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CANNON'S PRECEDENTS

OF THE

HOUSE OF REPRESENTATIVES

OF THE

UNITED STATES

INCLUDING REFERENCES TO PROVISIONS
OF THE CONSTITUTION, THE LAWS, AND DECISIONS
OF THE UNITED STATES SENATE

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(8) Administration of.—Precedence of.

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OATH—Continued.

(8) Administration of.—Precedence of—Continued.

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A division being demanded on a resolution for seating several claimants, the oath may be administered to each as soon as his case is decided. Volume **I,** section **623.**

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A Member-elect may not take the oath until a motion to reconsider the vote determining his title is disposed of. Volume **I,** section **335.**

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In 1867 Members who challenged the right of a Member-elect to take the oath did so, one on his responsibility as a Member and the other on the strength of affidavits. Volume **I,** section **448.**

The fact that a Member-elect has not taken the oath does not debar him from challenging the right of another Member-elect to be sworn. Volume **I,** section **141.**

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(9) Administration of.—Challenge of Right to Take—Continued.

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(10) Administration of.—Consideration of Cases of Challenge.

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The right of a Member-elect to take the oath being challenged, the Speaker directed him to stand aside temporarily. Volume **VI,** sections **9, 174.**

In 1899 a Member-elect, challenged as he was about to take the oath, stood aside on the request of the Speaker. Volume **I,** section **474.**

A Member-elect, challenged as he is about to take the oath, is not thereby deprived of any right and determination of his case has priority of those of persons claiming seats but not on the Clerk's roll. Volume **I,** section **155.**

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The House, by unanimous consent, deferred until after the completion of the organization the question of Brigham H. Robert's right to take the oath. Volume **I,** section **474.**

By unanimous consent the House was proceeded to legislative business pending decision as to the right of a Member to be sworn in. Volume **I,** sections **151–152.**

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(11) Administration of.—Delayed.

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(12) Administration of.—Without Credentials.

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(12) Administration of.—Without Credentials—Continued.

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OATH—Continued.

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(17) Status of Member-elect Before Taking.—Votes for Speaker, etc.

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On a question raised while the oath is being administered to Members the right to vote is not confined to those already sworn in. Volume **I,** section **142.**

The names of Members who have not been sworn are not entered on the roll from which the yeas and nays are called for entry on the Journal. Volume **V,** section **6048.**

OATH—Continued.

(17) Status of Member-elect Before Taking.—Votes for Speaker, etc.—Continued

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(19) Status of Member-elect Before Taking.—Resignation.

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The House has given to a committee the right to decide on either the prima facie or final right to a seat before authorizing the oath to be administered to a Delegate. Volume **I,** section **471.**

An instance wherein a contest was maintained against a Member-elect who had not and did not take the seat. Volume **I,** section **415.**

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(22) Right to Take Doubtful.—Because of Defective Credentials.

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(22) Right to Take Doubtful.—Because of Defective Credentials—Continued.

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(23) Right to Take Doubtful.—Because of Conflicting Credentials.

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Of two claimants, each having credentials in apparently due form, the House directed the administration of the oath to the one whom the Clerk had enrolled. Volume **I,** section **613.**

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(24) Right to Take Doubtful.—Because of a Question as to Vacancy.

Discussion as to the length of term of a Member elected to fill a vacancy caused by the House having declared a seat vacant. Volume **II,** section **1206.**

A Member-elect producing credentials showing his election to fill the vacancy caused by the decease of his predecessor is sworn in at once, although no other notice of the decease may have been given to the House. Volume **I,** section **568.**

The credentials of a Member-elect indicating that he had been elected before the resignation of his predecessor took effect, objection was made and the oath was not administered until new credentials were produced. Volume **I,** section **596.**

Opinion of the Judiciary Committee that when a Member-elect retains an incompatible office and does not qualify a vacancy exists in his seat. Volume **I,** section **500.**

A State executive having issued credentials in due form on the assumption that a Senator had vacated his seat by accepting an army office, the credentials were deferred and the bearer was not seated. Volume **I,** section **491.**

(25) Right to Take Doubtful.—Because of a Question as to Election.

A Member-elect may not take the oath until a motion to reconsider the vote determining his title is disposed of. Volume **I,** section **335.**

There being a question as to a Member's election, he was sworn in and his credentials were referred to a committee with instructions. Volume **I,** section **544.**

OATH—Continued.

(25) Right to Take Doubtful.—Because of a Question as to Election—Continued.

The House has given to a committee the right to decide on either the prima facie or final right to a seat before authorizing the oath to be administered to a Delegate. Volume **I,** section **471.**

An instance wherein the House seated neither of two claimants on prima facie showing, deferring the administration of the oath until the ascertainment of final right. Volume **I,** section **45.**

Returned Member having acknowledged to the House before the decision of the committee that contestant was elected, the House preferred to adopt the usual resolutions before seating contestant. Volume **I,** section **742.**

The Clerk and the House honored credentials regular in form and issued by a competent officer, although the fact was notorious that the State courts had found a different result. Volume **I,** section **57.**

(26) Right to Take Doubtful.—Because of the Status of the Constituency.

Persons bearing credentials regular in form but coming from communities disorganized by civil war have been excluded until Congress should determine the status of the constituencies. Volume **I,** section **361.**

In the Fortieth Congress Members-elect from States lately in secession were not admitted until a committee had examined their credentials, qualifications, and the status of their constituencies. Volume **I,** section **386.**

In the days of reconstruction the two Houses, by joint rule, excluded Members-elect with credentials in due form, some entirely, others until the States were declared by law entitled to representation. Volume **I,** section **361.**

In 1870 no one of the Members-elect from Virginia was seated until the credentials were reported on by a committee and the House had elected. Volume **I,** section **461.**

In 1867 the Elections Committee took the view that charges of the disloyalty of a constituency should not prevent a person holding a regular certificate from taking a seat on his prima facie right. Volume **I,** section **448.**

Credentials regular in form have been presented as a matter of privilege, although the status of the constituency was, by reason of civil war, in doubt. Volume **I,** section **361.**

(27) Right to Take Doubtful.—Because of Question as to Qualifications in General.

A Member-elect not being of the required age, the taking of the oath was deferred until he was qualified. Volume **I,** section **418.**

Members-elect challenged for alleged disqualification have in several cases have sworn in at once, the question of their qualifications in some cases being referred to a committee for examination. Volume **I,** sections **156–159.**

In 1870 the House declined to exclude John C. Connor, who possessed the constitutional qualifications and satisfactory credentials, but whose moral character was impeached. Volume **I,** section **465.**

The House declined to permit the oath to be administered to Brigham H. Roberts pending an examination of his qualifications by a committee. Volume **I,** section **473.**

In 1882 the House by majority vote and for the disqualification of polygamy excluded Delegate George Q. Cannon, who had not been sworn on his prima facie showing. Volume **I,** section **472.**

B.F. Whittemore, being reelected to the same House from which he had resigned to escape expulsion for crime, was excluded from taking the oath and his seat. Volume **I,** section **464.**

The House decided a Member-elect was entitled to a seat on his prima facie right, although knowing that his qualifications were under examination. Volume **I,** section **420.**

The House decided that the oath should be administered to a Member-elect, although a Member charged that he was personally disqualified. Volume **I,** section **447.**

OATH—Continued.

(27) Right to Take Doubtful. —Because of Question as to Qualifications in General— Continued.

In 1873 the House seated Delegate George Q. Cannon on the strength of his unimpeached credentials, although it was objected that he was disqualified. Volume I, section **486**.

In 1869 John M. Rice, challenged on account of alleged disloyalty, was permitted by the House to take the oath pending examination of the charges. Volume **I**, section **60**.

In 1870 the House voted to administer the oath to a Member-elect on his correct prima facie showing, although a question as to his qualifications was pending before the Elections Committee. Volume **I**, section **462**.

The Senate investigated the sanity of a Senator-elect before allowing him to take the oath. Volume **I**, section **441**.

Charges that a Senator-elect was disqualified did not avail to prevent his being sworn in by virtue of his prima facie right. Volume **I**, section **429**.

Although it was understood that objection was made to a Senator-elect on the question of qualification, yet the oath was administered on his prima facie showing.Volume **I**, section **481**.

In the Senate in 1856 a Senator-elect was sworn on his prima facie right, although his qualifications were questioned. Volume **I**, section **416**.

In 1870 a question was raised as to the citizenship of Senator-elect H.R. Revels, but he was seated, the Senate declining to postpone the administration of the oath in order to investigate the case. Volume **I**, section **430**.

An argument that a Senator-elect might be excluded for disqualifications other than the three specified by the Constitution. Volume **I**, section **443**.

A Senator-elect took the oath on his prima facie right without challenge, although charges of bribery in his election were presented immediately thereafter. Volume **I**, section **692**.

The Committee on Elections declined to be governed by judgment and verdict of judge and jury of Federal court and proceeded to determine for itself the question of guilt or innocence of Member-elect charged with violation of Federal laws. Volume **VI**, section **56**.

Instance wherein the question of qualification was passed on after a Member-elect had been sworn in on his prima facie showing. Volume **VI1,** section **174.**

(28) Right to Take Doubtful.—Because of Question as to Loyalty.

The question of loyalty as a qualification of a Member. Volume **I**, section **479**.

A question being raised as to the loyalty of a Member-elect, the House has exercised its discretion about permitting him to take the oath at once. Volume **I**, sections **444–446**.

A Member-elect who was about to be sworn was challenged for disloyalty, whereupon the House denied him the oath and referred the credentials. Volume **I**, section **455**.

Before the adoption of the fourteenth amendment, and in a time of civil disorders, the committee reported and the House sustained the view that no person who had been disloyal should be sworn. Volume **I**, section **448**.

Before the adoption of the fourteenth amendment, and in a time of civil disorders, the House denied the oath to Members-elect who presented themselves with credentials in due form but whose loyalty was questioned, and the credentials were referred to a committee. Volume **I**, section **448**.

In 1867 it was held that no man duly elected should be excluded for disloyalty unless it could be clearly proven that he had been guilty of such open acts of disloyalty that he could not honestly and truly take the oath of July 2, 1862. Volume **I**, section **448**.

It not being proved by clear and satisfactory testimony that Lawrence S. Trimble had given aid and comfort to rebellion, the House declined to exclude him. Volume **I**, section **452**.

In 1868 the House excluded a Member-elect who, by voluntarily giving aid and comfort to rebellion, had, in the opinion of the House, made it impossible for him to take the oath of office prescribed by law. Volume **I**, section **449**.

OATH—Continued.

(28) Right to Take Doubtful.—Because of Question as to Loyalty—Continued.

John D. Young having, in the opinion of the House, voluntarily given aid and comfort to the enemy by words, although not by acts, was held incapable of taking the oath of July 2, 1862. Volume **I**, section **451**.

In 1870 the House decline to exclude a Member-elect for alleged disloyalty in giving utterance to words indicating contempt for the Government. Volume **I**, section **387**.

Instance of exclusion of a Member-elect found unable to take the test oath of loyalty. Volume **I**, section **333**.

In 1869 the House ordered that in all election contests wherein either claimant should be unable to take the oath of loyalty the investigation of claimants' rights should cease, pending order of the House. Volume **I**, section **620**.

A Member-elect who had not been disloyal, but who could not truthfully take the oath of July 2, 1862, was not sworn until he had been relieved of his disabilities by law. Volume **I**, section **455**.

A Member-elect, enrolled by the Clerk on his regular credentials, did not vote until his disqualifications had been removed and he had been permitted by the House to take the oath. Volume **I**, section **456**.

By the fourteenth amendment one who, having previously taken an oath as an officer of Government to support the Constitution, has engaged in rebellion, is disqualified as a Member until the disability be removed. Volume **I**, section **454**.

In 1867 the Senate, having in view the test oath and the spirit of the fourteenth amendment, excluded Philip F. Thomas for disloyalty. Volume **I**, sections **457**, **458**.

In 1862, before the enactment of the test oath for loyalty, the Senate after mature consideration declined to exclude for alleged disloyalty Benjamin Stark, whose credentials were unimpeached. Volume **I**, section **443**.

A Senator-elect whose loyalty satisfactorily withstood inquiry, but who seemed unable truthfully to take the oath of July 2, 1862, was finally permitted to take the oath. Volume **I**, section **453**.

For disloyalty to the United States, for giving aid and comfort to a public enemy, for publication of expressions hostile to the Government, a Member-elect was denied a seat in the House. Volume **VI**, section **56**.

A Member-elect, who had not taken the oath, was excluded from the House for disloyalty. Volume **VI**, section **57**.

The Wisconsin election case of Carney v. Berger in the Sixty-sixth Congress. Volume **VI**, section **58**.

A Member-elect found to have obstructed the Government in the prosecution of war, and to have given aid and comfort to its enemies, was declared ineligible to membership in the House. Volume **VI**, section **58**.

(29) As to Exclusion of a Disqualified Member by Majority Vote After He Has Taken the Oath.

As to whether or not a disqualified Member who has taken the oath may be excluded by majority vote. Volume **I**, sections **420, 461.** Volume **II**, section **946**.

The House considered a protest as to the qualifications of a Member after he had taken the oath without objection. Volume **I**, section **426**.

In 1856 the House considered and decided a question as to the qualifications of a Member who had already been seated on his prima facie showing. Volume **I**, section **415**.

In 1869 the Elections Committee proposed to exclude for disloyalty one who had already been sworn in, and although the committee were reversed on the facts the propriety of the proceeding was not questioned. Volume **I**, section **460**.

In 1870, after a Member-elect had been permitted to take the oath, the House took up and decided a contest based on his alleged disloyalty, deciding that the evidence did not show his disqualifications. Volume **I**, section **462**.

OATH—Continued.

(29) As to Exclusion of a Disqualified Member by Majority Vote After He Has Taken the Oath.—Continued.

Instance wherein the question of qualification was passed on after a Member-elect had been sworn in on his prima showing. Volume **I,** Section **432.**

A Member-elect whose loyalty was impeached was permitted to take the oath, and after that the House was reluctant to take action in his case. Volume **I,** section **461.**

In 1873 the Elections Committee concluded that a delegate who had been sworn could be reached on a question of qualifications only by process of expulsion. Volume **I,** section **469.**

The Senate, by a majority vote, unseated Albert Gallatin for disqualification after he had taken the oath. Volume **I,** section **428.**

In 1856 the Senate considered and decided a question as to the qualifications of a Member who had already been seated on his prima facie showing. Volume **I,** section **416.**

In 1862 the Senate decided to administer the oath "without prejudice to any subsequent proceedings in the case" to a Senator-elect charged with disloyalty. Volume **I,** section **443.**

(30) As Related to the Pay of Members.

The House has decided that the law relating to deductions from the pay of Members applies only to those who have taken the oath. Volume **II,** section **1154.**

A Member-elect, who held a commission in the Army and had not taken the oath or his seat in the House, having resigned, a question arose as to when the compensation of his successor should begin. Volume **I,** section **500.**

(31) Of the Speaker and Other Officers.

The law of 1789 provides that the oath shall be administered to the Speaker by any Member. Volume **I,** section **130.**

It has long been the practice for the Member of longest continuous service to administer the oath to the Speaker. Volume **I,** section **131–133, 220.**

While the oath has usually been administered to the Speaker by the Member of longest consecutive service, that practice is not always followed. Volume **VI,** section **6.**

A Speaker elected after the organization of the House takes the oath, although he may have taken it already as a Member. Volume **I,** section **225, 226.**

The Speaker having resigned in 1814, his successor when elected took the oath. Volume **I,** section **231.**

The Speaker having resigned in 1820, it does not appear that his successor took the oath. Volume **I,** section **232.**

The Speaker having resigned in 1834, his successor took the oath. Volume **I,** section **233.**

A Speaker pro tempore is not sworn. Volume **II,** section **1394.**

A Speaker pro tempore elected by the House is not sworn. Volume **I,** section **229.**

A Speaker pro tempore elected only for the temporary absence of the Speaker is not sworn. Volume **II,** section **1386.**

The Houses having approved the Speaker's designation of a Speaker pro tempore, the oath was administered and the Clerk was directed to notify the President and the Senate. Volume **VI,** section **280.**

A Speaker pro tempore elected by the House is sworn as a prerequisite to signing enrolled bills. Volume **VI,** section **274.**

A Speaker pro tempore whose designation was approved by the House was not sworn. Volume **VI,** section **266.**

The elective officers of the House are sworn to support the Constitution and discharge their duties faithfully. Volume **I,** section **187.**

Origin of an obsolete requirement that the officers of the House shall be sworn to keep its secrets. Volume **I,** section **187.**

In the early days of the House two oaths were administered to the Clerk. Volume **I,** section **238.**

OATH—Continued.

(31) Of the Speaker and Other Officers—Continued.

At first the Chaplain did not take the oath prescribed for the officers of the House. Volume **I,** section **280–282.**

The Chaplain takes the oath prescribed for the officers of the House. Volume **VI,** section **31.**

(32) Of Witnesses.—Before Committees.

Form of oath administered to witnesses before a committee. Volume **III,** section **1822.**

A person before a committee declining to give evidence the committee tendered him oaths as a witness, which he refused. Volume **III,** section **1699.**

Witnesses were examined under oath and in the presence of Brigham H. Roberts during the committee's investigation of his qualifications. Volume **I,** section **475.**

The Kansas Committee of 1856 was empowered by the House to employ or dismiss clerks and assistant sergeants-at-arms and to administer oaths to them. Volume **III,** section **1752.**

(33) Of Witnesses.—Who May Administer.

The Speaker, the Chairman of the Committee of the Whole, or any other committee, or any Member may administer oaths to witnesses in any case under examination. Volume **III,** section **1769.**

Instance where the House by resolution proposed to authorize a chairman of a subcommittee to administer oaths. Volume **IV,** section **4548.**

An instance wherein the chairman of an investigating committee administered the oath to himself and testified. Volume **III,** section **1821.**

(34) Of Witnesses.—In Trial at the Bar of the House.

Form of oath administered by the Speaker to a person about to be examined at the bar of the House. Volume **II,** section **1633.**

The oath administered to a witness at the bar of the House is not recorded in full in the Journal. Volume **IV,** section **2874.**

Members testifying in the case of Matthew Lyon, who was threatened with expulsion, were sworn and cross-questioned by Mr. Lyon. Volume **II,** section **1643.**

In 1832 the Speaker was empowered to administer the oath to witnesses in the contempt case of Samuel Houston. Volume **II,** section **1617.**

In 1795 the House introduced a district judge to administer oaths to witnesses in a contempt case heard at the bar of the House. Volume **II,** section **1602.**

A person being on trial for contempt, both the information given by Members and their testimony were required to be under oath. Volume **II,** section **1602.**

(35) Of Witnesses.—When Arraigned for Contempt.

A contumacious witness arraigned at the bar of the House was required to answer in writing and under oath. Volume **III,** section **1670.**

In the Wolcott case the respondent when arraigned presented two answers, each in writing, sworn and subscribed, one of which appears in the Journal while the other does not. Volume **III,** section **1671.**

In an arraignment in 1877 the answer of the respondent prepared by his counsel was attested. Volume **III,** section **1696.**

Witnesses arraigned for contempt have frequently answered orally and not under oath. Volume **III,** section **1688.**

A witness arraigned for contempt answered orally and without being sworn. Volume **III,** section **1701.**

When arraigned the witness Kilbourn submitted a written, unsworn answer, which does not appear in the Journal. Volume **II,** section **1609.**

In the Irwin case the respondent, on being arraigned, made an oral, unsworn answer, which does not appear in the Journal. Volume **III,** section **1690.**

OATH—Continued.

(35) Of Witnesses.—When Arraigned for Contempt—Continued.

Several persons arraigned at the bar together for contempt made an answer in writing and signed but not sworn to. Volume **III,** section **1698.**

Instance wherein the answer of a person arraigned for contempt was in writing, but not sworn to, and not recorded in the Journal. Volume **III,** section **1687.**

Being arraigned for contempt George F. Seward presented a written statement, signed by himself and counsel, but not attested, and this answer appears in full in the Journal Volume **III,** section **1699.**

In the Stewart case the questions and answers at the examination were recorded in the Journal, the answers being oral and not under oath. Volume **III,** section **1689.**

(36) Of President of the United States. See also "Inauguration."

Ceremonies at the administration of the oath of office to Millard Fillmore, President of the United States. Volume **III,** section **1997.**

In appointing a committee to officiate at the administration of the oath to President Fillmore the Speaker selected the majority, including the chairman, from the political party of the President, which was the minority party of the House. Volume **III,** section **1997.**

The Senate constituted its committee to officiate at the administration of the oath to the President Fillmore, with a majority from the minority side of the Chamber. Volume **III,** section **1997.**

An instance wherein, owing to inclemency of the weather, the President elect took the oath and delivered his inaugural address in the Senate Chamber. Volume **VI,** section **447.**

(37) Of Clerks of Committees.

