

1 and I think that probably Delegate Hardwicke and myself
2 and Delegate Mitchell also probably worked the hardest
3 on this.

4 Delegate Scanlan has indicated that the addition-
5 al wording will add a great deal, but it has been my
6 understanding since we have adopted the identical language
7 of the Federal Constitution, Amendment 14, that this
8 also entitles us to the body of case law which comes with
9 that, so that we would be right in line with the Supreme
10 Court.

11 Now, as I say, enough has been said about state
12 action. However, it is almost an indefinable term. On
13 one occasion, the Supreme Court will rule, as it did in
14 Shelley v. Kraemer, and go into the private sector, will
15 give a ruling in that area, simply because state judi-
16 cation was sought to uphold the covenants of an agree-
17 ment, a realty agreement.

18 On the other hand, in two other cases, Drows v.
19 State of Maryland and Watkins v. Oakland Jockey Club, an
20 action on the part of the state was involved, the Supreme
21 Court went in the opposite direction and said that the