

1 abundantly clear that the limitations apply to the Legis-
2 lative as well as to the Judicial branch of Government.
3 Now, all in favor, signify by a show of hands. Contrary.
4 The motion is carried, 11 to 6.

5 Now, Mr. Sayre, your point?

6 MR. SAYRE: My question here is regarding
7 bail. I don't see that we have provided for a person
8 being bailable, depending upon the seriousness of the
9 crime.

10 PROFESSOR ASPER: The final paragraph of
11 our comments, which is rather concise form, or a discus-
12 sion the Committee conducted on that: Most State con-
13 stitutions, about forty of them as I remember, do provide
14 that, say, a right to bail, but then they have to start
15 qualifying it with some extremely peculiar language,
16 most common, they have a right to bail, excepting capital
17 cases, sometimes capital cases or those punishable by life
18 imprisonment, some other cases specifying a list of
19 crimes for which this right to bail will not exist, when
20 proof is evident or the presumption great, which is very
21 common language, and I don't think there is a soul in