Forms of oaths taken by clerks of committee. Volume **IV,** section **4580–4582.**

The clerk of the Joint Committee on the Conduct of the War was sworn. Volume **IV,** section **4424.**

(38) Source of Authority to Administer.

The authority to administer oaths should give by law rather than by rule of either House. Volume **III,** sections **1823, 2081, 2294, 2303.**

(39) In General.

Bills relating to pensioners' oaths and fraudulent claims have been reported by the Judiciary Committee. Volume **IV,** section **4074.**

OBITUARY. See also "Death."

(1) Ceremonies on occasion of the deaths of Members.
(2) Ceremonies on occasion of the deaths of Speakers and other officers.
(3) Deaths of Presidents and ex-Presidents of the United States.
(4) Deaths of Vice-Presidents and other civil officers.
(5) Deaths of officers of the Army and Navy.
(6) In general.

(1) Ceremonies on Occasion of the Deaths of Members.

Forms of resolution offered at the death of a Member. Volume **V,** section **7107.**

The House takes notice of the death of a Member-elect as if he had been duly qualified. Volume **V,** sections **7134, 7135.**

Early observances of the House at the decease of Members. Volume **V,** sections **7108–7120.**

The practice of draping the seat of a deceased Member began as early as 1848. Volume **V,** section **7160.**

The eulogies of a deceased Member formerly occurred at the time of the announcement of this death and the adjournment of respect. Volume **V,** sections **7158–7163.**

In later years the eulogies of deceased Members of the House and Senate have occurred after the announcement of the death. Volume **V,** sections **7164–7167.**

Memorial addresses were published on the occasion of the death of John Quincy Adams in 1848. Volume **V,** section **7148.**

OBITUARY—Continued.

(1) Cermonies on Occasion of the Deaths of Members—Continued.

Ceremonies at funerals of Members in the Hall of the House in early days. Volume **V,** sections **7144–7147.**

Later funeral ceremonies, including the elaborate observances at the burial of John Quincy Adams. Volume **V,** sections **7148–7151.**

Ceremonies at the funeral of William D. Kelley in 1890. Volume **V,** section **7152.**

The Ceremonies at the funeral of William D. Kelly in 1890. Volume **V,** section **7152.**

The ceremonies at the state funeral of Nelson Dingley. Volume **V,** section **7153.**

In rare instances the House has taken action on the occasion of the decease of a former Member. Volume **V,** sections **7136–7128.**

(2) Ceremonies on Occasion of the Deaths of Speakers and Other Officers.

Ceremonies in memory of a deceased Speaker. Volume **V,** section **7156.**

The House adjourned in honor of ex-Speaker Reed, whose death after he had ceased to be a Member. Volume **V,** section **7139.**

The death of the Clerk being announced, the House adopted appropriate resolutions. Volume **I,** section **249.**

On the announcement of the death of the Doorkeeper the House took appropriate action. Volume **V,** section **7173.**

The House appointed a committee to attend the funeral of its deceased Chaplain. Volume **V,** section **7172.**

Resolution relating to the decease of an official reporter of debates. Volume **V,** section **7174.**

(3) Deaths of President and ex-Presidents of the United States.

Ceremonies in memory of President William Henry Harrison. Volume **V,** section **7176.**

Ceremonies in honor of President Zachary Taylor, who died during a session of Congress. Volume **V,** section **7177.**

Ceremonies in memory of President Abraham Lincoln. Volume **V,** section **7178.**

Ceremonies in memory of President James A. Garfield. Volume **V,** section **7179**

Proceedings and exercises in memory of the late President McKinley. Volume **V,** section **7180.**

By joint resolution Congress has expressed its condolence with the widow of a deceased President. Volume **V,** section **7176.**

The House has by appropriate resolutions expressed its respect for the memories of deceased ex-Presidents of the United States. Volume **V,** section **7188.**

Ceremonies upon the announcement of the death of George Washington. Volume **V,** section **7181.**

On the occasion of the death of George Washington Congress requested the people to hold public memorial meetings. Volume **V,** section **7181.**

(4) Deaths of Vice-Presidents and Other Civil Officers.

Cermonies in memory of deceased Vice-Presidents. Volume **V,** sections **7189–7193.**

Ceremonies on the occasion of the deaths of members of the President's Cabinet. Volume **V,** sections **7198–7200.**

Ceremonies on the occasion of the deaths of a Chief Justice and associate justice of the Supreme Court of the United States. Volume **V,** sections **7194–7197.**

(5) Deaths of Officers of the Army and Navy.

Observances of the House of occasion of the deaths of high officers of the Army. Volume **V,** sections **7201–7207.**

Resolutions in memory of the Admiral of the Navy. Volume **V,** sections **7208–7210.**

The House generally did not adjourn in tribute to the memories of high officers of the Revolution. Volume **V,** section **7211.**

The House appointed a committee to attend the transfer of the remains of General Rosecrans. Volume **V,** section **7212.**

OBITUARY—Continued.

(6) In General.

In rare instances the House has taken notice of the decease of eminent citizens not of its membership. Volume **V,** sections **7213–7218.**

In rare instances the House has noticed the decease of a member of the family of a President or ex-President. Volume **V,** sections **7182, 7184.**

The House paid honor to the memory of Lafayette by elaborate ceremonies. Volume **V,** section **7219.**

The House has, in a few cases, paid honor to the memory of champions of liberty in foreign lands. Volume **V,** sections **7220–7222.**

A resolution of the House expressing regret at the death of a statesman of a foreign country caused offense to the Government of that country. Volume **V,** section **7221.**

The House has expressed its regret at attempts on the lives of foreign rulers. Volume **II,** sections **1557, 1558.**

OBJECTIONS.

(1) To requests for unanimous consent.
(2) During examination at the bar of the House.
(3) To reading of papers in House.

(1) To Requests for Unanimous Consent.

As a request for unanimous consent to consider a bill is in effect a request to suspend the order of business temporarily, a demand for the regular order may be made at any time and is equivalent to an objection. Volume **IV,** section **3058.**

Unanimous consent to consider a bill implies a setting aside of the order of business for that purpose, hence the withdrawal of an objection thereto does not bring the bill up if other business has intervened. Volume **IV,** section **3059.**

When unanimous consent has been given for the consideration of a bill amendments may be offered and may not be prevented by the objection of a Member. Volume **V,** section **5782.**

The Member should rise in objecting to a request for unanimous consent. Volume **II,** sections **1137, 1138.**

The Journal does not record the name of a Member objecting to a request for unanimous consent. Volume **IV,** section **2865.**

Authority having been given one Member to call up a bill, another may not be recognized for that purpose if objection is made. Volume **VII,** section **928.**

The Speaker makes it his duty, ordinarily, to object to a request for unanimous consent that a bill may be acted on without being read. Volume **VII,** section **1054.**

The Speaker as a Member of the House may object to a request for unanimous consent. Volume **VIII,** section **3383.**

A Member may not by reserving the right to object to a request for unanimous consent secure the floor for debate. Volume **VI,** section **287.**

A Delegate may not object to the consideration of a measure. Volume **II,** sections **1293, 1294.**

Instance wherein a Delegate was recognized to object to the consideration of a measure. Volume **VI,** section **241.**

Dicta by a Chairman expressing the opinion that former decisions denying Delegates the right to object to consideration were out of harmony with general decisions defining the rights of Delegates. Volume **VI,** section **240.**

(2) During Examination at the Bar of the House.

A person under examination at the bar withdraws while the House deliberates on the objection to a question. Volume **III,** section **1768.**

(3) To Reading of Papers in House.

The reading of papers other than the one on which the vote is taken are subject to the will of the House and any Member may object. Volume **VIII,** section **2605.**

OBJECTIONS—Continued.

(3) To Reading of Papers in House—Continued.

If objection is made a Member must have leave of the House to read a paper in his place, even though it be his own written speech. Volume **VIII,** section **2598.**

A motion that a Member having the floor be permitted to read a paper objected to in debate is privileged. Volume **VIII,** section **2605.**

A Member proposing to read in his own time a paper on which a vote was not to be taken, objection was made, and the Speaker submitted the question to the House. Volume **VIII,** section **2597.**

If objection is made a Member may not read excerpts from the Congressional Record save by leave of the House. Volume **VIII,** section **2597.**

Objection being made to the reading of a paper in debate, the Chair takes the sense of the House, on motion or without motion from the floor, and without debate. Volume **VIII,** section **2607.**

A Member in debate usually reads or has read by the Clerk such papers as he pleases, but his privilege is subject to the authority of the House if another Member objects. Volume **VIII,** section **2602.**

Instance wherein the request of a Member to have read a paper not before the House for action encountered objection and was referred to the House. Volume **VIII,** section **2603.**

The Record failing to include communications read from the desk and objection being made on that account, the Speaker directed that they be printed in the Record of the following day. Volume **VI,** section **229.**

A Member may object to the reading of a paper on which the House is not required to vote at any time after reading has begun, and demand that the question of its reading be referred to the House for decision. Volume **VIII,** section **296.**

The display of exhibits in debate by way of illustration is subject to the will of the House and any Member may object. Volume **VIII,** section **2452.**

OBSCENE.

Any petition or memorial of an obscene or insulting nature may be returned by the Speaker to the Member presenting it for reference. Volume **IV,** section **3364.**

Bills to prevent the carriage from one State to another of indecent or harmful pictures or literature have been reported by the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4116.**

OBSTRUCTION.

(1) General principle forbidding.
(2) By breaking a quorum.
(3) By dilatory motions.
(4) Instances of.

(1) General Principle Forbidding.

The object of a parliamentary body is action, not stoppage of action, and the methods of procedure may not be used to stop legislation. Volume **V,** section **5713.**

While power to punish contempt is not expressly granted to Congress by the constitution, it has the implied power to preserve itself and to deal by way of contempt with direct obstruction to its legislative duties. Volume **VI,** section **534.**

(2) By Breaking a Quorum.

In 1890 Mr. Speaker Reed directed the Clerk to enter on the Journal as part of the record of a yea-and-nay vote names of Members present but not voting, thereby establishing a quorum of record. Volume **IV,** section **2895.**

The practice of Members refusing to vote in order to break the quorum had been established many years in the House when discontinued in 1890 (footnote). Volume **IV,** section **2895.**

Illustrations of the former practices of obstruction by breaking a quorum and by dilatory motions. Volume **IV,** sections **2898–2903.**

OBSTRUCTION—Continued.

(2) By Breaking a Quorum—Continued.

Instance wherein, under the former practice, business was halted because a quorum did not vote, although the Speaker declared that there was no doubt of the actual presence of a quorum. Volume **V,** section **5744.**

Early instance of obstruction caused by members refusing to vote in order to break a quorum. Volume **IV,** section **2977.**

In 1822 Mr. John Quincy Adams refused to vote on the resolution censuring Mr. Stansberry, of Ohio. Volume **II,** section **1248.**

A Member declined to vote in 1832, and the House found itself powerless to compel a vote in this as in later instances. Volume **V,** sections **5943–5945.**

A Member having declined to vote, and a question arising, the Speaker held that the pending vote should be completed and announced leaving the incidental question until after the announcement. Volume **V,** sections **5947, 5948.**

(3) By Dilatory Motions.

Finding the ordinary and proper parliamentary motions used solely for delay and obstruction, Mr. Speaker Reed ruled them out as dilatory and was sustained on appeal. Volume **V,** section **5713.**

When motions or appeals have been made with an evident purpose of obstruction the Speaker, acting under the rule, has held them dilatory, either on a point of order being made or without it. Volume **V,** sections **5715–5722.**

To prevent dilatory tactics the House adopted, under suspension of the rules, a special order for considerations of the articles impeaching President Johnson. Volume **III,** section **2414.**

The rule making the motions to adjourn, to fix the day to which the House shall adjourn, and for a recess in order at any time was dropped to prevent the continued use of those motions for purposes of obstruction. Volume **V,** section **6740.**

The constitutional right of a Member to demand the yeas and nays may not be overruled as dilatory. Volume **V,** section **5737.**

The motion to reconsider has been ruled out as dilatory when manifestly made for purpose of delay. Volume **V,** section **5735.**

The Speaker has ruled a demand for tellers dilatory when satisfied that it was made only for purposes of delay. Volume **V,** sections **5735, 5736.**

The Speaker being satisfied that a quorum was present and that a point of no quorum was made for dilatory purposes, declined to entertain it. Volume **V,** sections **5724, 5725.**

(4) Instances of.

Instance of prolonged dilatory proceeding in the House. Volume **V,** section **6738.**

An instance where the power of obstruction by dilatory motions was used to compel a direct vote on an issue. Volume **III,** section **2407.**

Instance of prolonged obstruction by the alternating of privileged motions. Volume **V,** section **5342.**

Instance of prolonged obstruction by the repetition of motions and the multiplication of roll calls. Volume **V,** section **5709.**

Instance of obstruction on an election case which forced a compromise as to another matter of legislation. Volume **II,** section **999.**

Instance wherein final action in an election case was prevented by obstruction. Volume **II,** section **1017.**

Instance illustrating the extent to which the right of obstruction was cherished as a privilege of the minority. Volume **V,** section **6047.**

Early reference to the use of debate as a method of obstruction. Volume **IV,** section **3061.**

The motion to excuse a Member from voting was a prolific source of obstruction when privileged. Volume **IV,** sections **2900, 2903.**

Instance wherein the minority party in the course of obstruction left the Hall in a body. Volume **II,** section **1034.**

OBSTRUCTION—Continued.

(4) Instances of—Continued.

Since 1879 the Clerk, in calling the roll, has called Members by the surnames, with the prefix "Mr.," instead of calling the full names. Volume **V,** section **6047.**

OCEAN CABLES.

Bills relating the ocean cables have been reported by the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4106.**

Jurisdiction over legislation providing for regulation of interstate telegraph and telephone facilities and ocean cables has been given to the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1804.**

OCEAN MAIL SERVICE.

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O'CONNELL.

The Massachusetts election case of Galvin v. O'Connell, in the Sixty-first Congress. Volume **VI,** section **126.**

O'CONNOR.

The South Carolina election case of Mackey v. O'Connor in the Forty-seventh Congress. Volume **I,** sections **735, 736.**

The Oklahoma election case of O'Connor v. Disney, in the Seventy-second Congress. Volume **VI,** section **189.**

O'CONNOR, JOHN J., of New York, Chairman.

Decisions on questions of order relating to—

Amendment, germaneness of. Volume **VIII,** section **3024.**

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Bills. Volume **VIII,** section **2240.**

Point of order. Volume **VIII,** section **2243.**

O'FERRALL.

The Virginia election case of O'Ferrall v. Paul in the Forty-eighth Congress. Volume **II,** section **985.**

OFFENSES, IMPEACHABLE. See "Impeachment."

OFFER OF PROOF.

The Chief Justice held in the Johnson trial that offer of documentary proof should state its nature only, but that the Senate might order it to be read in full before acting on the objection. Volume **III,** section **2202.**

An argument by counsel for respondent against the "offer of proof" method of presenting evidence in an impeachment trial. Volume **III,** section **2169.**

The managers in the Swayne trial having offered to prove a statement made by respondent before the House committee, counsel successfully resisted the reading of the statement as part of the offer. Volume **III,** section **2169.**

OFFICERS.

(1) Of the House and Senate.—Election of.—Constitution and rules.

(2) Of the House and Senate.—Election of.—Methods of.

(3) Of the House and Senate.—Election of.—Privilege of motion to proceed to.

(4) Of the House and Senate.—Election of.—Business before election of Clerk.

(5) Of the House and Senate.—Election of.—Postponement of order relating to.

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(7) Of the House and Senate.—Election of.—In general.

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(10) Of the House and Senate.—Arraignment at the bar.
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(22) Of the House.—The Speaker.—Resignation of.
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(30) Of the House.—The Doorkeeper.—Executive duties of.
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(1) Of the House and Senate.—Election of.—Constitution and Rules.

The Speaker and other officers are chosen by the House. Volume **I,** section **186.**

The elective officers of the House, in addition to the Speaker, are the Clerk, Sergeant-at-Arms, Doorkeeper, Postmaster, and Chaplain. Volume **I,** section **187.**

A rule, which, however, is not operative at the time the House is organized, provides that the Clerk shall call the new House to order and preside until the election of a Speaker. Volume **I,** section **64.**

OFFICERS—Continued.

(1) Of the House and Senate.—Election of.—Constitution and Rules.—Continued.

Pending the election of a Speaker or a Speaker pro tempore the Clerk preserves order and decorum and decides questions of order subject to appeal. Volume **I,** section **64.**

For a time the rules provided for their own continuance in a new Congress, thus affording a rule for election of officers. Volume **V,** section **6743.**

The validity of a law, passed by a preceding Congress, which proposes to govern the House as to its rules or its organization is doubtful. Volume **V,** sections **6765, 6766.**

Effect of a provision of law as related to the constitutional right of the House to choose its own officers. Volume **IV,** section **3819.**

A majority vote is required for the election of officers of both Houses of Congress. Volume **VI,** section **23.**

The election of an officer of the Senate may be by ballot, by roll call, or by resolution. Volume **VI,** section **282.**

While the House may by simple resolution establish or abolish offices in its service, a joint resolution is required for such action affecting offices in the joint service of the House and Senate. Volume **VI,** section **36.**

The effect of the adoption and such Resolution is automatically to separate from the service of the House on the date adopted incumbents of the offices affected. Volume **VI,** section **36.**

(2) Of the House and Senate.—Election of.—Methods of.

A rule, which, however, is not in force at the time of organization, provides that all the elective officers except the Speaker shall be chosen by viva voce vote. Volume **I,** section **187.**

The Speaker, who was at first chosen by ballot, has been chosen by viva voce vote since 1839. Volume **I,** section **187.**

The adoption and object of the rule for viva voce election. Volume **V,** section **6005.**

It being proposed to elect an officer of the House, an amendment prescribing viva voce election is in order. Volume **V,** sections **6004, 6005.**

As late as 1837 the House maintained the old usage of electing the Speaker by ballot. Volume **I,** section **209.**

The rule in relation to election by ballot does not require that method of voting. Volume **V,** sections **6004, 6005.**

A Speaker being elected by ballot the Journal should show not only the fact but the state of the ballot or ballots. Volume **IV,** section **2832.**

The House declined to determine the choice of a Speaker by lot. Volume **I,** section **221.**

The election of officers by resolution is subject to objection, but is often permitted by unanimous consent. Volume **I,** sections **194–196.**

By unanimous consent, in 1867, the House elected its Clerk by resolution. Volume **I,** section **241.**

An election by resolution is not a compliance with the rule requiring election of officers viva voce. Volume **I,** sections **191, 192.**

A resolution declaring certain persons elected officers of the House is at variance with the standing rule of the House. Volume **I,** section **193.**

Although a former rule of the House required a nomination before voting for certain officers, yet the Speaker refrained from ruling that votes might not be cast for persons not nominated. Volume **I,** section **197.**

On a vote for the election of an officer a Member may change his vote at any time before the announcement of the result. Volume **V,** section **5934.**

The election of an officer of the Senate is privileged and unless otherwise ordered by the Senate, balloting continues until a majority is obtained. Volume **VI,** section **281.**

(3) Of the House and Senate.—Election of.—Privilege of Motion to Proceed to.

The House often proceeds to the election of its officers as a matter of course without motion to that effect. Volume **I,** section **190.**

The motion that the House proceed to elect a Speaker is debatable unless the previous question is ordered. Volume **I,** section **213.**

OFFICERS—Continued.

(3) Of the House and Senate.—Election of.—Privilege of Motion to Proceed to—Continued.

A resolution that the House proceed to the election of an officer presents a question of privilege. The election of the Clerk of the House presents a question of privilege. Volume **I,** section **237.**

Although in earlier years the Chaplain was not strictly an officer of the House, his election was held to constitute a question of privilege. Volume **I,** section **273.**

A motion to proceed to the election of an officer is privileged, but it is not so with a resolution naming a certain person to fill the office. Volume **I,** section **290.**

(4) Of the House and Senate.—Election of.—Business Before Election of Clerk.

In 1867 the law of 1789 was considered as binding the House to elect a Clerk before proceeding to business. Volume **I,** section **241.**

It has been decided that notwithstanding the requirements of the act of 1789 the House may proceed to business before the election of a Clerk. Volume **I,** section **242.**

The office of Clerk becoming vacant, it was held that the House would not be organized for business until a Clerk should be elected. Volume **I,** section **237.**

A Speaker having been elected, the House has proceeded to legislative and other business before the election of a Clerk. Volume **I,** section **244.**

(5) Of the House and Senate.—Election of.—Postponement of Order Relating to.

It has been held in order to move to postpone indefinitely the further execution of an order relating to the election of officers of the House. Volume **V,** section **5318.**

The election of certain officers of the House having been postponed to a day certain, the Speaker ruled out a motion providing for their earlier election.Volume **V,** section **5308.**

(6) Of the House and Senate.—Election of.—To Fill Vacancy Caused by Resignation.

