

1 permitted only as permitted by the Court of Appeals by
2 rule.

3 Action s in the District Court, actions in those
4 cases would be permitted only as permitted by the Court of
5 Appeals by rule and actions where the request is made less
6 than thirty days prior to trial, they would be permitted
7 only as permitted by the Court of Appeals by rule.

8 Now, this provision strikes at the heart of
9 the abuses to which the right of removal has been subjected
10 in the past. I took the liberty of contacting Judge J.
11 Dudley Diggs who is Chief Judge of the Seventh Judicial
12 Circuit and asked him for a letter on this subject and he
13 was kind enough to reply and I distributed that letter
14 among you and you will see from that letter that in the
15 many, many cases in which this right of removal is exer-
16 cised in ninety-five and ninety-eight per cent of the
17 cases it is abused, it is done at the last minute.

18 My amendment would prevent that abuse. If the
19 request to remove was made within thirty days prior to
20 trial, it could be done only as permitted by the Court
21 of Appeals by rule. I would assume the Court of Appeals