

1 only one house, I don't think they ought to impeach and
2 then try the case.

3 DR. BARD: They don't in Nebraska, Mr.
4 Chairman.

5 THE CHAIRMAN: Let me get at it this way,
6 because we are going to have alternate provisions.
7 In the event of a bicameral Legislature, how many prefer
8 trial of impeachment by the Legislature?

9 MR. BROOKS: Just one observation. Just
10 speaking about the bicameral Legislature, it would seem
11 that perhaps one of the things that one might consider
12 to make impeachment a practical extraordinary remedy is
13 to overcome what is apparently the most difficulty
14 with impeachment. That is the trial process.

15 It is not the impeachment itself which the
16 lower house votes but rather the awkwardness of the Senate
17 constituted for legislative purposes and being of the
18 number it is, actually conducting a judicial trial. They
19 are really not selected for that purpose, and they them-
20 selves, whenever the occasion has arisen, have discouraged
21 impeachment. That is probably the one reason why