An officer of the House having resigned, the House voted to proceed to the election of his successor. Volume **I,** sections **264, 265.**

The Clerk having resigned, the House elected his successor. Volume **I,** section **238.**

The Clerk having resigned, the House, after some intervening business, elected his successor. Volume **I,** section **239.**

Upon the death of the Sergeant-at-Arms, a Sergeant-at-Arms pro tempore was elected to serve until a successor was chosen. Volume **VI,** section **32.**

The vacancy caused by the death of the Sergeant-at-Arms was, after some delay, filled by the House by election. Volume **VI,** section **32.**

(7) Of the House and Senate.—Election of.—In General.

Election of Speaker and other officers, administration of the oath to Members and officers, notification of the President and Senate, and drawing of seats at the beginning of a Congress. Volume **I,** section **81.**

In the earlier practice of the House the Senate was notified of the election of Speaker, but not of that of other officers. Volume **I,** sections **122–125.**

In recent years all the officers have been elected before the President and Senate have been informed of the organization. Volume **I,** sections **194–196.**

Before the election of officers or the adoption of rules the House has made a rule for enforcing order in the galleries. Volume **I,** section **102.**

A candidate for the office of Secretary of the Senate was allowed to address the Senate in explanation of certain charges. Volume **I,** section **296.**

A Member of the Senate elected President pro tempore was excused from serving by vote of the Senate Volume **II,** section **1418.**

The contest over the election of Speaker in 1923. Volume **VI,** section **24.**

A resolution declaring vacant the office of Speaker is presented as a matter of high constitutional privilege. Volume **VI,** section **35.**

OFFICERS—Continued.

(8) Of the House and Senate.—Charges Against, Entertained as Matters of Privilege.

A charge affecting the character of an elected officer of the House was held to involve a question of privilege. Volume **III,** section **2644.**

A matter affecting the character of an officer of the House involves a question of privilege (footnote). Volume **I,** section **288.**

The request of an officer of the House for an investigation of newspaper charges against his administration is presented as a question of privilege. Volume **III,** section **2645.**

A proposition to investigate the conduct of certain officers of the House while they were officers of the preceding House was presented as a matter of privilege. Volume **III,** section **2647.**

A newspaper charge that an officer of the House had conspired to influence legislation was considered as a question of privilege. Volume **III,** section **2628.**

(9) Of the House and Senate.—Investigation of Conduct of.

A newspaper charge against the Clerk was, at the request of that officer, investigated by the House. Volume **I,** section **295.**

Charges being made against the Chief Clerk by a Member, the House ordered an investigation (footnote). Volume **I,** section **294.**

Certain charges being made against an officer of the House he petitioned for an investigation. Volume **I,** section **294.**

The late Sergeant-at-Arms having announced a deficit in his office, the House authorized investigation by a select committee. Volume **I,** section **293.**

The report of an investigating committee exonerating the Clerk was printed in full in the Journal. Volume **I,** section **295.**

The House has requested the Executive authority to prosecute one of the officers of the House. Volume **I,** section **287.**

(10) Of the House and Senate.—Arraignment at the Bar.

For misappropriation of funds the House arrested its Clerk and arraigned him at the bar. Volume **I,** section **287.**

The Journal recorded the substance of the oral answer of an officer of the House arraigned at the bar for neglect of duty. Volume **I,** section **291.**

For permitting a Member under arrest to escape, the Doorkeeper was arraigned at the bar of the House. Volume **I,** section **291.**

An officer of the House being arraigned for neglect of duty, it was voted that he might answer orally. Volume **I,** section **291.**

Interrogation of an officer, required to answer at the bar of the House, must be authorized by motion and is limited to subjects specified in that motion. Volume **VI,** section **687.**

In response to charges made in open session, an officer of the Senate appeared voluntarily at the bar and being arraigned declined counsel. Volume **VI,** section **37.**

In arraigning one of its officers the Senate declined to require that questions be reduced to writing, and elected to interrogate him orally. Volume **VI,** section **37.**

(11) Of the House and Senate.—Removal and Suspension of.

A proposition to remove an officer of the House presents a question of privilege. Volume **I,** sections **284, 285.** Volume **VI,** section **35.**

The House by resolution dismissed its Clerk, who had been found guilty of misappropriation of public funds. Volume **I,** section **287.**

It being alleged that the Clerk was guilty of official misconduct, a resolution removing him from office was presented and entertained. Volume **I,** section **286.**

Pending examination of the Clerk on a charge of misappropriation of funds, he was suspended from the exercise of his functions. Volume **I,** section **287.**

A report from the Committee on Accounts having impeached the integrity of the Doorkeeper, the House removed him. Volume **I,** section **290.**

OFFICERS—Continued.

(11) Of the House and Senate.—Removal and Suspension of—Continued.

Because of the misconduct of the incumbent, the office of Doorkeeper has been declared vacant, and the duties have devolved upon the Sergeant at Arms. Volume **I,** sections **288, 289.**

Charges against the Postmaster being sustained, his office was declared vacant, and his assistant was directed to perform the duties temporarily. Volume **I,** section **292.**

The resignation of the Postmaster was laid before the House while a resolution of dismissal was pending and was disregarded. Volume **I,** section **292.**

Instance wherein the Senate by resolution removed its Sergeant at Arms. Volume **VI,** section **37**.

An officer of the Senate being charged with authorship of a magazine article prejudicial to the reputations of Members of Congress, was suspended pending an investigation. Volume **VI,** section **37.**

On the removal of the Sergeant at Arms, the Deputy Sergeant at Arms succeeded to the duties of the office as Assistant Sergeant at Arms, without action by the Senate. Volume **VI,** section **37.**

The Senate having dismissed its Sergeant at Arms for cause, declined to take further punitive action. Volume **VI,** section **37.**

(12) Of the House and Senate.—Decease of.

The Clerk having died in the recess of Congress, the House was informed as soon as a quorum had been ascertained and new Members sworn in. Volume **I,** section **236.**

The Clerk having died, the House at once elected a successor, declining to have the Chief Clerk fill the vacancy temporarily. Volume **I,** section **236.**

On the announcement of the death of the Doorkeeper the House took appropriate action. Vol. **V,** section **7173.**

In 1938 the House adjourned to attend the funeral of its Doorkeeper. Volume **I,** section **266.**

The death of the Sergeant at Arms being announced, the House passed appropriate resolutions and adjourned as a mark of respect. Volume **VI,** section **32.**

The vacancy caused by the death of the Doorkeeper was, after several days, filled by the House by election. Volume **I,** section **267.**

The death of the Doorkeeper being announced, the House voted to proceed to the election of his successor at a future day. Volume **I,** section **266.**

The Postmaster having died, it was held that contracts for carrying the mails must be made by the Clerk and not by the Assistant Postmaster. Volume **V,** section **7235.**

The House appointed a committee to attend the funeral of its deceased Chaplain. Volume **V,** section **7172.**

Form of announcement to the Senate of the death of its Chief Clerk. Volume **V,** section **7175.**

(13) Of the House and Senate.—Continuance of, in a New Congress.

One Congress may not, even by statute, provide officers or employees for the service of its successor. One House may continue the tenure of an officer after the Congress for which he was appointed has expired, but a subsequent House may remove such officer and appoint another in his stead. Volume **VI,** section **36.**

The elective officers other than the Speaker continue in office until their successors are chosen and qualified. Volume **I,** section **187.**

An instance wherein certain officers of the former House continued to act through the new Congress, no successors being elected. Volume **I,** section **244.**

The House formerly provided by special rule that the Clerk should continue in office until another should be appointed. Volume **I,** section **187.**

The House, in a rule continuing the Clerk in office until the election of his successor, assumed to perpetuate its authority beyond its own existence. Volume **I,** section **235.**

The Clerk of the former House continues to act as Clerk of the new House until his successor is elected. Volume **I,** section **244.**

OFFICERS—Continued.

(13) Of the House and Senate.—Continuance of, in a New Congress—Continued.

Discussion as to whether or not the Clerk of the former House continues until his successor is elected. Volume **I,** section **188.**

Instance wherein the House failed to elect a Doorkeeper and Postmaster, the officers of the preceding House continuing to serve. Volume **I,** section **193.**

The House having decided to postpone the election of a Doorkeeper, the Doorkeeper of the former House was held to continue in the office until his successor should be elected. Volume **I,** section **263.**

(14) Of the House and Senate.—In Relation to the Production of Papers and Giving of Testimony.

No officer or employee of the House may produce any paper belonging to the files of the House before a court without permission of the House. Volume **III,** section **2663.**

No officer or employee of the House may produce before a court, either voluntarily or in obedience to a subpoena duces tecum, any paper from the files without permission of the House first obtained. Volume **VI,** section **587.**

The House, in maintenance of its privilege, has refused to permit the Clerk to produce in court, in obedience to a summons, an original paper from the files, but has given the court facilities for making certified copies. Volume **III,** section **2664.**

No officer or employee should furnish any copy of any testimony given or paper filed on any investigation before the House or any of its committees. Volume **III,** section **2663.**

No officer or employee of the House should furnish, except by authority of the House or a statute, any copy of any paper belonging to the files of the House. Volume **III,**, section **2663.**

The Senate has not considered that its privilege forbade the House to summon one of its officers as a witness. Volume **III,** section **1798.**

(15) Of the House and Senate.—Immunity of, for Proper Official Acts.

In a case where the House has the right to punish for contempt its officers may not be held liable for the proper discharge of ministerial functions in connection therewith. Volume **III,** section **1713.**

The statutes provide for the defense of any person against whom an action is brought for acts done while an officer of either House in the discharge of his duty. Volume **I,** section **283.**

The arrest by a civil magistrate of an officer of the House for an act performed in the service of the House was deemed a high breach of privilege. Volume **II,** section **1605.**

The House has assumed the expenses incurred by Members and officers in defended suits brought by persons punished by the House for contempt. Volume **III,** sections **1716, 1717.**

(16) Of the House and Senate.—Oath of.

The elective officers of the House are sworn to support the Constitution and discharge their duties faithfully. Volume **I,** section **187.**

Origin of an obsolete requirement that the officers of the House shall be sworn to keep its secrets. Volume **I,** section **187.**

In the early days of the House two oaths were administered to the Clerk. Volume **I,** section **238.**

A Speaker elected after the organization or the House takes the oath, although he may have taken it already as a Member. Volume **I,** sections **225, 226.**

The Speaker having resigned in 1814 his successor, when elected, took the oath. Volume **I,** section **231.**

A Speaker having resigned in 1834, his successor took the oath. Volume **I,** section **233.**

A Speaker pro tempore elected by the House is not sworn. Volume **I,** section **229.**

OFFICERS—Continued.

(16) Of the House and Senate.—Oath of—Continued.

At first the Chaplain did not take the oath prescribed for the officers of the House. Volume **I,** sections **280–282.**

The Chaplain takes the oath prescribed for the officers of the House. Volume **VI,** section **31.**

(17) Of the House and Senate.—Administration of Oaths by.

Discussion as to the competency of the Senate to empower one of its officers to administer oaths. Volume **III,** section **2162.**

(18) Of the House and Senate.—Independent of Authority of the Other House.

Neither House may exercise any authority over a Member or officer of the other, but may complain to the other House. Volume **V,** section **5095.**

(19) Of the House and Senate.—Executive Duties, Accountability, etc.

Each of the elected officers of the House appoints the employees of his department provided by law. Volume **I,** section **187.**

It is within the power of the officers of the House to remove at will employees subject to appointment by them, and to refrain from appointing their successors. Volume **VI,** section **36.**

The officers of the House, except the Speaker, are required to make monthly certificates as to the presence of the employees on their pay rolls. Volume **V,** section **7233.**

Employees under the Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall generally be assigned only to the duties for which they are appointed. Volume **V,** section **7232.**

No officer or employee of the House shall be an agent for the prosecution of a claim against the Government. Volume **V,** section **7227.**

Duty of the Committee on Accounts to examine as to observance of the rule forbidding officers and employees of the House from being interested in claims. Volume **V,** section **7227.**

A declaration of the House concerning appointments by the officers of the House. Volume **V,** section **7240.**

The question as to whether an officer of the House is properly discharging the duties of his office is a legal proposition, and one which the Speaker is not called upon to decide. Volume **VI,** section **30.**

The Speaker does not assume to control the Sergeant-at-Arms in the discharge of certain official duties. Volume **VI,** section **30.**

A question as to whether or not a resolution placing the duties of one officer of the House on another involves a question of privilege (Speaker overruled). Volume **I,** section **263.**

A proposition to impose upon an officer of the House duties in addition to those prescribed by the rules is in effect an amendment of the rules, and should be acted on in the way prescribed for such amendment (Speaker overruled). Volume **V,** section **6769.**

The accountability of the officers of the House is within the jurisdiction of the Committee on Accounts. Volume **IV,** section **4329.**

No officer or agent of either House has authority to receive returned bills or messages from the President for delivery at the next session. Volume **VII,** section **1115.**

(20) Of the House and Senate.—Compensation of.

The House has insisted on its right to determine the compensation of its own officers and employees. Volume **V,** sections **7241, 7242.**

(21) Of the House and Senate.—Resignation of.

Communications announcing resignations of employees of the House from statutory offices are read and ordered to be laid on the table. Volume **VI,** section **33.**

The House does not pass upon the acceptance of resignations from statutory positions, even when it is authorized to fill such offices. Volume **VI,** section **33.**

OFFICERS—Continued.

(22) Of the House.—The Speaker.—Resignation of.

Mr. Speaker Colifax, having been elected Vice-President, resigned his Speakership on the last day of the Congress. Volume **I,** section **225.**

The Speaker having resigned no action of the House excusing him from service is taken. Volume **I,** section **232.**

Instance wherein the Speaker, following a vote upon an essential question indicating a change in the party control of the House, announced that under the circumstances it was incumbent upon the Speaker either to resign or to recognize for a motion declaring vacant the office of Speaker. Volume **VI,** section **35.**

(23) Of the House.—The Speaker.—Absence of, and Speaker Pro Tempore.

In the absence of the Speaker the House, unless it adjourn, elects a Speaker pro tempore for the day or part of the day. Volume **II,** sections **1386–1389.**

Discussion of the nature and functions of the office of Speaker pro tempore. Volume **I,** section **229.**

(24) Of the House.—The Clerk.—Legislative Duties of.

The statutes prescribe certain duties for the Clerk as to the organization of the House and the administration of its affairs. Volume **I,** section **253.**

At the organization of the House the Clerk calls the roll of Members by States in alphabetical order. Volume **I,** section **64.**

Discussion of the functions of the Clerk of the former House presiding at the organization of a new House. Volume **I,** section **67.**

In the absence of the Speaker the Clerk calls the House to order. Volume **II,** sections **1386–1389.**

The Clerk is required to note all questions of order and the decisions thereon, and print the record thereof as an appendix to the Journal. Volume **I,** section **251.**

The Clerk is required to certify to the passage of all bills and joint resolutions. Volume **I,** section **251.**

The Clerk attests and affixes the seal of the House to all writs, warrants, and subpoenas issued by order of the House. Volume **I,** section **251.**

(25) Of the House.—The Clerk.—Executive Duties of.

It is the duty of the Clerk to print the distribute the Journal. Volume **I,** section **251.**

It is the duty of the Clerk to have printed and delivered to each Member a list of the reports required to be made to Congress. Volume **I,** section **252.**

The Clerk is required to pay the officers and employees of the House on the last secular day of each month. Volume **I,** section **251.**

The Clerk is required to pay the officers and employees of the House on the first secular day of each month. Volume **VI,** section **27.**

The Clerk keeps account of disbursement of the contingent fund and the stationery accounts of Members. Volume **I,** section **251.**

The Clerk makes or approves all contracts, etc., for labor, materials, etc., for the House. Volume **I,** section **251.**

(26) Of the House.—The Clerk.—Absence of.

The Clerk desiring to be away, the House gave him leave of absence. Volume **I,** sections **246, 247.**

In case of temporary absence or disability the Clerk designates a Clerk pro tempore. Volume **VI,** section **25.**

Form of designation of a Clerk pro tempore. Volume **VI,** section **26.**

In the temporary absence of the Clerk the House has chosen a Clerk pro tempore. Volume **I,** section **248.**

There being a conflict of authority between the Clerk and another officer, the House investigated the subject. Volume **I,** section **250.**

OFFICERS—Continued.

(26) Of the House.—The Clerk.—Absence of—Continued.

By unanimous consent, on request put through the Speaker, the Clerk was permitted to address the House on a question relating to its organization. Volume **V,** section **7297.**

(27) Of the House.—The Sergeant-at-Arms.—Duties on the Floor.

The Sergeant-at-Arms attends the sittings and, under direction of the Speaker or Chairman of the Committee of the Whole, maintains order. Volume **I,** section **257.** Volume **VI,** section **29.**

By a rule which is not adopted usually until a Speaker is elected, the Sergeant-at-Arms is directed to preserve order under the direction of the Clerk pending the election of a Speaker or Speaker pro tempore. Volume **I,** section **257.**

The Sergeant-at-Arms executes the commands of the House and all of its processes directed to him by the Speaker. Volume **I,** section **257.**

The mace is the symbol of the Sergeant-at-Arms and is borne by that officer while enforcing order on the floor. Volume **II,** section **1346.**

The Sergeant-at-Arms having resigned, the House instructed the Doorkeeper to perform the duties of the office until the beginning of the next session of Congress. Volume **I,** section **268.**

(28) Of the House.—The Sergeant-at-Arms.—Executive Duties and Absence of.

The Sergeant-at-Arms disburses the pay and mileage of Members and Delegates. Volume **I,** section **257.**

The statutes as well as the rules define the duties of the Sergeant-at-Arms, especially with reference to the disbursements made by him. Volume **I,** section **258.**

The statutes place on the Sergeants-at-Arms of the two Houses the duty of preserving the peace and security of the Capitol and the appointment and control of the Capitol police, Volume **I,** section **258.**

During the temporary disability of the Sergeant-at-Arms another was authorized to perform the duties of the office. Volume **VI,** section **32.**

(29) Of the House.—The Doorkeeper.—Duties on the Floor of the House.

The Doorkeeper is required to enforce strictly the rules relating to the privileges of the Hall and is responsible for the official conduct of his employees. Volume **I,** section **260.**

The Doorkeeper is required to clear the floor fifteen minutes before the hour of meeting of all persons not privileged to remain, and keep it cleared until ten minutes after adjournment. Volume **V,** section **7295.**

The Doorkeeper is to see that no one enters the room over the Hall of the House during its sittings. Volume **V,** section **7295.**

In 1841 the Assistant Doorkeeper ceased to be an officer of the House. Volume **I,** section **261.**

(30) Of the House.—The Doorkeeper.—Executive Duties of.

Statutes impose on the Doorkeeper various duties in addition to those prescribed by the rules. Volume **I,** section **262.**

The Doorkeeper has general charge during recess of the apartments occupied by the House. Volume **I,** section **262.**

The Doorkeeper is required at stated times to return inventories of the Government property in his possession. Volume **I,** section **262.**

The Doorkeeper has the custody of all the furniture, books, and public property in the committee and other rooms under his charge. Volume **I,** section **261.**

At the commencement and close of each session of Congress the Doorkeeper is required to make and submit to the House for examination by the Committee on Accounts an inventory of furniture, books, etc. Volume **I,** section **261.**

The Doorkeeper appoints superintendents to have charge of the folding and document rooms. Volume **I,** section **262.**

The Doorkeeper has control of the messengers on the soldiers roll. Volume **I,** section **262.**

OFFICERS—Continued.

(31) Of the House.—The Postmaster.

The Postmaster superintends the post-office in the Capitol and House Office Building and is responsible for the prompt and safe delivery of mail. Volume **I,** section **270.** Volume **VI,** section **34.**

Creation of the office of postmaster. Volume **I,** section **269.**

The Postmaster accounts for the Government property in his possession. Volume **I,** section **271.**

(32) Of the House.—The Chaplain.

The Chaplain opens each day's sitting with prayer. Volume **I,** section **272.**

The Chaplain was not originally an officer of the House, but has been such for many years. Volume **I,** sections **275–279.**

The practice of electing a Chaplain was suspended during the Thirty-fifth Congress. Volume **I,** section **274.**

The Chaplain takes the oath prescribed for the officers of the House. Volume **VI,** section **31.**

The election of a Chaplain emeritus. Volume **VI,** section **31.**

(33) Of the House.—Reporters of Debates and Committee Stenographers.

The office of reporter of debates is created by resolution reported from the Committee on Accounts and agreed to by the House. Volume **V,** sections **6960, 6961.**

Revisions of remarks which do not materially alter the purport of the Member's statements or affect colloquies with others are admissible, but alterations or commissions productive of statements substantially different from those submitted by the Official Reporters of the House are not in order. Volume **VIII,** section **3467.**

Official stenographers to the standing committees of the House shall not furnish transcripts of testimony adduced before such committees without written authorization from the chairman of the committee. Volume **VIII,** section **3459.**

The Speaker exercises jurisdiction over the Official Reporters of the House and the committee stenographers and their assistants and substitutes. Volume **VIII,** section **3459.**

Origin of the employement of committee stenographers. Volume **V,** section **6958.**

(34) Of the Executive Branch.—Communications from.

