

1 if we start allocating power in the constitution when
2 the power is already there, we run, unfortunately, into
3 a difficult situation of interpretation. It has long been
4 the practice of the courts of this country to interpret
5 the constitution in such a way that when a power is
6 expressed, the courts interpret that as being the limits.
7 I can see it possible for the courts to take the wording
8 of this provision as now stated and say that it was
9 intended by the Convention that the only protection which
10 the Constitution demands of the legislature in this
11 respect is with respect to the words themselves against
12 harmful and unfair business practices, not other kinds
13 of practices, only business practices.

14 This is going to give the courts some difficulty,
15 and it has already been suggested that there is some
16 question as to whether this includes professional
17 practices.

18 It seems to me that we are on very dangerous
19 ground here if we attempt to do something which may turn
20 out by interpretation of the courts to be something
21 that we did not want.