

1 MR. CLAGETT: I will second.

2 MRS. BOTHE: I would like to ask Mr. Case a
3 question. The proposed language says, shall, the exist-
4 ing language says, ought. Obviously, shall, is much
5 stronger than, ought. Does he mean by that, that we are
6 to weaken the proposal, just in the name of tradition
7 or for any other reason?

8 MR. CASE: I think you can argue, Mrs. Bothe,
9 about, shall, and ought, as long as you care to keep
10 the argument going and neither party will convince the
11 other that he was right. This is a matter of semantics.
12 The word, ought, has been in the Constitution for these
13 many years, and I don't see any reason to change it.

14 THE CHAIRMAN: I would like to give the Com-
15 mittee in each instance the opportunity to make the
16 first comment. Mr. Gentry?

17 MR. GENTRY: Speaking again on this very same
18 subject, the language of Article 40 was carefully studied,
19 and it is felt it is considerably weaker than what is
20 proposed. Certainly, when you grant a right with such
21 language as we have in our proposed Section, it goes much