A subordinate officer of the Government to whom the House has directed a resolution of inquiry may respond directly or through his superior. Volume **III,** sections **1908–1910.**

Secretary Stanton communicated directly to the House the fact of the President's attempt to remove him. Volume **III,** section **2408.**

(35) Of the Executive Branch.—Demanding Papers from.

Discussion of the right of the House to demand papers from a public officer. Volume **III,** section **1700.**

Discussion as to the use of the subpoena duces tecum in procuring papers from public officers. Volume **III,** section **1700.**

A committee of the House declined to prefer any charge against a public officer before requiring him to furnish certain records of his office. Volume **III,** section **1739.**

(36) Of the Executive Branch.—Investigations of.

In cases where its investigations have suggested the culpability of executive officers the House has by resolution submitted advice or request to the Executive. Volume **II,** sections **1581–1584.**

The House declined to ask of the Executive the removal of an officer whom a committee had found delinquent. Volume **III,** section **2501.**

The House having investigated charges against General Wilkinson of the Army, the results were transmitted to the President by the hands of a committee. Volume **III,** section **1727.**

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(36) Of the Executive Branch.—Investigations of—Continued.

The House sometimes directs the Speaker to certify to the Executive authority testimony taken by a House committee and affecting an official. Volume **III,** section **1785.**

The investigation into the conduct of Henry A. Smythe, collector of the port of New York. Volume **III,** section **2501.**

The investigation into the conduct of Oliver B. Bradford, late vice-consul-general at Shanghai. Volume **III,** section **2515.**

The investigation into the conduct of George F. Seward, late consul-general at Shanghai. Volume **III,** section **2514.**

The proposition to inquire into the conduct of William B. West, consul at Dublin. Volume **III,** section **2502.**

(37) Of the Executive Branch.—Ceremonies Relating to.

Eminent American soldiers have been received informally by the House. Volume **V,** sections **7076–7079.**

Observances of the House on occasions of the deaths of high officers of the Army. Volume **V,** sections **7201–7207.**

The House generally did not adjourn in tribute to the memories of high officers of the Revolution. Volume **V,** section **7211.**

Resolutions in memory of the Admiral of the Navy. Volume **V,** sections **7208–7210.**

(38) Of the Executive Branch.—Presents to.

Presents to the President or other officers were formerly placed at the disposal of Congress. Volume **II,** sections **1588, 1589.**

(39) Of the Executive Branch.—Constitutional Provision for Impeachment of.

Treason, bribery, or other high crimes and misdemeanors require removal of President, Vice-President, or other civil officers on conviction by impeachment. Volume **III,** section **2001.**

The impeachment of Judge Peck was only for "high misdemeanors in office." Volume **III,** section **2367.**

Having found Judge Humphreys guilty, the court proceeded to pronounce judgment of removal and disqualification. Volume **III,** section **2397.**

A proposition to impeach a civil officer of the United States is presented as a question of constitutional privilege. Volume **III,** sections **2045–2048.**

After consideration, a committee concluded that an official threatened with impeachment was not in contempt for declining to be sworn as a witness or to produce documentary evidence. Volume **III,** section **1699.**

(40) Of the Executive Branch.—As to Who May Be Impeached.

Elaborate argument of the question whether or not a Senator is a civil officer within the meaning of the impeachment clause of the Constitution. Volume **III,** section **2316.**

William Blount pleaded that he was not, at the time of pleading, a Senator, and that a Senator was not impeachable as a civil officer. Volume **III,** section **2310.**

In the Blount impeachment the managers contended, although in vain, that all citizens of the United States were liable to impeachment. Volume **III,** section **2315.**

The Senate decided that it had no jurisdiction to try an impeachment against William Blount, a Senator. Volume **III,** section **2318.**

A question as to whether or not the Congressional Printer was an officer who might be impeached. Volume **III,** section **1785.**

A question as to the expediency of impeaching an officer removable by the Executive. Volume **III,** section **2501.**

In 1833 the Judiciary Committee held that a Territorial judge was not a civil officer of the United States within the meaning of the Constitution. Volume **III,** section **2493.**

In the Belknap trial the managers and counsel for respondent agreed that a private citizen, apart from offense in an office, might not be impeached. Volume **III,** section **2007.**

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(40) Of the Executive Branch.—As to Who May Be Impeached—Continued.

A question as to whether a vice-consul-general is such an officer as is liable to impeachment. Volume **III,** section **2515.**

(41) Of the Executive Branch.—Status of President During Impeachment.

At the time of the impeachment of President Johnson it was conceded that he was entitled to exercise the duties of the office until convicted by the Senate. Volume **III,** section **2407.**

Reference to argument of Senator Charles Sumner that President Johnson should be suspended during impeachment proceedings. Volume **III,** section **2407.**

(42) Of the Executive Branch.—Effect of Resignation on Impeachment Proceedings.

Discussion of the effect of resignation of the officer upon impeachment proceedings. Volume **III,** section **2509.**

Discussion as to effect of an officer's resignation after the House has investigated his conduct, but before it has impeached. Volume **III,** section **2007.**

In the Blount case it was conceded that a person impeached might not avoid punishment by resignation. Volume **III,** section **2317.**

The Senate decided, in 1876, that William W. Belknap was amenable to trial, notwithstanding his resignation of the office before his impeachment for acts therein. Volume **III,** section **2007.**

The House, after a review of English precedents, determined to impeach Secretary Belknap, although he had resigned. Volume **III,** section **2445.**

The committee reported a resolution for the impeachment of Secretary Belknap, although they had been informed of his resignation of the office. Volume **III,** section **2444.**

The Senate decided that it had jurisdiction to try the Belknap impeachment case, although the respondent had resigned the office. Volume **III,** section **2459.**

Judge Irwin having resigned before the report of an investigation, the House discontinued proceedings. Volume **III,** section **2500.**

Judge William Stephens having resigned his office, the House discontinued its inquiry into his conduct. Volume **III,** section **2489.**

(43) Incompatible Offices.—Constitutional Provision.

No person holding any office under the United States shall be a Member of either House during his continuance in office. Volume **I,** section **485.**

Discussion of the meaning of the word "officer" in the constitutional provision relating to the qualifications of Members. Volume **I,** section **496.**

Conclusion of the Judiciary Committee that the member of a commission created by law to investigate and report, but having no legislative, judicial, or executive powers, was not an officer within the meaning of the constitutional inhibition. Volume **I,** section **493.**

Visitors to academies, regents, directors, and trustees of public institutions, appointed by the Speaker under the law, are not regarded as officers within the meaning of the constitutional inhibition. Volume **I,** section **493.**

The House has distinguished between the performance of paid services for the Executive by a Member and the acceptance of an appointment to an incompatible office. Volume **I,** section **495.**

A Member who was appointed to assist a United States attorney in certain cases was held not to be disqualified as a Member of the House. Volume **II,** section **993.**

(44) Incompatible Offices.—Instances of Members Disqualified by Holding.

A Member who had been appointed a militia officer in the District of Columbia by the President was deprived of his seat in the House. Volume **I,** section **486.**

In 1847 Thomas W. Newton presented credentials showing his election in place of Archibald Yell, of Arkansas, who was an officer in the Army, and was admitted on his prima facie right. Volume **I,** section **489.**

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(44) Incompatible Offices.—Instances of Members Disqualified by Holding—Continued.

The Elections Committee found that Thomas W. Newton, already seated on prima facie showing, was entitled to the seat made vacant by Archibald Yell's acceptance of an office in the Army. Volume **I,** section **489.**

The case relating to the alleged disqualification of Messrs. Blair and Schenck in the Thirty-eighth Congress. Volume **I,** section **492.**

In 1898 the Judiciary Committee found that four Members, by accepting commissions in the Army and being mustered into the service after taking the oath as Representatives, thereby vacated their seats. Volume **I,** section **494.**

The House has declined to hold that a contractor under the Government is constitutionally disqualified to serve as a Member of the House. Volume **I,** section **496.**

(45) Incompatible Offices.—Relation of Member-elect to.

After a careful consideration of the status of a Member-elect, the House decided that such an one was not affected by the constitutional requirement that an officer of the United States shall not be a Member. Volume **I,** section **499.**

Discussion of the status of a Member-elect in relation to the law prohibiting the holding of two offices of certain salaries, with the conclusion that it is distinguished from the status of the Member who has qualified. Volume **I,** section **184.**

A Member-elect may defer until the meeting of the Congress his choice between the seat and an incompatible office. Volume **I,** section **492.**

A Member-elect was held to have disqualified himself by continuing to hold an incompatible office after the meeting of the Congress. Volume **I,** section **492.**

A Member-elect who continued in the office of postmaster after his election, but resigned before taking his seat, was held to be entitled to the seat. Volume **I,** section **498.**

(46) Incompatible Offices.—Relations of Contestants to.

The House has manifestly leaned to the idea that a contestant holding an incompatible office need not make his election until the House has declared him entitled to the seat. Volume **I,** section **505.**

A contestant employed after the election as assistant to a United States district attorney was held qualified to be seated, especially as his employment ceased before Congress met. Volume **I,** section **46.**

Although a contestant had accepted and held a State office in violation of the State constitution, if he were really elected a Congressman, the House did not treat his contest as abated. Volume **II,** section **1003.**

A Member being appointed to an incompatible office a contestant not found to be elected was not admitted to fill the vacancy. Volume **I,** section **807.**

(47) Incompatible Offices.—Procedures of House as to.

A resolution declaring vacant the seat of a Member who has accepted an incompatible office may be agreed to by a majority vote. Volume **I,** section **504.**

A Member charged with acceptance of an incompatible office was heard in his own behalf during the debate. Volume **I,** section **486.**

Form of resolution declaring vacant the seat of a Member who had become an officer in the Army. Volume **I,** section **490.**

(48) Incompatible Offices.—In General.

Summary of instances wherein Members of the House and Senate have been appointed by the Executive to commissions (footnote). Volume **I,** section **493.**

The House, after debate, called on the President for a list of appointments of Members of Congress to offices (footnote). Volume **III,** section **1864.**

The Committee on the Judiciary has reported bills relating to the meeting of Congress, the attendance of Members, and their appointment to incompatible offices. Volume **IV,** section **4077.**

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(49) Members Forbidden to Hold Certain Offices.

In 1815 the House questioned the constitutional right of a Member to accept an appointment as commissioner under the terms of a treaty, the office being created during the period of his membership. Volume **I,** section **506.**

(50) Is the Member an Officer of the Government?

Discussion as to whether or not a Member is an officer of the Government. Volume **I,** section **417.**

In 1900, in a sustained report, the majority of the committee held that a Member of Congress was an officer, subject to statutory disqualifications as such. Volume **I,** section **478.**

In 1901, in a divided report, the Judiciary Committee discussed the status of the Member-elect, the major opinion being that he was as much an officer of the Government before taking the oath as afterwards. Volume **I,** section **185.**

Senators can not properly be said to hold their places "under the Government of the United States." Volume **II,** section **1282.**

Elaborate argument of the question whether or not a Senator is a civil officer within the meaning of the impeachment clause of the Constitution. Volume **III,** section **2316.**

(51) State Officers.

Discussion of the powers of a military governor and his status as a de facto executive. Volume **I,** section **379.**

A subject being within the power of the House to investigate, it was held that State officers might not decline to produce records on the plea that they possessed them in their official capacities. Volume **III,** section **1698.**

(52) Of the two Houses at the Electoral Count.

The statutes give directions for seating the officers and Members of the two Houses at the counting of the electoral votes. Volume **III,** section **1919.**

(53) Jurisdiction of Committees Over Subjects Relating to, etc.

The Committee on the Judiciary has reported bills prohibiting the desecration of the national flag and dealing with refusal of public officers to execute acts of Congress. Volume **IV,** section **4055.**

Bills relating to the titles, conduct, and licensing of officers of vessels under the more recent practice have been considered by the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4139.**

The Committee on Reform in the Civil Service has exercised a general jurisdiction over bills relating to the status of officers, clerks, and employees in the civil branches of the Government. Volume **IV,** section **4297.**

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Legislative propositions relating to the fees and salaries of officers and employees of the Government have been considered by the various Committees on Expenditures. Volume **IV,** section **4317.**

The Committees on Expenditures in the Several Departments have reported bills creating and abolishing offices and employments. Volume **IV,** section **4318.**

The limitation permitted on a general appropriation bill must be in effect a negative prohibition on the use of the money, not an affirmative direction to an executive officer. Volume **IV,** section **3975.**

A specific appropriation for designated officials of an exposition at stated salaries, there being no prior legislation establishing such positions or salaries, was held out of order, although a general appropriation for the exposition was authorized by law. Volume **IV,** section **3878.**

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(54) For Taking Testimony in Election Contests.

Testimony in an election case being taken before a person who had ceased to be a notary, but none of the parties or witnesses being aware of this until nearly all the evidence was in, the House considered it. Volume **II,** section **1086.**

Testimony taken before justices of the peace was admitted, although the sitting Delegate had protested that they were not legally authorized and had declined to attend. Volume **II,** section **852.**

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Where a minor may not hold an office, may such minor, as a notary, take testimony in an election case. Volume **II,** section **1049.**

The ballots are among the papers of which the officer taking testimony in an election case may demand the production. Volume **II,** section **1044.**

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(1) Of the House.

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(5) Bills Relating to.—In Relation to Appropriations—Continued.

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(6) Members Forbidden to Hold Certain.

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(8) Incompatible.—Decisions by the House as to.

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A Member, Samuel Hammond, having accepted an Executive appointment, the House declared his seat vacant. Volume **I,** section **487.**

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A Member who had been mustered into the military service of the United States was held by the Elections Committee to have forfeited his right to a seat. Volume **I,** section **490.**

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A Senator-elect who had before qualifying exercised the authority of an army officer de facto was held not to have vacated his seat. Volume **I,** section **491.**

Although a Member had resigned, the House proceeded to inquire whether or not his acceptance of an incompatible office had vacated his title to the seat. Volume **III,** section **2590.**

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(10) Incompatible.—In general.

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OLDS, EDSON B., of Ohio, Chairman.
Decisions on questions of order relating to—
Five-minute debate. Volume **V,** section **5242.**
Lay on the tables, motion to. Volume **VI,** section **4719.**

OLEOMARGARINE.
Bills imposing an internal-revenue tax on oleomargine are, by action of the House, included within the jurisdiction of the Committee on Agriculture. Volume **IV,** section **4156.**
A bill affecting the internal-revenue tax on oleomargarine has been reported from the Committee on Agriculture. Volume **II,** section **1455.**
While the Committee on Agriculture has jurisdiction of revenue legislation affecting oleomargarine, the Ways and Means Committee has retained jurisdiction as to revenue bills affecting tobacco, lard, cheese, etc. Volume **IV,** section **4022.**

OLMSTED, MARLIN E., of Pennsylvania, Chairman.
Decisions on questions of order relating to—
Adjourn, motion to. Volume **VIII,** section **2642.**
Amendment. Volume **II,** section **1332, 1334.** Volume **V,** sections **5766, 5768, 5770, 6880.** Volume **VII,** section **782.** Volume **VIII,** section **3434.**
Amendment, germaneness of substitute. Volume **VIII,** section **2974, 2999.**
Amendments germane. Volume **V,** section **5916.** Volume **VI,** section **257.** Volume **VII,** section **1203, 1417.**
Amendments not germane. Volume **V,** section **5808, 5857, 5858, 5860, 5903.**
Appropriations. Volume **IV,** section **3716.** Volume **VII,** sections **1134, 1136, 1153, 1204, 1205, 1206, 1314, 1341, 1365, 1375, 1393, 1629, 1644, 1704, 1708.**
Appropriations for salaries. Volume **IV,** sections **3683, 3692, 3695, 3698.**
Army bill. Volume **IV,** section **4182.**
Authorization of appropriations. Volume **IV,** sections **3583, 3651, 3659, 3660, 3664–3667, 3669, 3671, 4739.**
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OLMSTED, MARLIN E., of Pennsylvania, Chairman—Continued.
Decisions on questions of order relating to—Continued.
Conferences. Volume **VIII,** section **3287.**
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Debate. Volume **V,** section **5148.** Volume **VIII,** sections **2530, 2590.**
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Division of question. Volume **V,** section **6132.**
Enacting clause, motion to strike out. Volume **V,** section **5335.**
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Limitations on appropriations. Volume **IV,** sections **3929, 3954, 3960, 3975, 3977** (footnote), **4012.** Volume **V,** section **5903.**
Motion. Volume **VIII,** section **2332.**
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Quorum. Volume **IV,** section **2948.** Volume **VI,** sections **640, 659, 674, 682, 686.**
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Roll call. Volume **VIII,** section **3131.**
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Senate amendments. Volume **V,** sections **6169, 6192, 6194, 6195.**
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Text to which both Houses have agreed. Volume **V,** section **6182.**
Unanimous consent. Volume **II,** section **1137.**

OMNIBUS BILL.
A committee having reported a public bill grouping together the authorization of several distinct works, all within the jurisdiction of the committee, it was held that no point of order could be sustained when the bill came up in Committee of the Whole. Volume **IV,** sections **4656, 4657.**
A committee having reported a private bill grouping together a series of claims, each belonging to the jurisdiction of the committee, it was held that no point of order could be sustained when the bill came up in Committee of the Whole. Volume **IV,** section **4784.**
Form of special order for consideration of an omnibus claims bill in the House and in Committee of the Whole, with arrangement for purging the bill of unauthorized items. Volume **IV,** section **3251.**

O'NEIL, JOSEPH H., of Massachusetts, Speaker Pro Tempore and Chairman.
Decisions on questions of order relating to—
Legislation on appropriation bills. Volume **IV,** section **3723.**
Reconsider, motion to. Volume **V,** section **5625.**

O'NEILL, ELECTION CASE OF.
The Missouri election case of O'Neill v. Joy in the Fifty-third Congress. Volume **II,** section **1047.**

OPENING ADDRESSES.
In an impeachment trial the case is opened by one person on each side. Volume **III,** section **2132.**
In the opening address in an impeachment trial it is proper to outline what it is expected to prove, but it is not proper to quote evidence which may not be admissible later. Volume **III,** section **2133.**
The opening address in an impeachment trial should be confined to what is to be proven and how it is to be proven, and should not include extended argument on the whole case, Volume **III,** section **2134.**
The opening addresses of managers and counsel in the Johnson trial. Volume **III,** section **2433.**

OPENING ADDRESS—Continued.

The opening address in the Johnson trial discussed constitutional questions and outlined evidence. Volume **III,** section **2433.**

In impeachment trials witnesses are ordinarily required to state facts, not opinions. Volume **III,** sections **2248–2251.**

In the Peck trial a witness was not permitted to testify to general public opinion on a subject not closely related to respondent's act. Volume **III,** section **2280.**

In the Belknap trial objection was successfully made to an opinion of a subordinate officer as to evidence of the character of respondent's administration. Volume **III,** section **2256.**

A witness was permitted in the Belknap trial to give in answer a conclusion derived from a series of facts. Volume **III,** section **2257.**

In the Swayne trial the opinion of witnesses, including answers to questions of mixed law and facts, were excluded. Volume **III,** sections **2253–2255.**

It was decided in the Belknap trial that **a** question to a witness might not be so framed that the answer might imply an opinion. Volume **III,** section **2252.**

The voting on the articles in the Belknap impeachment was without debate, but each Senator was permitted to file an opinion. Volume **III,** section **2466.**

There is no constitutional objection to the election of a Member of the Board of Managers of the Soldiers' Home, although in the opinion of the Attorney General such election appears contrary to public policy. Volume **VI,** section **63.**

Opinion of the Attorney General on the law authorizing the franking of public documents. Volume **VI,** section **221.**

Opinion of the Attorney General as to construction of the statute forbidding Members being interested in contracts. Volume **VI,** section **225.**

The President, in the opinion of the Attorney General, has the power to approve bills after adjournment sine die of the Congress which has passed them, but within 10 days (Sundays excepted) after they have been presented to him. Volume **VII,** section **1088.**

OPTIONS.

Bills to discourage fictitious and gambling transactions in farm products have been considered within the jurisdiction of the Committee on Agriculture, even when an internal-revenue question was included. Volume **IV,** section **4161.**

ORAL ACCUSATION.

The Committee, in impeaching, usually pass a resolution containing a criminal charge against the accused and direct a member to impeach him by oral accusation before the Lords. Volume **III,** section **2026.**

ORAL TESTIMONY.

The House, in 1834, reversed the decision of its committee that recorded votes on the poll book could not be changed by oral testimony. Volume **I,** section **55.**

ORDER. See also "Debate," "Sergeant-at-Arms," and "Speaker,"

(1)On the floor of the House.

