

1 sight would put those words in anyhow, but I see nothing  
2 in the first sentence which required them to put in such  
3 words.

4 MR. CASE: You conceivably have a point there.  
5 There would be no objection as far as I am concerned in  
6 including those words, although I think it would be a  
7 redundancy because the thing the Section, the last sen-  
8 tence, probably does require this; but the thing about it  
9 is, Dr. Burdette, that you overlook, is a substantive  
10 point, and that is that no matter what the General  
11 Assembly says, these are just so many words. They are  
12 necessary words, but they are just so many words, until  
13 if they are challenged and a decision is made by the  
14 court. In all of the cases throughout the country, this  
15 has been stated to be true.

16 We have a doctrine of legislative finality  
17 in certain areas, but in this area the existence of a  
18 public purpose as such has to be determined in the last  
19 analysis by the Court.

20 DR. BURDETTE: Exactly.

21 MR. CASE: And the Court does this on the due