

1 a very very large percentage, and it is a very useful
2 thing, because as I say, people can get to trial quicker,
3 rather than stay in jail, and it avoids the great
4 load and burden which would otherwise be placed upon the
5 grand jury.

6 I want to preserve that system. I want that
7 perfectly clear, with such improvement as may be made from
8 time to time, but by adopting this language, which is
9 lifted out of the federal Constitution, applicable to
10 federal cases, and not to state cases, because this is one
11 part of the federal Constitution which has not been held
12 applicable to the states, that by lifting that, you may
13 put or lift some of the gloss that has been put on that,
14 namely, that the accused has a right to indictment which
15 he cannot waive, just as he is not permitted, I believe,
16 to waive jury cases in the federal courts.

17 That system, which is based on relatively a
18 small number of specialized statutory crimes, such as the
19 Mann Act, for example, and some others, and does not
20 cover the whole gamut of common law crimes which exist
21 at the state level, has been set up on a very different