(2) In the galleries.

(3) Disorder.—In general.

(4) Disorder—Assaults.

(5) Special preparations to preserve.

(6) Preservation of, during the electoral count.

(1) On the Floor of the House

A description of the decorum of House and Senate in early days (footnote). Volume **II,** section **1344.**

An early comparison of the decorum of the House of Representatives with that of the House of Commons. Volume **V,** section **5445.**

ORDER—Continued.

(1) On the Floor of the House—Continued.

There is no adjournment until the Speaker pronounces it, and no Member should leave his place until the Speaker has passed on. Volume **V**, section **5360**.

Extreme disorder arising on the floor, the Speaker directed the Sergeant-at-Arms to enforce order with the mace. Volume **VI**, section **258**.

The Sergeant-at-Arms attends the sitting of the House, and under direction of the Speaker or Chairman maintains order. Volume **VI**, section **29**.

(2) In the Galleries.

The Speaker having declined to order the galleries to be cleared, a motion to effect that purpose was offered from the floor and entertained. Volume **II**, section **1353**.

Rigid enforcement of the rule relating to disturbance in the galleries. Volume **II**, section **1352**.

Before the power was given by rule it was decided that the Committee of the Whole had no power to preserve order in the galleries. Volume **V**, section **7303**.

A spectator in the gallery having created disturbance, the Speaker ordered his arrest. Volume **II**, section **1605**.

To obviate the necessity of clearing the galleries the Senate authorized the Sergeant-at-Arms to arrest any person disturbing the proceedings. Volume **V**, section **7311**.

Disorder occurring in the galleries during the Johnson trial, they were cleared. Volume **III**, section **2434**.

A point of order being raised against an interruption from the galleries, the Speaker admonished the galleries. Volume **VI**, section **259**.

The Speaker may cause the galleries to be cleared in case of disorder therein. Volume **II**, section **1343**.

The Chairman of the Committee of the Whole may cause the galleries or lobby to be cleared in case of disturbance or disorderly conduct therein. Volume **IV**, section **4704**.

A spectator in the Senate gallery having addressed remarks to the floor, the Vice President directed the Doorkeeper to remove him. Volume **VI**, section **260**.

(3) Disorder.—In General.

The intervention of other business does not prevent the House from taking up and dealing with a breach of privilege (footnote). Volume **II**, section **1647**.

The reading of the Journal, being interrupted by disorder, was resumed as soon as the House had taken action to restore order. Volume **IV**, section **2759**.

Although a breach of privilege occur in Committee of the Whole, it yet relates to the dignity of the House, and is so treated. Volume **II**, section **1657**.

When Member apologize for disorderly proceedings which the House has allowed to pass without taking action, the apology has not usually been entered on the Journal. Volume **II**, sections **1658–1662**.

An insult to the Speaker has been held to raise a question of privilege not governed by the ordinary rule about taking down disorderly words as soon as uttered. Volume **II**, section **1248**.

During consideration of a resolution to censure a Member for disrespect for the Speaker the Member likewise assailed the Speaker pro tempore, whereupon the Speaker resumed the chair while the House acted on the latest breach of privilege. Volume **II**, section **1366**.

A Member having defied and insulted the Chairman of the Committee of the Whole, the Chairman left the chair and, on the chair being taken by the Speaker, reported the facts to the House. Volume **II**, section **1653**.

A Member having defied the authority of the Chairman in Committee of the Whole, the latter directed the committee to rise and, after the Speaker had taken the chair, reported the occurrence to the House. Volume **II**, section **1350**.

In early and infrequent instances of misunderstandings and disorder in the Senate no action was taken beyond investigation. Volume **II**, sections **1663**, **1664**.

ORDER—Continued.

(4) Disorder.—Assaults.

Three Members of the House were ordered to the bar of the House to answer for a contempt of privilege in being present at and assisting in an assault between two other Members. Volume **II**, section **1654**.

The House has frequently allowed personal difficulties arising in debate and even violent assaults to pass without notice, the Members concerned making apologies either personally or through other Members. Volume **II**, sections **1658–1662**.

From Members between whom warm words or an assault has passed on the floor the House has exacted apologies. Volume **II**, sections **1646–1647**.

For an assault during debate in Committee of the Whole the House, after expulsion had been suggested, exacted apologies from two Members. Volume **II**, section **1657**.

Warm words and an assault having passed between two Members in Committee of the Whole, the House required them to apologize "for violating its privileges and offending its dignity." Volume **II**, section **1648**.

Two Members having assaulted one another in Committee of the Whole, the House appointed a committee of inquiry, although the two Members had severally explained to the House and reconciled their quarrel. Volume **II**, section **1651**.

An apology of Members for an assault committed in Committee of the Whole was not placed in the Journal. Volume **II**, section **1652**.

Two Members having assaulted one another in Committee of the Whole, the House declined to permit the committee to resume its sitting until a committee to investigate the facts of the disorder had been appointed. Volume **II**, section **1649**.

Two Members having created disorder in Committee of the Whole by an encounter, the Speaker took the chair and restored order and the House immediately referred the subject to a select committee. Volume **II**, section **1650**.

An assault occurring between two Members in Committee of the Whole, the committee rose and the Speaker restored order before receiving the report. Volume **II**, section **1652**.

Members who had committed an assault in Committee of the Whole apologized to the House, although the chairman of the committee had made no report of the occurrence. Volume **II**, section **1652**.

(5) Special Preparations to Preserve.

By concurrent resolution the two Houses authorized their Sergeants-at-Arms to appoint special police for an important occasion. Volume **V**, section **7243**.

In times of great interest the House sometimes makes a special rule for admission to the galleries, Volume **V**, section **7303**.

(6) Preservation of, During the Electoral Count.

The President of the Senate preserves order in the joint meeting for the count of the electoral vote. Volume **III**, section **1921**.

Disorder arising in the joint meeting during the electoral count of 1869, the Speaker called Members of the House to order and directed the Sergeant-at-Arms to assist. Volume **III**, section **1950**.

ORDER OF BUSINESS. See "Business," "Calendars," "District of Columbia," "Journal," "Rules, Suspension of" "Speaker's Table," "Special Orders," "Unanimous Consent," and "Unfinished Business."

ORDER, POINTS OF. See "Points of Order."

ORDER TO PRINT.

The Congressional order to print must expressly authorize the printing of illustrations which are parts of documents or reports. Volume **V**, section **7320**.

ORDERS. See also "Special Orders."
(1) Form of expression of will of the House.
(2) Reconsideration of, when partially executed.
(3) Standing orders.
(4) Orders of the day.

(1) Form of Expression of Will of the House.
The commands of the House should be expressed by an "order." Volume **IV,** section **3380.**
Form of ordering word of an order. Volume **IV,** section 3380.
In general orders, resolutions, and votes, in which the concurrence of the two Houses is necessary, must be presented to the President on the same condition as bills. Volume **IV,** section **3482.**
Dicta to the effect that one House may not prescribe orders for its successor. Volume **VIII,** section **3336.**
The rules and orders of a previous Congress are not in effect until adopted by the sitting House. Volume **VIII,** section **3383.**
Neither House may by order or simple resolution infringe upon the prerogatives vested by law in the Joint Committee on Printing. Volume **VII,** section **2097.**

(2) Reconsideration of, When Partially Executed.
The motion to reconsider the vote whereby an order of the House had been agreed to was admitted, although the execution of that order had begun. Volume **V,** section **5665.**
Instance of the reconsideration of an order which had been partly executed. Volume **III,** section **2028.**

(8) Standing Orders.
In the early practice an order of the House relating to disposition of business did not continue in the next session (footnote). Volume **IV,** section **3345.**
Discussion as to the distinction between a special order and a standing order. Volume **V,** section **5323.**
The resolution of the House fixing the hour of daily meeting is a standing order rather than a rule. Volume **I,** sections **116, 117.**
A resolution changing or construing a standing rule or order is in order only when presented in the manner prescribed for changing the rules. Volume **V,** sections **6778, 6779.**
The House has by standing order provided that it should meet on two days only of each week instead of daily. Volume **V,** section **6675.**
The House is governed by the rules of Jefferson's Manual in all cases in which they are applicable and in which they are not inconsistent with the standing rules and orders of the House. Volume **V,** section **6757.**
The motion to recess to the regular hour of meeting on the succeeding day is not admissible because in contravention of a standing order of the House, but if taken to such hour, the House when convened is still in session as of the preceding day. Volume **VIII,** section **3356.**

(4) Orders of the Day.
Discontinuance of the use of "orders of the day" for controlling the order of business. Volume **IV,** section **3057.**
The House has long since discarded the use of the parliamentary motion to proceed to the orders of the day. Volume **V,** section **5301.**

OREGON.
House election cases from:
Thirty-seventh Congress.—Shiel *vs.* Thayer. Volume **I,** sections **613, 846.**
Fifty-fifth Congress.—Vanderburg *vs.* Tongue. Volume **II,** sections **1100.**

Senate case from:
Forty-fifth Congress. Lafayette Grover. Volume **I,** section **552.**

OREGON—Continued.

There being conflicting electoral certificates from Oregon in 1877, the Electoral Commission decided in favor of the electors whom the secretary of state legally certified as having the highest number of votes, although the governor had issued a certificate to others. Volume **III,** section **1975.**

An elector, disqualified by reason of holding another office, resigned both offices, whereupon he was made eligible to fill the vacancy thus caused among the electors. Volume **III,** section **1975.**

ORGANIZATION. See also "Caucus," "Clerk," "Oath" "Officers," and "Speaker."

(1) Place of meeting.
(2) Time of meeting.—The constitutional day.
(3) Time of meeting.—When fixed by law or proclamation.
(4) Time of meeting.—The hour.
(5) Procedure of Members-elect during.
(6) Rules of procedure during.
(7) Status of the Member-elect before.
(8) Proceedings before.—Business, messages, etc.
(9) Proceedings before.—Adoption of rules.
(10) Proceedings before.—Adjournment.
(11) Messages relating to.
(12) Drawing of seats.
(13) Quorum at. See also "Quorum."
(14) Contests over.
(15) Sessions and adjournments.
(16) Of the Senate.—In General. See also "Impeachment."
(17) Of State legislatures as related to election of Senators.

(1) Place of Meeting.

The District of Columbia is the seat of government (footnote). Volume **I,** section **2.**

In certain exigencies the President may convene Congress at a place other than the seat of government. Volume **I,** section **2.**

(2) Time of Meeting.—The Constitutional Day.

The twentieth amendment to the Constitution provides for the annual meeting of Congress. Volume **VI,** section **1.**

By resolution of the Continental Congress the First Congress under the Constitution met on March 4, 1789. Volume **I,** section **3.**

The Constitution provides for the annual meeting of Congress. Volume **I,** section **1.**

In the later but not the earlier practice the fact that Congress has met once within the year does not make uncertain the constitutional mandate to meet on the first Monday of December. Volume **I,** sections **10, 11.**

In 1797 the Congress assembled on the day constitutionally provided by law, although it had already held a session that year. Volume **I,** sections **6–9.**

Early Congresses having, by law, met on a day earlier than the constitutional day, remained in continuous session to a time beyond that day. Volume **I,** sections **6–9.**

Early Congresses convened either by proclamation or law on a day earlier than the constitutional day remained in continuous session to a time beyond that day. Volume **I,** sections **10, 11.**

The First Congress having met once in each of its two years of existence, a doubt existed as to whether as to whether or not it would legally meet again on the day appointed by the Constitution. Volume **I,** section **5.**

In the later view an existing session ends with the day appointed by the Constitution for the regular annual session. Volume **II,** section **1180.**

Instance wherein Congress in adjourning fixed by resolution the time of meeting of the next session on the constitutional day. Volume **I,** section **5.**

ORGANIZATION—Continuted.

(3) Time of Meeting.—When Fixed by Law of Proclamation.

Instances wherein Congress has been convened by proclamation or by law. Volume **I,** section **10, 11.**

Laws convening Congress have specified the day but not the hour, except in an exceptional instance. Volume **I,** section **4, 6–11.**

Instance of laws fixing the time of annual meeting of Congress. Volume **I,** section **5.**

The First Congress, by law, appointed for its second meeting a day later than the day fixed by the Constitution. Volume **I,** section **5.**

The President may, on extraordinary occasions, convene both or either of the Houses of Congress. Volume **I,** section **1.**

One Congress having by law provided a time for the meeting of the next Congress, that Congress nevertheless meet at an earlier day on call of the President. Volume **I,** section **12.**

(4) Time of Meeting.—The Hour.

Why the House in new Congress meets at 12 m. Volume **I,** section **210.**

Instance wherein a law convening Congress specified the hour as well as the day. Volume **I,** section **10, 11.**

It being desirable that the hour of the first meeting of a Congress should be later than 12 m., the purpose was effected by a joint resolution. Volume **I,** section **4.**

The early laws fixing the time for the meeting of Congress specified the day but not the hour. Volume **I,** section **6-9**

At the beginning of each session the House fixes by resolution the daily hour of meeting. Volume **I,** section **104–109.**

When the House has not fixed an hour for daily motion to adjourn fixes the hour. Volume **V,** section **5362, 5363.**

Where special order provides for convening of daily sessions at 11 o'clock while a bill is under consideration, the House meets at 11 o'clock only on days when consideration of the bill is in order. Volume **VII,** section **763.**

(5) Procedure of Members-Elect During.

Proceedings and forms at the organization of the House in a new Congress. Volume **I,** section **81.**

Election of Speaker and other officers, administration of the oath of Members and officers, notification of the President and Senate, and drawing of seats at the beginning of Congress. Volume **I,** section **81.**

Discussion as to the status of the House with reference to the transaction of business before its organization by the choice of a Speaker. Volume **V,** section **6647.**

A discussion as to whether or not the House is a House before its organization. Volume **I,** section **82.**

A proposition to regulate the organization of the House by law. Volume **I,** section **82.**

The validity of a law passed by a preceding Congress which proposes to govern the House as to its rules or its organization is doubtful. Volume **I,** section **6765, 6766.**

In 1839, at the organization of the House, the Members-elect did not permit five persons bearing regular credentials to participate in the organization. Volume **I,** section **103.**

(6) Rules of Procedures During.

Before the adoption of rules the House proceeds under general parliamentary law, founded on Jefferson's Manual and modified by the practice of American legislative assemblies, especially of the House Representatives. Volume **V,** section **6761–6763.**

According to the latest practice the yeas and nays are taken of questions arising before the organization of the House. Volume **V,** section **6012, 6013.**

The yeas and nays may be ordered before the organization of the House. Volume **I,** section **91.**

A call of the House is in order both under the general parliamentary law and the Constitution. Volume **IV,** section **2981.**

ORGANIZATION—Continued.

(6) Rules of Procedure During—Continued.

Before the adoption of rules the previous question has been admitted, although in the earlier practice it was conceived to differ somewhat from the previous question of the rules. Volume **V,** section **5451–5455.**

The motion to lay on the table is admitted under general parliamentary law. Volume **V,** section **5390.**

(7) Status of the Member-elect Before.

An Opinion that a "Member-elect" becomes a Member from the very beginning of the term to which he was elected. Volume **V,** section **500.**

Discussion of the status of a Member-elect who has not taken the oath, with a conclusion that it is distinguished from that of a Member who has qualified. Volume **I,** section **183.**

In 1901, in a divided report, the Judiciary Committee discussed that status of the Member-elect, the major opinion being that he was as much an officer of the Government before taking the oath as afterwards. Volume **I,** section **185.**

Dissusion of the status of a Member-elect in relation to the law prohibiting the holding of two offices of certain salaries, with the conclusion that it is distinguished from the status of the Member who has qualified. Volume **I,** section **184.**

May the House expel a Member-elect before he is sworn in? Volume **I,** section **476.**

A Member-elect who had not taken the oath was expelled from the House of treason. Volume **II,** section **1262.**

The House has decided that the law relating to deductions from the pay of Members applies only to those who have taken the oath. Volume **II,** section **1154.**

The Speaker has questioned the right of a Member to discuss as privileged charges relating to his conduct at a period before he became a Member. Volume **II,** section **1287.**

(8) Proceedings Before.—Business, Messages, etc.

In 1867 the law of 1789 was considered as binding the House to elect a Clerk before proceeding to business. Volume **I,** section **241.**

A Speaker having been elected, the House has proceeded to legislative and other business before the election of a Clerk. Volume **I,** section **244.**

A question has arisen as to whether or not the House, in the face of the provision of law, may proceed to business before the election of a Clerk. Volume **I,** section **243.**

Message sent to the House by the President before its organization have retained in custody of the Clerk, but have not been read. Volume **V,** section **6647–6649.**

Questions as to the credentials and qualifications of Members-elect may by general consent be deferred until after the election of Speaker and swearing in of Members. Volume **I,** section **153.**

In 1839 the difficulties at organization prevented the daily approval of the Journal, until finally on one day the Journals of several days were approved. Volume **I,** section **92.**

It has been held that the House is technically in session during the period of organizations. Volume **I,** section **87.**

Before the completion of the organization of the House of 1923 the Clerk decided questions of order and enforced, in as far as applicable, the rules of the proceeding Congress. Volume **VI,** section **623.**

(9) Proceedings Before.—Adoption of Rules.

The House has held, notwithstanding the law of 1789, that it may adopt rules before electing a Clerk. Volume **I,** section **245.**

Instance wherein the rules were adopted immediately after the election of Speaker. Volume **I,** section **93.**

Before the election of officers on the adoption of rules the House has made a rule for enforcing order in the galleries. Volume **I,** section **102.**

ORGANIZATION—Continued.

(9) Proceedings Before.—Adoption of Rules—Continued.

Before the election of a Speaker the House has empowered the Clerk and Sergeant-at-Arms of the last House to preserve order. Volume **I,** section **101.**

The House has adopted a rule relating to the privilege of the floor before the election of a Speaker. Volume **I,** sections **96—98.**

Before the election of officers the House has provided for opening its sessions with prayer. Volume **I,** sections **99, 100.**

Before the election of a Speaker the House has adopted a rule regulating debate. Volume **I,** sections **94, 95.**

(10) Proceedings Before.—Adjournments.

The House may adjourn for more than one day before the election of a Speaker. Volume **I,** section **89.**

The question as to whether or not the House, before the organization, may adjourn over for more than one day. Volume **I,** section **221.**

Before the adoption of rules a motion to adjourn until a given hour is not in order until a previous order fixing the hour of daily meeting has been rescinded. Volume **V,** section **5364.**

(11) Messages Relating to.

The Senate and President are informed of the presence of a quorum and the organization of the House. Volume **I,** sections **198–203.**

In recent years all the officers have been elected before the President and Senate have been informed of the organization. Volume **I,** sections **194–196.**

In the earlier practice the messages announcing the organization were sent immediately after the election of Speaker and did not refer to the election of Clerk. Volume **I,** sections **198–203.**

In the earlier practice of the House the Senate was notified to the election of Speaker but not of that of other officers. Volume **I,** sections **122–125.**

In 1860 the House decided that it might inform the Senate and President of its organization and election of a Speaker before it had elected a Clerk. Volume **I,** section **240.**

A Speaker pro tempore being elected, the Senate and President are informed. Volume **II,** section **1401.**

(12) Drawing of Seats.

Form and history of the rule for the drawing of seats by Members. Volume **I,** section **119.**

At the time of the organization of the House the motion relating to the drawing of seats is privileged. Volume **I,** section **120.**

Instance wherein a proposition to draw seats before election of a Speaker was laid on the table. Volume **I,** section **98.**

Precedents as to drawing of seats where a large portion of the majority is to be accommodated on the minority side of the main aisle. Volume **I,** section **121.**

(13) Quorum at. See also "Quorum."

After the House is once organized the quorum consists of a majority of those Members chosen, sworn, and living, whose membership has not been terminated by resignation or by the action of the House. Volume **IV,** sections **2889, 2890.**

After long discussion the Senate finally decided that a quorum consisted of a majority of Senators duly chosen and sworn. Volume **IV,** sections **2891–2894.**

At the beginning of a second session of Congress unsworn Members-elect were taken into account in ascertaining the presence of a quorum, but in the absence of the Speaker they were not sworn until the next day. Volume **I,** section **175.**

A message from one House that a quorum has appeared is not delivered in the other until a quorum has appeared there also. Volume **I,** section **126.**

At the beginning of a second session of a Congress the House proceeded to business, although a quorum had not appeared in the Senate. Volume **I,** section **126.**

ORGANIZATION—Continued.

(13) Quorum at—Continued.

Before an organization of the House has been effected the Senate has not usually proceeded to general legislation. Volume **I,** sections **122–125.**

(14) Contests Over.

