

1 MR. CASE: I am sorry, Mr. Chairman.

2 THE CHAIRMAN: Do you think if any language
3 were added which required that the Legislature state
4 the public purpose in the statute, and this were questioned
5 in litigation, that the court would say it is limited
6 to the public purpose stated, and if it concluded that
7 the purpose stated was not a proper public purpose but
8 there was another public purpose, it couldn't go to the
9 other public purpose.

10 MR. CASE: That is entirely possible. I can
11 think of an illustration where that might be true in the
12 credit field. It is inconceivable to me that indebtedness
13 which states the object of the borrowing wouldn't qualify
14 or wouldn't have enough on the record so you would know
15 whether it would qualify or not, but I think if you try
16 to become more specific in the Constitution requiring
17 something like this, you are going to breed more litigation
18 like we have had under 34 from time immemorial.

19 THE CHAIRMAN: Mr. Miller?

20 MR. MILLER: Getting back to the point that
21 Dr. Winslow was discussing, if it is conceded that the

~~State as a matter of principle has all rights to borrow,~~