

1 THE CHAIRMAN: Of the type for which there was
2 no right of trial by jury at common law.

3 DELEGATE CASE: Yes, sir. That is what we are
4 trying to do here.

5 THE CHAIRMAN: Very well.

6 Is there any objection to that modification?

7 Delegate Koger.

8 DELEGATE KOGER: I would like for you to explain
9 it. I am not a lawyer.

10 THE CHAIRMAN: Very well.

11 The Chair would observe that as I think all
12 of the delegates would agree, that it is rather wordy, but
13 the Committee on Style can probably take care of that.

14 The amendment would now read, at the end of section
15 3 add the phrase "except that trial by jury shall not be
16 required for petty offenses of the type for which there
17 was no right of trial by jury at common law."

18 I take it that that means that it is not limited
19 to the particular petty offenses for which there was no
20 right of trial by jury at common law; but petty offenses
21 that may have been unknown at common law but are of the