Reference to proceedings during the contest over the organization of the House in 1839. Volume **V,** section **5356.**

In 1839 certain persons whose titles as Members-elect were contested assumed to participate in the organization, but the meeting passed on the vote of each after it has been given. Volume **I,** section **103.**

Proceedings at organization of the House in the New York or "Broad Seal" contest of 1839. Volume **I,** section **103.**

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The right of a Member to his seat presents a question of privilege and takes precedence of other business. Volume **III,** sections **2579, 2580.**

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In the general, although not universal, practice debate has not been closed by the ordering of the yeas and nays until one Member has responded to the call. Volume **V,** section **6102.**

On a motion to strike out a resolution and insert several connected resolutions, a division of the question so as to vote separately on each substantive proposition of the matter to be inserted was decided not to be in order (Speaker overruled). Volume **V,** section **6124.**

To a bill relating to reciprocal trade relations between the United States and Cuba, the Committee of the Whole, overruling the Chair, added an amendment relating to the duties on sugar generally, but sustained the Chair in holding not germane amendments relating to the general duties on hides and iron manufacturers. Volume **V,** section **5856.**

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The reading of a bill for amendment being concluded in Committee of the Whole, and a motion to rise being negatived, a motion to return to a particular portion of the bill was offered and admitted. Volume **IV,** section **4748.**

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PAIRS.
Pairs which are announced but once during the legislative day are announced after the completion of a roll call and are published in the Congressional Record. Volume **V**, section **5981**.
Pairs are not announced in Committee of the Whole. Volume **V**, section **5984**.
The Speaker is forbidden to entertain a request for the announcement of a pair at a time other than that in which such announcements are in order. Volume **V**, section **6046**.
A suggestion being made that a pair had been disregarded, the Speaker held that this was not a question for the House. Volume **V**, sections **5982, 5983**.
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The rules of the Senate do not recognize pairs. Volume **VIII**, section **3095**.

In the early days of the Congress the practice of pairing was the subject of severe adverse criticism. Volume **VIII**, section **3076**.

Discussion of the practice of the pair clerks in pairing without authorization all Members failing to vote. Volume **VIII**, section **3078**.

Under a long-established practice the pair clerks, unless otherwise instructed, pair all absent Members. Volume **VIII**, section **3086**.

Following a long-established custom the pair clerks, unless otherwise instructed, ordinarily pair all Members absent and not voting. Volume **VIII**, section **3092**.

It is not permissible to entertain the request of a Member to record his vote after he has , on the call of his name, refrained from voting because of a misunderstanding as to a pair. Volume **V**, section **6081**.

The fact that a Member responded under an erroneous belief as to a pair does not justify the Speaker in entertaining a request to change the record after a vote is declared. Volume **V**, section **6080**.

The record of a yea-and-nay vote may not be impeached by showing that Members voted who were recorded as paired. Volume **V**, section **6095**.

The motion to reconsider a yea-and-nay vote may not be made by a Member who, not voting, was paired in favor of the majority's contention. Volume **V**, section **5614**.

General pairs may be arranged for Members desiring to be recorded as absent without leave, and it is customary for the pair clerks to arrange such pairs without specific authorization from Members. Volume **VIII**, section **3085**.

The House exercises no jurisdiction over pairs. Volume **VIII**, section **3082**.

Neither the Speaker nor the House exercises jurisdiction over pairs, and the only cognizance of them taken by the rules is the provision for their announcement and publication. Volume **VIII**, section **3089**.

The House takes no cognizance of questions relating to pairs as such. Volume **VIII**, sections **3088, 3093**.

Neither the House nor the Speaker takes cognizance of complaints relating to pairs. Volume **VIII**, sections **3085, 3087**.

The pairing of a Member without his authorization gives rise to a question of personal privilege. Volume **VIII**, section **3093**.

A Member may discuss questions arising out of a pair by unanimous consent or by raising a question of personal privilege. Volume **VIII**, section **3088**.

Inadvertent violation of a pair agreement does not give rise to a question of personal privilege. Volume **VIII**, section **3094**.

Discussion of an alleged violation of a pair made in a statement issued by the pair clerk and printed in the Record. Volume **VIII**, section **3088**.

Pairs do not excuse from attendance or exempt from arrest under a call of the House. Volume **VIII**, section **3081**.

After a vote has been announced by the Speaker it is not in order for a Member to change or withdraw his vote even though inadvertently cast in violation of a pair. Volume **VIII**, section **3069**.

The pair clerks decline to alter a pair unless authorized to do so by all Members signatory thereto. Volume **VIII**, section **3088**.

An instance wherein the House declined to interfere with the custom of pairing Members without signed requests from the Members proposed to be paired. Volume **VIII**, section **3087**.

Unless specifically provided, a pair does not indicate the attitude of a Member on the pending question. Volume **VIII,** sections **3085, 3089.**

The ordinary announcement of pairs in the Record does not indicate the attitude of Members on the question on which paired. Volume **VIII**, section **3092**.

PAIRS—Continued.

The practice requires that pairs be reduced to writing and be signed by the contracting Members. Volume **VIII,** section **3089.**

Pairs are personal contracts the terms of which are determined by the contracting Members who may provide for commencement and termination of the pair on definite dates or for exceptions thereto, and may indicate if desired the attitude of each Member on questions on which paired. Volume **VIII,** section **3077.**

Reservations may be appended in signing for a pair and when so made are announced by the Clerk and appear in the Record. Volume **VIII,** section **3084.**

A pair may be made "until further notice" and unless abrogated remains in force during the entire session. Volume **VIII,** section **3092.**

It frequently happens that on account of the large majority vote on the pending question the pair clerks are unable to secure regular pairs and are forced to pair Members favoring the same side of the question. For this reason some Members instruct the clerks not to pair them during their absence without explicit instructions. Volume **VIII,** section **3092.**

Members favoring the same side of the question having been paired without their authorization under the practice of pairing all Members known to be absent, permission was asked and secured for a correction of the Record in accordance with the facts. Volume **VIII,** section **3087.**

An instance wherein a Member, being unable to secure a pair, explained his attitude on the vote through an extension of remarks in the Record. Volume **VIII,** section **3090.**

Correction of errors in the recording of pairs as reported in the Congressional Record are made by Members without action on the part of the House. Volume **VIII,** section **3080.**

Failure of the Congressional Record to record a pair is subject to correction as any other error in the Record. Volume **VIII,** section **3079.**

Questions relating to a pair have been discussed in the House under a request for correction of the Record. Volume **VIII,** section **3092.**

Instance wherein pairs were not published in the Record because of the unanimity of the vote on the question. Volume **VIII,** section **3078.**

An instance in which the record of pairs was revised on a day subsequent to that on which the vote was taken. Volume **VIII,** section **3091.**

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(1) In Conferences.—Custody of.

At the conclusion of an effective conference, after a vote of disagreement, the managers of the House which asked the conference leave the papers with the managers of the other House. Volume **V,** section **6254.**

When a conference occurs before a vote of disagreement, the managers of the House asking the conference retain the papers and bring them back to their House. Volume **V,** section **6254.**

When a conference breaks up without reaching any agreement the managers of the House asking the conference do not necessarily surrender the papers to the managers of the other House, as in the case where a report is agreed to. Volume **V,** sections **6571–6584.**

An instance where, after the failure of a conference, the papers were brought first to the House that had asked the conference (footnote). Volume **IV,** section **3905.** Volume **V,** section **6246.**

An instance where, after the failure of a conference, the papers were brought first to the House agreeing to the conference (footnote). Volume **V,** section **6239.**

An instance where, after a conference asked before a disagreement, the report was made first in the House agreeing to the conference. Volume **V,** section **6585.**

While a conference is in progress the House which asks it may alone discharge the conferees, and, having possession of the papers, may act on the amendments in disagreement. Volume **V,** sections **6526, 6527.**

Where the conference was asked by the House, may the Senate by a motion to discharge its conferees get possession of the bill and papers? Volume **V,** section **6529.**

PAPERS—Continued.

(1) In Conferences.—Custody of—Continued.

Formerly announcement of the recommitment of a conference report was messaged to the Senate, but under the modern practice the other House is not notified, and managers on the part of the House carry the paper back to conference, and a new report is formulated. Volume **VIII,** section **3321.**

In an exceptional instance the Senate transmitted a message to the House announcing recommitment of a conference report, but did not transmit the papers. Volume **VIII,** section **3323.**

Overruling a decision of the Chair, the Senate held it was not in order to request the House to return papers in possession of the conferees. Volume **VIII,** section **3324.**

A conference report having been recommitted to the committee of conference, the papers are no longer before the House, and no motion for disposition of the amendments in disagreement is in order. Volume **VIII,** section **3328.**

At the close of an effective conference the papers change hands and the managers on the part of the House agreeing to the conference submit the papers and the report to their House, which acts first on the report, but in exceptional cases where managers on the part of the House agreeing to conference have surrendered the papers, inadvertently or otherwise, the report has been first received by the other House. Volume **VIII,** section **3330.**

A conference having failed to reach a result, the papers are not surrendered, but remain with the managers of the House asking conference and that House first receives the report and first takes action on the matters in disagreement. Volume **VIII,** section **3332.**

(2) In Conferences.—Possession of, Necessary for Action.

The request for a conference must come from the House in possession of the papers. Volume **V,** section **6254.**

A conference having failed to reach a result, the two Houses successively, as they come into possession of the papers, act on the amendments in disagreement, further insisting or receding and concurring. Volume **V,** section **6322.**

The reports of managers of a conference goes first to one House and then to the other, neither House acting until it is in possession of the papers. Volume **V,** section **6322.**

A report from a conference committee may not be presented for action or request for another conference be made unless the House be in possession of the papers, i.e., the original bill and Senate amendments. Volume **V,** section **6586.**

A conference report may not be considered when the original bill and amendments are not before the House. Volume **V,** section **6518–6522.**

A conference report may not be considered when the original bill and accompanying papers are not before the House. Volume **VIII,** section **3301.**

While a conference report may not be considered when the original papers are not before the House, the failure of the Clerk to certify to their authenticity may be remedied when the question is raised, and does not invalidate proceedings relating to them. Volume **III,** section **3302.**

(3) In Conferences.—Reading of.

The consideration of a conference report may be interrupted, even in the midst of the reading of the statement, by the arrival of the hour previously fixed for a recess. Volume **V,** section **6524.**

(4) Compelling the Production of.—General Power.

Witnesses are summoned in pursuance and by virtue of the authority conferred on a committee to send for persons and papers. Volume **III,** section **1750.** Volume **VI,** section **394.**

A motion to refer may specify that the reference be to a select committee of a stated number of Members, and may endow this committee with power to send for persons and papers. Volume **IV,** section **4402.**

PAPERS—Continued.

(4) Compelling the Production of.—General Power—Continued.

The House sometimes confers upon subcommittees the power to send for persons and papers. Volume **VI,** section **376.**

The House may confer upon the subcommittees of a committee the power to send for persons and papers. Volume **III,** section **1801.**

The House may empower a subcommittee to send for persons and papers and conduct an investigation. Volume **III,** section **2029.**

A subcommittee, with power to send for persons and papers, was sent to Georgia to investigate the conduct of Judge Speer. Volume **VI,** section **527.**

The House has by resolution demanded of certain of its Members the production of papers and information. Volume **III,** section **1811.**

Instance wherein the House empowered the Ways and Means Committee to send for persons and papers in any matter arising out of business referred to the committee. Volume **III,** section **1813.**

A committee of the Whole, charged with an investigation in 1792, was given the power to send for persons and papers. Volume **III,** section **1804.**

The Kansas Committee of 1856 was empowered to send for persons and papers and to arrest and bring before the House any witnesses in contempt. Volume **III,** section **1752.**

In 1877 the Senate, after discussion, decided that certain telegrams relating to the Presidential election should be produced by a witness. Volume **III,** section **1723.**

An official of a telegraph company not being in actual possession of dispatches demanded by the House, proceedings for contempt were discontinued. Volume **III,** section **1697.**

In 1877 the House, in the course of an investigation of the recent Presidential election, compelled the production of telegrams by an employee of the company having actual custody of them. Volume **III,** section **1696.**

A subject being within the power of the House to investigate, it was held that State officers might not decline to produce records on the plea that they possessed them in their official capacities. Volume **III,** section **1698.**

The two Houses, by concurrent resolution, constituted a joint select committee of investigation, with power to send for persons and papers and sit during the recess of Congress. Volume **III,** sections **1763, 1764.** Volume **VI,** section **380.**

The general authority of the House to compel testimony and the production of papers in an investigation, and the relation of this right to the rights of individuals to privacy in business affairs, were discussed in 1837. Volume **III,** section **1733.**

A committee was authorized to send for persons and papers and to administer oaths in an investigation delegated to it by the House. Volume **VI,** section **536.**

Instance wherein a committee of investigation after being authorized to send for persons and papers was further empowered to require witnesses to testify. Volume **VI,** section **394.**

Instance wherein the House investigated delay in the reference and transmission of paper to a committee. Volume **VI,** section **371.**

Decision of the district court on the right of the Senate to compel testimony and the production of papers and records. Volume **VI,** section **337.**

Discussion of the extent of the House's power to compel testimony and the production of books and papers. Volume **VI,** section **400.**

In 1834 the directors of the Bank of the United States resisted the authority of the House to compel the production of books of the bank before an investigating committee. Volume **III,** section **1732.**

(5) Compelling the Production of.—The Subpoena Duces Tecum.

In 1876, after examination and discussion, the House declared its right through a subpoena duces tecum to compel the production of books, papers, and especially telegrams. Volume **III,** section **1812.**

PAPERS—Continued.

(5) Compelling the Production of.—The Subpoena Duces Tecum—Continued.

Forms of subpoena and compulsory process issued by House committee to produce persons and papers for Blount impeachment. Volume **III,** sections **2038, 2039.**

In 1877 the House imprisoned Members of a State canvassing board for contempt in refusing to obey a subpoena duces tecum for the production of certain papers relating to the election of Presidential electors. Volume **III,** section **1698.**

Form of subpoena duces tecum used for compelling production of telegrams in 1877, but criticised as too general and verbally defective. Volume **III,** section **1695.**

Instance wherein the House authorized a subpoena duces tecum by registered letter. Volume **I,** section **731.**

Discussion as to the use of the subpoena duces tecum in procuring papers from public officers. Volume **III,** section **1700.**

For declining to testify or to obey a subpoena duces tecum commanding him to produce certain papers, Harry F. Sinclair was certified to the district attorney for contempt. Volume **VI,** section **336.**

Discussion of the use of the subpoena duces tecum in procuring books and papers from a private person. Volume **VI,** section **400.**

(6) Calling for, From the Executive.

In 1837 a committee discussed the authority of the House in calling for papers from the Executive Departments, and the kind of papers properly subject to its demand. Volume **III,** section **1738.**

Discussion of the right of the house to demand papers from a public officer. Volume **III,** section **1700.**

Discussion as to the use of the subpoena duces tecum in procuring papers from public officers. Volume **III,** section **1700.**

In 1842 the House vigorously asserted and President Tyler as vigorously denied the right of the House to all papers and information in possession of the Executive relating to subjects over which the jurisdiction of the House extended. Volume **III,** sections **1884, 1885.**

A discussion in the Senate as to its powers in calling for papers from the President. Volume **III,** sections **1902, 1903.**

In 1860 a proposition to arrest a Government official for refusing to produce a paper which he declared to be entirely private in its nature, was abandoned after discussion. Volume **III,** section **1683.**

After consideration, a committee concluded that an official threatened with impeachment was not in contempt for declining to be sworn as a witness or to produce documentary evidence. Volume **III,** section **1699.**

A committee of the House declined to prefer any charge against a public officer before requiring him to furnish certain records of his office. Volume **III,** section **1739.**

A resolution addressed to the President requesting the transmission of papers having been offered, the Senate modified it by incorporation of the clause "if not incompatible with the public interest." Volume **III,** section **433.**

The President declined to submit to the Senate in response to its request certain papers touching the London Naval Treaty of 1930 on the ground that such compliance would be incompatible with the public interest. Volume **VI,** section **433.**

In response to a resolution of the House, the President transmitted to the Judiciary Committee of the House charges filed against Judge Archbald and all papers relating thereto with a message suggesting that they be not laid before the House until examined by the committee. Volume **VI,** section **498.**

(7) Calling for, From the Departments.

Discussion of the right of the House to send for original papers from the files of the department. Volume **VI,** section **435.**

PAPERS—Continued.

(8) Compelling Production of, in Election Cases.

The officer presiding at the taking of testimony in an election case has the power to require the production of papers. Volume **I,** section **703.**

The ballots are among the papers of which the officer taking testimony in an election case may demand the production. Volume **II,** section **1044.**

May a notary, acting under the authority of the law of 1851, require the production of ballots against the injunction of the State court? Volume **II,** section **1070.**

Form of resolution by which the House ordered the production of ballots as evidence in an election case. Volume **II,** section **1070.**

Instance wherein the House directed the issue of a subpoena duces tecum to procure the ballots for examination in an election case. Volume **I,** section **731.**

Form of resolution returning to State authorities ballots that had been examined in an election case. Volume **I,** section **733.**

The House has issued a subpoena duces tecum in order to procure election returns to be used in determining election cases. Volume **I,** section **710.**

A question as to whether certain copies of election papers certified to by public officers were actually evidence or not. Volume **I,** section **720.**

Instance wherein an unsuccessful contestant for a seat in the Senate was permitted to withdraw his credentials. Volume **I,** section **352.**

In 1791 the House declined to admit as evidence in an election case official State papers under seal. Volume **I,** section **709.**

An election committee, while authorized to subpoena witnesses and compel the production of papers in an election case, is without such authority in proceedings for expulsion unless authorized by the House. Volume **VI,** section **77.**

Authority conferred by a statute "To require the production of papers" was construed to confer authority to require the production of ballots, in an election held under the Australian ballot system. Volume **VI,** section **186.**

(9) Before Committees.

At the time of final adjournment of a Congress the clerks of committees are required to deliver to the Clerk of the House the bills and other papers referred to the committee. Volume **V,** section **7260.**

A committee sometimes makes its clerk custodian of its papers, allowing possession to Members only by permission of the committee. Volume **IV,** section **4578.**

Rights of a member of a committee in relation to papers referred to one of its subcommittees. Volume **IV,** section **4577.**

Certain papers being sent to a committee as the basis of a decision and report, the committee does not take into account other pertinent papers in possession of the House. Volume **I,** section **559.**

(10) Reading of.—Right to Demand When a Vote Depends.

Under the parliamentary law every Member has the right to have a paper once read before he is called to vote on it. Volume **V,** section **5258.**

The right of a Member to demand the reading of a paper on which he is called to vote is recognized in the rules of the House. Volume **V,** section **5257.**

When a paper on which the House is to vote has been read once, the reading may not be required again unless the House shall order it read. Volume **V,** section **5260.**

Illustration of the difficulty of conceding to a Member the right to have read any paper concerning which he is to vote. Volume **V,** section **5266.**

The early practice was not uniform as to the right of a Member to demand the reading of a paper which it was proposed to print. Volume **V,** sections **5263–5265.**

The right of the Member to have read a paper on which the House is to vote may be abrogated by a suspension of the rules. Volume **V,** sections **5278–5284.**

PAPERS—Continued.

(10) Reading of.—Right to Demand When a Vote Depends—Continued.

It has generally, but not uniformly, been held that the right of a Member to have read the paper on which he is called to vote is not changed by the fact that the procedure is by suspension of the rules. Volume **V,** sections **5273–5277.**

Under the later decisions it is held that the right of a Member to have read a paper on which the House is to vote may not be abrogated by a suspension of the rules. Volume **VIII,** section **3400.**

An amendment being offered and the reading having begun, a point of order may interrupt the reading and the Chair may rule the amendment out if enough has been read to show that it is out of order. Volume **V,** sections **6886–6887.**

(11) Reading of.—Authority of House as to, When No Vote Depends.

The reading of papers other than the ones on which the vote is taken is usually permitted under the parliamentary law without question, but if objection is made the Speaker must take the sense of the House. Volume **V,** section **5258.**

If there is an evident abuse of the patient of the House and objection is made, the Member must have leave of the House to read a paper in his place, even though it be his own written speech. Volume **V,** section **5258.**

If objection is made a Member must have leave of the House to read a paper in his place, even though it be his own written speech. Volume **VIII,** section **2598.**

A paper not before the House for action but related to the pending matter may be read by order of the House if there is objection to the request of a Member. Volume **V,** section **5260.**

A Member in debate usually reads or has read by the Clerk such papers as he pleases, but this privilege is subject to the authority of the House if another Member objects. Volume **V,** sections **5285–5288. Volume VIII,** section **2602.**

A Member may not as a matter of right require the reading of a book or paper or suggesting that it contains matter infringing on the privileges of the House. Volume **V,** section **5258.**

When a Member objects to the reading of a paper other than one on which the House is to give a final vote, the question as to the reading is determined by vote without debate. Volume **V,** section **5257.**

Instances wherein the request of a Member to have read a paper not before the House for action has encountered objection and been referred to the House. Volume **V,** sections **5289–5291. Volume VIII,** section **2603.**

Before the adoption of rules, while the House was proceeding under general parliamentary law, the Speaker held that a Member in debate on an election case might not have read as a matter of right the record of testimony. Volume **V,** section **5259.**

The previous question being ordered, a Member may not ask a decision of the House on his request for the reading of a paper not before the House (Speaker overruled). Volume **V,** section **5296.**

It has been held in the Senate that when the reading of a paper is objected to it must be determined by vote of the Senate. Volume **V,** section **5299.**

The rule prohibiting the reading of papers in debate was held to apply to the exhibition of articles as evidence or in exemplification in debate. Volume **VIII,** section **2452.**

A Member may object to the reading of a paper on which the House is not required to vote at any time after reading has begun, and demand that the question of its reading be referred to the House for decision. Volume **VIII,** section **2596.**

If objection is made a Member may not read excerpts from the Congressional Record save by leave of the House. Volume **VIII,** section **2597.**

A Member proposing to read in his own time a paper on which a vote was not to be taken, objection was made, and the Speaker submitted the question to the House. Volume **VIII,** section **2597.**

PAPERS—Continued.

