

1 what the Supreme Court is going to do, are the ones who
2 have stated, But we don't want the Supreme Court to run
3 the affairs of the State of Maryland, and as a matter of
4 fact, not to set forth some limitation and like Mr. Scan-
5 lan would think, that we might well leave that blank,
6 we are dealing at the present with the question of whether
7 there ought to be some standard, but not to set any stan-
8 dard would create the very thing that you are talking
9 about.

10 THE CHAIRMAN: Let me clarify one thing by a
11 question, Dr. Bard: Am I correct in my recollection that
12 the Committee never at any time had drafted language to
13 include the proposition indicated by Mr. Smith, namely,
14 that the population should be as nearly equal as prac-
15 ticable, but that was the alternate considered to the
16 inclusion of the specified percentage?

17 DR. BARD: That is correct, though I should
18 remind you that the alternate position was taken, in
19 answer to Mr. Miles' question, by single vote last time.

20 THE CHAIRMAN: I just wanted to clarify this
21 for the purpose of this discussion, and I would rule, unless