Mr. TELLER. I wish to say that that will not answer the purpose at all.
Mr. HOAR. No; there are other words, "instituted for the sole purpose."
Mr. TELLER. As I understand the Senator from South Dakota, I think he wants to present that matter. They have held that this is not a criminal proceeding, although they may send a man to jail for life.
Mr. CULUM. This amendment is to cover that sort of a case. It is to prevent that.
Mr. PLATT of Connecticut. Let the amendment be read once more.
Mr. SPOONER. Let it be again read.
The PRESIDENT pro tempore. The Secretary will read the amendment.
The Secretary again read the amendment.
Mr. HOAR. The clerks have it wrong or it has been handed to them wrong.
Mr. CULUM. I presume it was my fault. I thought I had it right. I ask the Senator from Massachusetts to dictate to the clerks just what he desires.
Mr. HOAR. The words "instituted solely" should come after "proceeding."
The PRESIDENT pro tempore. The Secretary will read the amendment as modified.
The Secretary read as follows:
That no suit or proceeding shall be maintained for the specific performance of any contract heretofore or hereafter entered into for personal labor or service where no remedy exist or be evidenced, for breach of any such contract except in a civil suit or proceeding instituted solely to recover damages for such breach.
The PRESIDENT pro tempore. Is there objection to the amendment? The Chair hears none, and the amendment is agreed to.
Mr. CULUM. That seems to cover all of it. Now, I desire to offer an amendment as part of section 14, to come in at the end of the section.
The PRESIDENT pro tempore. The amendment will be stated.
Mr. SPOONER. The amendment as part of section 14, to come in at the end of the section.
Mr. CULUM. In section 27, after the word "censure" in that brief section, I desire to language a little different from the words contained in the bill. I offer the amendment which I send to the Chair.
The PRESIDENT pro tempore. The Secretary will state the amendment.
The Secretary. In section 27, page 14, strike out the words "suspension or expulsion" and insert the words:
Or by a two-thirds vote suspend or expel a member.
Mr. CULUM. Those are the usual words used in such cases instead of the words that are found in the section.
Mr. SPOONER. Is there any objection? The Chair hears none, and the amendment is agreed to.
Mr. SPOONER. Under that a man, of course, might become intoxicated and be offensive, or he might be insulting to the body, and you could expel him, or he might neglect his duty and you could expel him.
Mr. CULUM. I think the Senator will find enough in this bill giving power to the legislature over its membership, both inside and out; I think that is all that occurs in the constitution of almost any State.
Mr. SPOONER. Is there any other provision in the bill giving power to each house to punish its members by expulsion?
Mr. PLATT of Connecticut. The language of the Constitution is:
Mr. CULUM. I am willing to add to those words the phrase instead of the words "suspension or expulsion." The words used in the bill seemed to be rather awkward. The Senator from Connecticut was about to read the language of the Constitution.
Mr. SPOONER. Let us pass over that for the present. I desire to amend in section 54, by striking out, beginning in line 21
Mr. SPOONER. After the word "bills."
The PRESIDENT pro tempore. The amendment will be stated.
The Secretary. It is proposed to amend, on page 21, section 54, after the words "bills," in line 9, by striking out:
And until the legislature shall have acted the treasurer may, with the advice and consent of the majority of the members, make such payments, for which purpose sums appropriated in the last appropriation bill shall be deemed to have been appropriated.
The amendment was agreed to.
Mr. CULUM. On page 26, in section 62, after the word "representatives," in line 12, I move to strike out all the remainder of the section.
The PRESIDENT pro tempore. The amendment will be stated.
The Secretary. It is proposed to amend, on page 26, section 62, line 12, after the word "representatives," by striking out:
AB. In addition thereto, he shall own and be possessed in his own right of real property in the Territory of the value of not less than $5,000, and upon which legal taxes shall have been paid on that valuation for the year next