(11) Reading of.—Authority of House as to, When No Vote Depends—Continued.

A motion to authorize the reading of a paper is not debatable. Volume **VIII,** section **2598.**

A Member may read as a matter of right a paper which has been held to constitute a question of privilege. Volume **VIII,** section **2599.**

A Member speaking to a question of personal privilege was held out of order in reading a letter germane to the question but reflecting on his caluminiator. Volume **VIII,** section **2601.**

The reading of papers in debate is subject to the authority of the House, but a motion that a Member having the floor be permitted to read such papers as a part of his remarks is privileged. Volume **VIII,** section **2604.**

A motion that a Member having the floor be permitted to read a paper objected to in debate is privileged. Volume **VIII,** section **2605.**

Rule XXX, providing for taking the sense of the House on the reading of a paper in debate, applies also to proceedings in the Committee of the Whole. Volume **VIII,** section **2605.**

The reading of papers other than the one on which the vote is taken are subject to the will of the House and any Member may object. Volume **VIII,** section **2605.**

Objection being made to the reading of a paper in debate, the Chair takes the sense of the House, on motion or without motion from the floor, and without debate. Volume **VIII,** section **2607.**

(12) Reading of.—Reports.

The reading of a report is in the nature of a debate. Volume **V,** section **5292.**

A Member may not have a report read at the Clerk's desk in his own time, if objection be made, without leave of the House, and even has been debarred from reading it himself in his place. Volume **V,** section **5293.**

The reading of a report, being in the nature of debate, is not in order after the previous question is ordered. Volume **V,** sections **5294–5295.**

On a motion to refer a report the reading of it may be demanded as a matter of right by a Member, but the latest ruling leaves to the House to decide whether or not an accompanying record of testimony shall be read. Volume **V,** sections **5261, 5262.**

Instance wherein a privileged report which presented facts and conclusions but no legislative proposition was read to the House. Volume **IV,** section **4663.**

Pending consideration of a conference report it is not in order to demand the reading of the amendments to which it relates. Volume **V,** section **5298.**

The previous question having been demanded on a resolution adopting rules for the House, a demand for the reading of the rules, which were not a part of the resolution, was overruled. Volume **V,** section **5297.**

Pending a motion to lay on the table, it is not in order to call for the reading of a paper offered as argument. Volume **V,** section **5441.**

(13) Reading of.—President's Message.

The documents which are a part of the President of a message are not read before the message is disposed of. Volume **V,** section **5272.**

While a message of the President is always read in full and entered on the Journal, the latest rulings may have not permitted the reading of the accompanying documents to be demanded as a matter of right. Volume **V,** sections **5267–5271.**

(14) Reading of.—When Criticism of the Other House Is Involved.

A Member may not in the course of debate read a paper criticising a Member of the Senate. Volume **V,** section **5127.**

A Member may not in debate in the House read the record of speeches and votes of Senators in such connection of comment or criticism as might be expected to lead to recriminations. Volume **V,** sections **5107–5111.**

Papers—Continued.

(14) Reading of.—When Criticism of the Other House Is Involved—Continued.

Instance wherein the Senate declined to have read the record of the proceeding of the House, even as the basis of a question of order relating to the rights of the Senate. Volume **V,** section **6406.**

Discussion as to the extent to which the proceedings of one House may be read in the other. Volume **V,** sections **5107–5111.**

(15) In the Files.—Custody of.

The statutes provide that so much of the files of the House as are not required for immediate use shall be kept in the custody of the Librarian of Congress. Volume **V,** section **7256.**

(16) In the Files.—Leave to Withdraw.

Except in certain cases no paper presented to the House shall be withdrawn from its files without its leave. Volume **V,** sections **7256–7258.**

The House usually allows the withdrawal of papers only in cases where there has been no adverse report. Volume **V,** section **7259.**

The rules for the order of business give no place to a motion to withdraw papers, and hence it is made by unanimous consent. Volume **V,** section **7259.**

The House has found the necessity of strictness in the rule relating to the withdrawal of papers form the files. Volume **V,** sections **7257, 7258.**

When leave is given for the withdrawal of a paper from the files of the House a certified copy of it is to be left in the office of the Clerk. Volume **V,** section **7256.**

The House declined to allow the testimony in an election case to be withdrawn from its files. Volume **V,** section **7262.**

(17) In the Files.—Relation to Pending Business.

The House may take from its files papers of a preceding Congress and refer them to a committee with instructions. Volume **V,** section **7261.**

The House may refer to a committee a report made in a preceding Congress. Volume **IV,** section **4679.**

A proposition to refer to a committee the papers and testimony in an impeachment of the preceding Congress was admitted as a matter of privilege. Volume **V,** section **7261.**

An investigating committee sometimes reports testimony to the House with the recommendation that it be sealed and so kept in the files until further order of the House. Volume **III,** section **1782.**

A Member may not offer as an amendment a paper already offered by another Member and in possession of the Clerk. Volume **V,** sections **7266, 7267.**

A Member may not offer as an amendment a paper already in possession of the House and consequently a part of the files of the House. Volume **V,** section **7265.**

(18) In the Files.—Relation to the Other House.

One House requiring papers from the files of the other asks for them by resolution. Volume **V,** sections **7263, 7264.**

Papers accompanying bills from the other House are restored to the House when the bills pass, or at the final adjournment if the bills do not pass (footnote). Volume **V,** section **7259.**

The House by resolution authorized its Clerk to produce papers and its Members to give testimony before a court of impeachment. Volume **III,** section **1796.**

(19) In the Files.—Restriction on Officers and Employees in Furnishing.

No officer or employee of the House should furnish, except by authority of the House or a statute, any copy of any paper belonging to the files of the House. Volume **III,** section **2663.**

No officer or employee should furnish any copy of any testimony given or paper filed on any investigation before the House or any of its committees. Volume **III,** section **2663.**

PAPERS—Continued.

(19) In the Files.—Restriction on Officers and Employees in Furnishing—Continued.

When an act passes for the settlement of a claim the Clerk may transmit the papers relating thereto to the officer charged with the settlement. Volume **V,** section **7256.**

The Clerk may loan to officers or bureaus of the Executive Departments papers from the files of the House, taking a receipt therefor. Volume **V,** section **7256.**

The charge that the minority views of a committee had been abstracted from the Clerk's office by a Member was investigated as a question of privilege. Volume **III,** section **2603.**

(20) In the Files.—Attempts to Obtain, by Subpoena.

The House, in maintenance of its privilege, has refused to permit the Clerk to produce in court, in obedience to a summons, an original paper from the files, but has given the court facilities for making certified copies. Volume **III,** section **2664.**

No officer or employee of the House may produce any paper belonging to the files of the House before a court without permission of the House. Volume **III,** section **2663.**

No officer or employee of the House may produce before a court, either voluntarily or in obedience to a subpoena duces tecum, any paper from the files without permission of the House first obtained. Volume **VI,** section **587.**

The Clerk of the House having been subpoenaed to produce before the Supreme Court of the District of Columbia certain papers from the files, reported to the House, and failing to receive permission disregarded the order of the court. Volume **VI,** section **587.**

The Secretary of the Senate being subpoenaed to appear before a committee of the House with certain papers from the files the Senate, after a discussion as to privilege, empowered him to attend with the papers in his custody. Volume **III,** section **2665.**

The Secretary of the Senate being subpoenaed to produce a paper from the files of the Senate, permission was given him to do so after a discussion as to whether or not he was exempted by privilege from the process. Volume **III,** section **2666.**

A resolution authorizing the Clerk of the House to produce papers requested in a subpoena duces tecum is presented as a matter of privilege, but such privilege is destroyed by incorporation in the resolution of extraneous and unprivileged matter. Volume **VI,** section **587.**

(21) At the Electoral Count.

When, during the electoral count of 1873, the two Houses separated to consider objections, the Vice-President, who had custody of the documents, left with the House duplicates of the electoral certificates. Volume **III,** section **1951.**

When an objection is raised to the counting of the electoral vote of a State in joint meeting, two copies are made of the objection—one for use of the House and the other for the Senate. Volume **III,** section **1951.**

(22) At an Impeachment Trial.

The Senate sitting for an impeachment trail has commanded a reluctant witness to produce certain papers in its presence. Volume **III,** section **2160.**

According to the best considered practice, the Senate sitting for an impeachment trial does not obtain the use of the Senate archives without an order made in legislative session. Volume **III,** sections **2111, 2112.**

The House may take official cognizance of a paper listened to by the Committee of the Whole in attendance on an impeachment trial. Volume **III,** section **2042.**

The House having attended when respondent's answer was read, it was held that the answer might not as of right be read again in the House during consideration of the replication. Volume **III,** section **2042.**

In the Belknap trial the Presiding Officer, on request of respondent's counsel, required the reading in full of letters presented in evidence. Volume **III,** section **2201.**

PAPERS—Continued

(22) At an Impeachment Trial—Continued.

The Chief Justice held in the Johnson tried at offer of documentary proof should state its nature only, but that the Senate might order it to be read in full before acting on the objection. Volume **III,** section **2202.**

In correcting testimony previously given in an impeachment trial a witness was not permitted to put in a paper made up in part from the recollections of other persons. Volume **III,** section **2205.**

In the Johnson trial the Senate sustained the Chief Justice in admitting as evidence of a general practice tabular statements of documents relating to particular instances. Volume **III,** section **2258.**

(23) Presentation of, to the House.

Petitions, memorials, and other papers addressed to the House may be presented by the Speaker as well as by a Member. Volume **IV,** section **3312.**

Papers general or descriptive in form may not be presented to the House as memorials. Volume **IV,** section **3325.**

Neither by unanimous consent nor by suspension of the rules was the Speaker allowed to present to the House the report of the peace congress of 1861. Volume **V,** section **6656.**

The Clerk, while presiding at the organization, declined to open a paper addressed to the Speaker, although it was supposed to inclose a missing credential. Volume **I,** section **47.**

A paper presented in the House by a Member is response to the order of the House is mentioned in the Journal, but not printed in full. Volume **III,** section **1811.**

A Member may not be required to give the authority of any respectful statement which he may quote a debate. Volume **V,** section **5172.**

A portion of a petition may be referred to one committee and the remainder to another. Volume **IV,** sections **3359, 3360.**

(24) In General.

The President was allowed to withdraw papers included with a message by inadvertence. Volume **V,** section **6651.**

A motion to reconsider may be entertained, although the bill or resolution to which it applies may have gone to the other House or the President. Volume **V,** sections **5666–5668.**

Stationery, blank books, and other papers necessary to legislation are furnished to the House and Senate and their committees on requisition of the Clerk of the House and Secretary of the Senate, respectively. Volume **V,** section **7322.**

The statutes provide for appointment of a joint committee of the two Houses to consider reports as to destruction of useless papers in the Executive Departments. Volume **IV,** section **4419.** Volume **VII,** sections **2100, 2166.**

The rule gives to the Joint Committee on Disposition of Useless Executive Papers jurisdiction over "all proposed legislation concerning the disposition of useless executive papers." Volume **VII,** section **2100.**

PARAGRAPHS:

(1) Reading bills for amendments by.
(2) Offering amendments to.
(3) Points of order as to.
(4) In general.

(1) Reading Bills for Amendments by:

Appropriation and revenue bills are considered in Committee of the Whole by paragraphs, other bills by sections. Volume **IV,** sections **4739, 4740.**

In consideration under the five-minute rule a paragraph is not passed until the next one is read, although the Committee of the Whole may in the meantime have risen. Volume **IV,** section **3833.**

PARAGRAPHS—Continued.

(1) Reading Bills for Amendments by—Continued.

When, in considering a bill by paragraphs or sections, the Committee of the whole has passed a particular paragraph or section, it is not in order to return thereto. Volume **IV,** sections **4742, 4743.** Volume **VIII,** section **2354.**

In considering a bill for amendment under the five-minute rule it is in order to return to a paragraph already passed only by unanimous consent. Volume **IV,** sections **4746, 4747.**

Whether a bill shall be read for amendment by sections or paragraphs is in recent practice a matter of convenience and rests largely within the discretion of the Chairman. Volume **VIII,** section **2341.**

Whether a bill shall be read by paragraphs, sections, or subsections when read for amendment in the Committee of the Whole is not governed by arbitrary rule but by practical considerations of convenience as determined by the Chairman. Volume **VIII,** section **2346.**

The question as to whether bills shall be considered in the Committee of the Whole by paragraphs or sections is within the determination of the Chairman subject to the will of the committee on appeal. Volume **VIII,** section **2348.**

While under the practice of the House appropriation bills and revenue bills are read for amendment by paragraphs and other bills by sections, the Chairman has on occasion authorized the reading of such other bills by paragraphs where the text of the bill was such as to warrant it. Volume **VIII,** section **2340.**

Instance wherein the Committee of the Whole, disregarding the suggestion of the Chairman, determined to read a revenue bill by paragraphs and not by sections. Volume **VIII,** section **2350.**

While the manner of reading a bill is within the determination of the Committee, tariff bills are ordinarily read by paragraphs rather than by sections. Volume **VIII,** section **2349.**

Union Calendar bills considered in the House as in the Committee of the Whole are read for amendment under the five-minute rule by section and not by paragraphs. Volume **VIII,** section **2434.**

Bills are read for amendment in Committee of the Whole by sections or paragraphs and amendments are not in order until the reading of the section or paragraph has been completed. Volume **VIII,** section **2686.**

In reading a bill for amendment it is not in order to return to a paragraph already acted on. Volume **VIII,** section **2898.**

During the reading of a bill for amendment, a paragraph or amendment when once reported may not be read a second time except by order of the committee. Volume **VIII,** section **2870.**

The motion to return to a portion of a bill passed in reading for amendment is not privileged and a paragraph or section so passed may be again taken up by unanimous consent only. Volume **VIII,** section **2930.**

A paragraph passed over by unanimous consent during the reading of a bill for amendment in the Committee of the Whole is returned to when reading of the bill has been concluded, and an earlier motion to return to it is not in order. Volume **VIII,** section **2336.**

A special order making committee amendments to any part of the bill in order at any time was construed to permit the offering of amendments to paragraphs already passed in reading for amendment. Volume **VII,** section **792.**

In reading a bill under the five-minute rule, a section or paragraph is considered as having been passed for amendment or debate when an amendment in the form of a new section or paragraph is taken up for consideration. Volume **VIII,** section **2357.**

In reading a bill for amendment under the five-minute rule a paragraph is passed when an amendment proposing the adoption of a new section is entertained, but if such amendment is ruled out on a point of order, the paragraph last read is still pending. Volume **VIII,** section **2867.**

PARAGRAPHS—Continued.

(1) Reading Bills for Amendments by—Continued.

As the motion to strike out the enacting clause is not in order until the first section of a bill has been read, or after reading for amendment has been concluded, where a bill contained but one paragraph the motion was entertained at the conclusion of the reading of the bill. Volume **VIII,** section **2618.**

An exceptional instance wherein the Chair entertained a motion that the Clerk be directed to read a pending paragraph as it would read if modified by a proposed amendment. Volume **VII,** section **1050.**

(2) Offering Amendments to.

Under the later decisions the principal has been established that an amendment should be germane to the particular paragraph or section to which it is offered. Volume **V,** section **5811–5820.**

An amendment in the form of a new and separate paragraph may be offered to any part of the bill to which it is germane. Volume **V,** section **5777.**

An amendment must be germane to the section or paragraph to which it is offered. Volume **VIII,** sections **2922, 2925.**

An amendment must be germane to the portion of the bill to which offered but when proposed as a separate paragraph is not acquired to be germane to the paragraph immediately preceding it. Volume **VIII,** section **2934.**

While an amendment offered as a new paragraph must be germane to that portion of the bill to which offered, it is not required to be germane to the preceding paragraph. Volume **VII,** section **1162.**

While an amendment offered as a new paragraph must be germane to that portion of the bill to which offered, its relative order with other paragraphs is not otherwise prescribed. Volume **VII,** section **1224.**

While an amendment offered as a separate paragraph must be germane to that portion of the bill to which proposed, it is sufficient if offered to that portion of the bill relating to the department of government under which it properly belongs and the fact that it is not intimately related to the paragraphs immediately preceding or immediately following does not render it subject to a point of order. Volume **VIII,** section **2932.**

Amendments proposing new paragraphs should conform in germaneness to the section of the bill to which proposed. Volume **VIII,** section **2933.**

A special order having been agreed to providing for consideration of a paragraph proposing legislation or an appropriation bill, germane amendments were held in order but amendments proposing additional legislation were not admitted. Volume **VII,** section **1397.**

It is in order to insert, by way of amendment, a paragraph similar (if not actually identical) to one already stricken out by amendment Volume **V,** section **5760.**

While not in order to insert by way of amendment a paragraph similar to one already stricken out, an amendment will not be ruled out for that reason unless practically identical. Volume **VIII,** section **2839.**

When a bill is considered by sections or paragraphs an amendment in the nature of a substitute is properly offered after the reading for amendment is concluded. Volume **V,** section **5788.**

When it is proposed to offer a single substitute for several paragraphs of a bill which is being considered by paragraphs, the substitute may be moved to the first paragraph with notice that if it be agreed to motions will be made to strike out the remaining paragraphs. Volume **V,** section **5795.** Volume **VIII,** section **2898.**

When it is proposed to offer a single substitute for the entire bill, the substitute may be moved to the first paragraph with notice that if it be agreed to, motions will be made to strike out the remaining paragraphs. Volume **VIII,** section **2902.**

PARAGRAPHS—Continued.

(2) Offering Amendments to—Continued.

When it is proposed to offer a substitute for the entire bill the substitute may be moved to the first paragraph with notice that if adopted motions will be made to strike out subsequent sections as reached, but the motion to strike out all after the enacting clause is not in order until the entire bill has been read. Volume **VIII,** section **2903.**

When it is proposed to offer an amendment to strike out a section consisting of several paragraphs, of a bill which is being considered by paragraphs, the amendments may be moved to the first paragraph with notice that if it be agreed to, a similar motion will be made to strike out the succeeding paragraphs as they are reached. Volume **VIII,** section **2901.**

A substitute for an entire bill may be offered only after the first paragraph has been read or after the reading of the bill for amendment has been concluded. Volume **VIII,** section **2905.**

An amendment in the nature of a substitute for the entire bill may be offered either at the end of the bill or after the reading of the first paragraph with notice that if agreed to motions will be made to strike out the remaining paragraphs. Volume **VIII,** section **2426.**

Under exceptional circumstances a substitute amendment to a bill which was being considered by paragraphs was once voted on before all the paragraphs had been read. Volume **V,** section **5789.**

The Committee of the Whole may, after the five-minute debate has begun, close debate on the section, paragraph, or pending amendments, but this does not preclude further amendment. Volume **V,** section **5224.** Volume **VIII,** section **2566.**

In considering a bill for amendment under the five-minute rule an amendment offered as a separate paragraph or section is not in order until the pending paragraph has been perfected and disposed of. Volume **VIII,** section **2356.**

Amendments to the pending section or paragraph have been disposed of. Volume **VIII,** section **2358.**

An amendment to perfect the pending section takes precedence of an amendment offered as a new paragraph. Volume **VIII,** section **2868.**

A motion to strike out a paragraph being pending, and the paragraph then being perfected by an amendment in the nature of substitute, the motion to strike out necessarily falls. Volume **VIII,** sections **2846, 2854.**

A negative vote on a amendment offered to a preceding paragraph does not prevent the offering of a similar amendment as a new section. Volume **VIII,** section **2845.**

An amendment may not be offered to a paragraph in a bill while a point of order against the paragraph is pending. Volume **VIII,** section **3452.**

In the consideration of a bill in the Committee of the Whole, the committee in charge of a bill was authorized to return to any section or paragraph which has been passed for the purpose of offering amendments. Volume **VII,** section **1067.**

It is in order, by a motion to insert, to effect a transfer of paragraphs from the latter to the first portion of a bill. Volume **VIII,** section **2875.**

When it is proposed to strike out certain words in a paragraph, it is not in order to amend by adding to them other words of the paragraph. Volume **VIII,** section **2848.**

(3) Points of Order as to.

