

1 that since this is inflicted, do you want to leave out  
2 the words, by courts of law?

3 THE CHAIRMAN: I would think it has every mean-  
4 ing to leave out the words, courts of law, but I suggest  
5 that the Section is not meaningless. I think that the  
6 question which Mr. Martineau raises is whether the Con-  
7 stitution should impose a limitation on the Legislature  
8 in the area of the length of criminal sentences.

9 MR. MARTINEAU: Or amount of fine.

10 THE CHAIRMAN: Or amount of fine. He is sug-  
11 gesting that as heretofore construed, the language for-  
12 bidding cruel and unusual punishments does not forbid  
13 a prison sentence of any length or a fine of any amount  
14 imposed at the direction of the Legislature. He is sug-  
15 gesting that perhaps there ought to be some such limita-  
16 tion, and I understood the Committee's answer to that,  
17 that it is a matter that should be left to the Legisla-  
18 ture.

19 MR. CLAGETT: Mr. Chairman, couldn't you add  
20 after the last word, inflicted by law, or I don't like  
21 the word, inflicted, but I haven't thought of one to