

1 provisions for Legislatures which use similar language,  
2 that the Courts will keep hands off in this area and I  
3 would be afraid that if you left out the usual language,  
4 somebody might seize on this as a pretext for saying we  
5 intended to weaken the independence of --

6 THE CHAIRMAN: I don't know that the word, final,  
7 is the usual language. I think the usual language, that I'm  
8 familiar with, is that each House shall be the judge of the  
9 qualifications of its own Members, and I would think if you  
10 said that you would leave untouched the question of whether  
11 there could or could not be judicial review.

12 MR. SYKES: The Federal Constitution, in Section  
13 5 of Article I, says it shall be the judge.

14 MR. MILLER: Didn't the Federal Courts take over  
15 in connection with one of those recent Alabama elections?

16 MR. SCANLAN: No, they didn't. That's the  
17 point now before the Supreme Court.

18 THE CHAIRMAN: The same language in Section 19  
19 of Article III. Do you have any further question, Mr.  
20 Sykes?

21 MR. SYKES: I don't think the emphasis, even