: Second.

8 THE CHAIRMAN: The amendment is seconded by
9 Delegate Kirkland.

10 The Chair recognizes Delegate Johnson to speak
11 to the amendment.

12 DELEGATE JOHNSON: Mr. Chairman, Ladies and
13 Gentlemen of the Committee of the Whole: Personally I
14 am not at all certain I can endorse a departure in the
15 size of the jury in criminal and civil cases although I
16 recognize there is a difference. What I am concerned
17 about, if we are going to go to the rather unusual provi-
18 sion of having civil cases consisting of as little as six
19 members, I think that we should be very careful so as not
20 to put the Legislature in a position where they would be
21 playing a numbers game with the number of jurors. It
would seem to me that if we are going to experiment at six