

1 despite the efforts of this Committee in Section 3, we
2 just have a general exhortation, representation be based
3 on population so far as practicable. I can see the
4 Maryland Court of Appeals taking the position that the
5 new Constitution was adopted, there was an attempt to
6 give us jurisdiction, that an attempt was not adopted.
7 So far as the law of the State of Maryland is concerned,
8 the question of representation in the General Assembly is
9 purely a political question.

10 Now, so far as the Federal Constitution is con-
11 cerned, that is another matter, and the basis of Judge
12 Henderson's first dissent in the very first Court of
13 Appeals decision, where the Court of Appeals held it did
14 have jurisdiction, was it was the law of the State of
15 Maryland provided no jurisdiction. He was on very sound
16 ground, but he did not prevail. I can see a subsequent
17 court with a new Constitution where nothing was said about
18 the right of the Court of Appeals to review this, under
19 State law, taking the position that the Court of Appeals
20 of Maryland had no jurisdiction, that under the State
21 Constitution, it was purely a political question. You want