

1. purposes, unless I completely misunderstood you. This
2 sentence contemplates that the pension and retirement
3 shall be as prescribed by law. It simply confers upon
4 the court, upon his removal, to provide that the judge
5 shall not receive all of the pension benefits otherwise
6 accruing to him under the law. They can cut it down, as
7 part of the penalty of removal.

8 Normally, you think of removal as wiping away
9 all pension rights. This section in effect says that the
10 court can remove and not wipe away all pension rights.

11 MR. SAYRE: I guess what I am questioning, and
12 I think I do understand it, is whether the court should
13 have that power of rule without it being authorized by law.

14 THE CHAIRMAN: It is not a power of rule. This
15 is a decision in a particular instance, a verdict.

16 MR. MARTINEAU: This is the same as giving to
17 the court the power to impose a sentence. In a criminal
18 case, the sentence is up to life imprisonment or even the
19 death penalty. It gives the court the discretion to impose
20 a lesser or stricter penalty in its own judgment.

21 THE CHAIRMAN: Any further question as to