A bill being considered under the five-minute rule, a point of order against a paragraph should be made before the next paragraph is read. Volume **V,** section **6931.**

Points of order may be to the whole or to a part only of a paragraph. Volume **IV,** section **4739.** Volume **V,** section **6881.**

The fact that a point of order is made against a portion of a paragraph does not prevent another point against the whole paragraph. Volume **V,** section **6882.**

A point of order being made against an entire paragraph, the whole of it must go out if a portion merely is subject to the objection. Volume **V,** section **6883.**

PARAGRAPHS—Continued.

(3) Points of Order as to—Continued.

A point of order being made against an entire paragraph and being sustained because a portion only is out of order, the entire paragraph goes out, but it is otherwise if the point is made only against the portion out of order. Volume **V,** sections **6884 6885.**

If a part of a paragraph is out of order, the entire paragraph is subject to a point of order. Volume **VII,** sections **1172, 1246, 1283.**

If a portion of a paragraph is out of order the entire paragraph may be stricken from the bill, but after that portion has been ruled out it is too late to lodge the point of order against the paragraph as a whole as if the objectionable matter had not been stricken from the bill. Volume **VIII,** section **3436.**

If the point of order is directed to the item of appropriation that item only is eliminated, but if made against the paragraph or section containing the item the entire paragraph or section goes out. Volume **VII,** section **2143.**

A point of order being made against an entire paragraph, the whole of it must go out, although a portion only is subject to the objection. Volume **VII,** section **1276.**

It is not in order to strike out a paragraph previously inserted by amendment. Volume **VIII,** section **2854.**

A point of order against a paragraph of a bill being read for amendment under the five-minute rule comes too late after the reading of the following paragraph. Volume **VIII,** section **2351.**

A paragraph in an appropriation bill reenacting a provision of existing law properly limiting an appropriation previously made for the same purpose is not subject to a point of order; therefore germane amendments to such paragraphs which do not propose additional legislation are in order. Volume **VII,** section **1393.**

Paragraphs ruled out in Committee of the Whole on points or order are not reported to the House. Volume **VIII,** section **2428.**

A paragraph includes headings or subheadings and when stricken out on a point of order carries with it such titles or subtitles. Volume **VIII,** section **2353.**

(4) In General.

The extent of a paragraph is indicated by the printed indentation in the bill and not by the substance of the text. Volume **VIII,** section **2351.**

What the question of authorization is raised against a paragraph in an appropriation bill it is incumbent upon the committee reporting the bill to cite the law sanctioning the appropriation. Volume **VII,** section **1233.**

Where one paragraph of a speech inserted in the Record under leave to print contained unparliamentary language, the entire speech was stricken out. Volume **VIII,** section **3472.**

PARCEL POST.

A bill relating to the method of packing dutiable tobacco for parcel-post shipment was held not to be a revenue bill within the meaning of the rule giving such bills privilege. Volume **VIII,** section **2280.**

PARCHMENT.

When enrolled bills are printed on parchment in accordance with the provisions of joint rules confirmed by statute. Volume **IV,** sections **3433–3437.**

PARDONS.

Cases of impeachment are excluded by the Constitution from the offenses for which the President may grant reprieves and pardons. Volume **III,** section **2003.**

The respondent in an impeachment case may not under the English law plead in his answer a pardon as bar to the impeachment. Volume **III,** section **2121.**

PARILLO.

The Illinois election case of Parillo v. Kunz in the Sixty-seventh Congress. Volume **VI,** section **116.**

PARITY.

A legislative proposition to maintain the parity of the money of the United States was reported by the Committee on Banking and Currency. Volume **IV,** section **4089.**

The Banking and Currency Committee exercises jurisdiction of bills establishing legal tender, stabilizing currency and maintaining parity of moneys issued. Volume **VII,** section **1792.**

PARKS.

Subjects relating to public reservations and parks within the District of Columbia, including Rock Creek Park, are within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV,** section **4236.**

Subjects relating to the Zoological Park in the District of Columbia have been within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV,** section **4235.**

The Committee on Public Lands has jurisdiction over subjects relating to those national parks created out of the public domain. Volume **IV,** section **4198.**

Legislation relating to military parks and battlefields is within the jurisdiction of the Committee on Military Affairs. Volume **IV,** section **4187.**

The dedication of public land to be forever used as a public park was held to be such an appropriation of public property as would require consideration in Committee of the Whole. Volume **IV,** sections **4837, 4838.**

An appropriation for increased cost in park maintenance was held to be in order on an appropriation bill. Volume **VII,** section **1181.**

The continuing of development of a public park in the District of Columbia was held to come within the rule as continuing a work in progress. Volume **VII,** section **1383.**

A proposition for the construction of a public bathing beach in the District of Columbia was ruled out of order as proposing legislation, but an appropriation to provide bathing facilities in a public park in the District was held to be in order as a continuation of work in progress. Volume **VII,** section **1390.**

The acceptance, acquisition, and exchange of lands for park purposes in the District of Columbia re subjects within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **VII,** section **1967.**

PARLIAMENT. See "English."

PARLIAMENTARY INQUIRY

The Journal does not record the response of the Speaker to a parliamentary inquiry. Volume **IV,** section **2842.**

An appeal may not be taken from a response of the Speaker to a parliamentary inquiry. Volume **V,** section **6955,** Volume **VIII,** section **3457.**

Recognition to propound a parliamentary inquiry is within the discretion of the Chair and may interrupt proceedings of high privilege. Volume **VI,** section **541.**

The reading of the Journal may be interrupted by a parliamentary inquiry. Volume **VI,** section **624.**

The roll call may not be interrupted for a parliamentary inquiry. Volume **VIII,** section **3132.**

During the reading of a bill for amendment in Committee of the Whole, it is not in order to interrupt the reading of a paragraph or section with a parliamentary inquiry. Volume **VIII,** section **2873.**

A Member may not prefer a parliamentary inquiry while another Member is in possession of the floor. Volume **VIII,** section **2455.**

A Member who had risen and was demanding recognition is not precluded from making the point of no quorum by the fact that the Speaker had in the meantime declared the result and recognized him for a parliamentary inquiry. Volume **VI,** section **698.**

A Member is rising to make a parliamentary inquiry may not under that guise offer a motion to strike out the enacting clause, but must have the floor in his own right for that purpose. Volume **VIII,** section **2625.**

PARLIAMENTARY INQUIRY—Continued.

A point of order as to the competency or meaning of an amendment does not constitute a parliamentary question. Volume **VI,** section **254.**

PARLIAMENTARY LAW.

(1) References to, as a guide.
(2) Procedure under, before adoption of rules.—In general.
(3) Procedure under, before adoption of rules.—Motion for previous question.
(4) Procedure under, before adoption of rules.—Motion to lay on the table.
(5) Procedure under, before adoption of rules.—Motion to fix the day to which the House shall adjourn.
(6) Procedure under, before adoption of rules.—Motion to rescind.
(7) Procedure under, before adoption of rules.—Special orders.
(8) Procedure under, before adoption of rules.—In debate.
(9) As to contempts and investigations.
(10) In general.

(1) References to, as a Guide.

References to the precedents of Parliament. Volume **II,** sections 1622, 1633, Volume **IV,** section **3334.** Volume **V,** section **6120.**

An instance wherein the precedents of Parliament were invoked and discussed. Volume **III,** section **1727.**

Reference to the parliamentary law as a guide, not as a rule. Volume **III,** section **2660.**

Reference to the force which should be given to the law of Parliament by the House of Representatives. Volume **I,** section **757.**

Instance wherein the House has abandoned a usage of Parliament as inapplicable to exiting conditions. Volume **V,** section **6727.**

The House very early found the law of Parliament inapplicable in the case of a resignation. Volume **II,** section **1230.**

The House has long since discarded the use of the parliamentary motion to proceed to the orders of the day. Volume **V,** section **5301.**

The old rule of Parliament that none but those friendly to a bill should be of the committee and the practice of party representation on the standing committees of the House (foot-note). Volume **IV,** section **4477.**

Jefferson's summary of the privileges of members of Parliament. Volume **III.** section **2668.**

The House is governed by the rules of Jefferson's Manual in all cases in which they are applicable and in which they are not inconsistent with the standing rules and orders of the House. Volume **V,** section **6757.** Volume **VII,** section **1029.**

Jefferson's Manual and Hinds' Precedents are cited by the Supreme Court as authorities in parliamentary procedure. Volume **VI,** section **343.**

Discussion of the authority and importance of Jefferson's Manual in the law of the House. Volume **VII,** section **1049.**

Although not formally adopted as a part of the rules of the Senate, Jefferson's Manual has been cited as authoritative in Senate decisions on parliamentary procedure. Volume, **VIII,** section **2517.**

Discussion of the importance of Jefferson's Manual as an authority in congressional procedure. Volume **VIII,** section **2518.**

(2) Procedure Under, Before Adoption of Rules.—In General.

Before the adoption of rules the House proceeds under general parliamentary law. Volume **VIII,** section **3383.**

Before the adoption of rules, the House proceeds under general parliamentary law, founded on Jefferson's Manual and modified by the practice of American legislative assemblies, especially of the House of Representatives. Volume **V,** sections **6761–6763.**

PARLIAMENTARY LAW—Continued.

(2) Procedure Under, Before Adoption of Rules.—In General—Continued.

Before the adoption of rules, while the House is proceeding under general parliamentary law, the provisions of the House's accustomed rules are not necessarily followed. Volume **V,** section **5509.**

Before rules are adopted the House is governed by general, parliamentary law, but the Speakers have been inclined to give weight to the precedents of the House in modifying the usual constructions of that law. Volume **V,** sections **6758–6760.**

Before the adoption of rules, while the House was proceeding under general parliamentary law, the Speaker held that Members might not remain near the Clerk's desk during a vote. Volume **VI,** section **191.**

Reference to the rules and practices of the House as persuasive authority on general parliamentary law. Volume **V,** section **5604.**

Under the common parliamentary law amendments need not be germane. Volume **V,** section **5825.**

Before the adoption of rules, while the House was acting under the general parliamentary law, it was held that the right to demand tellers did not exist. Volume **V,** section **6002.**

A call of the House is in order, both under the general parliamentary law and the Constitution. Volume **IV,** section **2981.**

A motion to reconsider the vote by which the House had a question of parliamentary procedure was held not to be in order. Volume **VIII,** section **2776.**

When the House is proceeding under general parliamentary law the Speaker is constrained to recognize any Member presenting a privileged motion. Volume **VIII,** section **3383.**

While the House is governed by general parliamentary usage prior to the adoption of rules, the Speakers have been inclined to give weight to the precedents of the House in the interpretation of that usage. Volume **VIII,** section **3384.**

Prior to the adoption of rules the House proceeds under general parliamentary law, but the Speaker has followed as closely as practicable the customs and practices of the House under former rules. Volume **VIII,** section **3386.**

(3) Procedure Under, Before Adoption of Rules.—Motion for Previous Question.

Before the adoption of rules, while the House proceeds under general parliamentary law, the motion for the previous question is admissible. Volume **V,** section **5450.**

Before the adoption of rules the previous question has been admitted, although in the earlier practice it was conceived to differ somewhat from the previous question of the rules. Volume **V,** sections **5451–5455.**

Before the adoption of rules the motion to commit has been admitted after the ordering of the previous question. Volume **V,** section **6758.**

While the House was proceeding under general parliamentary law a motion to commit a pending resolution was admitted after the previous questions had been ordered on the adoption of the resolution. Volume **VIII,** section **3384.**

Before the adoption of rules, while the House was acting under general parliamentary law, it was held that the motion to commit was in order pending the motion for the previous question or after it had been ordered on a resolution. Volume **V,** section **5604.** Volume **VIII,** section **2755.**

Before the adoption of rules the previous question of general parliamentary law does not permit forty minutes of debate on questions on which there has been no debate. Volume **V,** section **5509.**

Prior to adoption of rules, the motion for the previous question is admissible under general parliamentary law, but if ordered without prior debate the 40 minutes' debate prescribed by the rules of the previous Congress is not in order. Volume **VIII,** section **3386.**

History of the process by which the House changed the previous question of Parliament into an instrument for closing debate and bringing a vote on the pending matter. Volume **V,** section **5445.**

PARLIAMENTARY LAW—Continued.

(4) Procedure Under, Before Adoption of Rules.—Motion to Lay on the Table.

The motion to lay on the table is admitted under general parliamentary law. Volume **V,** section **5390.**

Under the general parliamentary law the motion to lay on the table is used merely to put aside a matter which may be called for at any time. Volume **V,** section **5389.**

The motion to lay on the table an appeal from a decision of the Chair may be made under general parliamentary law before the adoption of rules. Volume **V,** section **5440.**

(5) Procedure Under, Before Adoption of Rules.—Motion to Fix the Day to Which the House Shall Adjourn.

Under the custom of the House, which differs somewhat from the general parliamentary law, the motion to fix the day to which the House shall adjourn is not debatable. Volume **V,** sections **5379, 5380.** Volume **VIII,** section **2648.**

As to the extent of debate under the general parliamentary law on a motion to fix the day to which the House shall adjourn. Volume **V,** sections **5379, 5380.**

(6) Procedure Under, Before Adoption of Rules.—Motion to Rescind.

Under the general parliamentary law, before the adoption of rules, the motion to rescind is used. Volume **V,** section **5324.**

As to the repetition of the motion to rescind under general parliamentary law. Volume **V,** section **5325.**

(7) Procedure Under, Before Adoption of Rules.—Special Orders.

Before the adoption of rules, and consequently before there is a rule prescribing an order of business, a Member may offer for immediate consideration a special order. Volume **V,** section **5450.**

While the House was proceeding under general parliamentary law, before rules had been adopted, a Member offered from the floor a special order for the consideration of a bill. Volume **V,** section **4971.**

(8) Procedure Under, Before Adoption of Rules.—In Debate.

Before the adoption of rules, while the House was proceeding under general parliamentary law, it was held that a Member having the floor in debate might not yield the floor to another without losing the right to resume. Volume **V,** sections **5038–5040.**

Under general parliamentary usage a Member having the floor may yield time for debate to others and retain the right to resume debate or move the previous question. Volume **VIII,** section **3383.**

Before the adoption of rules, while the House was proceeding under general parliamentary law, the Speaker held that a Member in debate on an election case might not have read, as a matter of right, the record of testimony. Volume **V,** section **5259.**

(9) As to Contempts and Investigations.

Discussion of the right of the House to punish for contempt, with references to English precedents. Volume **III,** section **1667.**

Reference to English precedents as to power to punish for contempts. Volume **II,** section **1627.**

Argument that the parliamentary law as to contempt does not apply to the House. Volume **II,** section **1619.**

References to English precedents in the Kilbourn case. Volume **II,** section **1611.**

In a debate as to the right of the House to compel the attendance of witnesses for a legislative inquiry the precedents of Parliament were considered. Volume **III,** sections **1816–1820.**

The parliamentary law as to the examination of witnesses. Volume **III,** section **1768.**

The rule of Parliament relating to members implicated by testimony discussed, but not applied. Volume **III,** section **1844.**

A modification of the rule of Parliament in reference to the communication of testimony. Volume **III,** section **1851.**

PARLIAMENTARY LAW—Continued.

(10) In General.

The parliamentary method of raising a committee to investigate an alleged error in the Journal has not been utilized. Volume **IV,** section **2809.**

A motion to suspend the rules applies to the parliamentary law of Jefferson's Manual as well as to the rules of the House. Volume **V,** section **6796.**

The object of a parliamentary body is action, not stoppage of action, and the methods of procedure may not be used to stop legislation. Volume **V,** section **5713.**

The rights and prerogatives of a Delegate in parliamentary matters are not limited to legislation affecting his own territory. Volume **VI,** section **240.**

The inhibition against the reading in debate of the Record of proceedings in the other House does not extend to decisions of presiding officers on questions of procedure and parliamentary law or to proceedings in another Congress. Volume **VIII,** section **2507.**

It is permissible, however, in discussing questions of order to refer to parliamentary decisions of the Senate. Volume **VIII,** section **2518.**

PARNELL.

At a special session of the House Charles Stuart Parnell was introduced by the Speaker and addressed the House. Volume **V,** section **7084.**

PARRETT

The Indiana election case of Posey v. Parrett in the Fifty-first Congress. Volume **II,** section **1029.**

PARSONS.

The Virginia election case of Parsons v. Saunders, in the Sixty-first Congress. Volume **VI,** section **53.**

PARTIES. See also "Caucus."

(1) In the House.—Seating of.
(2) In the House.—Member of minority rarely called to the chair.
(3) In the House.—Representation on Committees.

(1) In the House.—Seating of.

Precedents as to drawing of seats where a large portion of the majority is to be accommodated on the minority side of the main aisle. Volume **I,** section **121.**

(2) In the House.—Member of Minority Rarely Called to the Chair.

In rare instances Members of the minority party have been called to the chair by the Speaker. Volume **III,** section **2596.**

In rare instances in the later practice Members of the minority party have been called to preside in the Committee of the Whole or as Speaker pro tempore. Volume **II,** section **1382.**

Instance wherein a Member of the minority party was designated as Speaker pro tempore for an occasion of ceremony. Volume **II,** section **1383.**

A Member of the minority party is sometimes designated as Speaker pro tempore on formal occasions. Volume **VI,** section **270.**

In the earlier practice a Member of the minority party was sometimes named as Speaker pro tempore. Volume **II,** sections **1390, 1391.**

Instance where in one not a member of the majority party was called to preside in the Committee of the Whole. Volume **VI,** section **264.**

Recently it has been the general, though not the universal practice, to designate as Speaker pro tempore during eulogies on a deceased Member, the dean of the State delegation regardless of party affiliation. Volume **VI,** section **265.**

(3) In the House.—Representation on Committees.

The old rule of Parliament that none but those friendly to a bill should be of the committee, and the practice of party representation on the standing committees of the House (footnote). Volume **IV,** section **4477.**

PARTIES—Continued.

(3) In the House.—Representation on Committees—Continued.

The ratios of majority and minority representation on the committees is determined by the Speaker (footnote). Volume **IV,** section **4477.**

The ratio between the majority and minority parties on the standing committees varies with the respective membership of the parties in the House, and is fixed by the majority committee on committees. Volume **VIII,** section **2187.**

It is the usage to carry out the principle of majority and minority representation in appointing subcommittees. Volume **VI,** section **4551.**

A Member of the minority party offered the resolution relating to the death of President Taylor. Volume **V,** section **7177.**

In appointing a committee to officiate at the administration of the oath to President Fillmore the Speaker selected the majority, including the chairman, from the political party of the President, which was the minority part of the House. Volume **III,** section **1997.**

The Senate constituted its committee to officiate at the administration of the oath to President Fillmore with a majority from the minority side of the Chamber. Volume **III,** section **1997.**

In the allotment of committee assignments the party in control is termed the majority and all the other parties constitute the minority. Volume **VIII,** section **2184.**

A Member of the minority party on a committee is sometimes ordered to make the report. Volume **IV,** section **4672.** Volume **VIII,** section **2314.**

Instance in the Senate wherein a member of the minority portion of a committee was directed by major vote of the committee to report a bill. Volume **IV,** section **4673.**

Instance wherein the Senate managers of a conference were appointed entirely from the majority party, members of the minority having declined to serve. Volume **V,** section **6337.**

PARTY ORGANIZATION. See "Caucus."

PASSAGE OF BILLS.

The rule for the reading, engrossment, and passage of bills. Volume **IV,** section **3391.**

In voting on the engrossment and third reading and passage of a bill, a separate vote on the various propositions of the bill may not be demanded. Volume **VIII,** section **3172.**

The Clerk is required to certify to the passage of all bills and joint resolutions. Volume **I,** section **251.**

When one House recedes from its amendment to a bill of the other, the bill is thereby passed, if there be no other point of difference as to the bill. Volume **V,** section **6312.**

Where one House recedes from its amendment to a bill after the other has concurred in the amendment with an amendment, agreement has not been reached and the bill is not psssed. Volume **VIII,** section **3177.**

A bill passed by both Houses during an interim session and presented to the President less than 10 days before adjournment of the session, but neither signed by the President nor returned without his signature, does not become a law. Volume **VII,** section **1115.**

PASSED OVER WITHOUT PREJUDICE.

Interpretation of the term "without prejudice" with reference to bills passed over on a call of the calendar. Volume **VI,** section **755.**

The House has decided that requests to have a bill "passed over without prejudice" may be entertained before debate has begun but not thereafter. Volume **VII,** section **996.**

A bill on the Consent Calendar, "passed over without prejudice," goes to the foot of the calendar. Volume **VII,** section **997.**

A bill passed over without prejudice on a call of the Consent Calendar requires but one objection when next reached. Volume **VII,** section **1000.**

A bill passed over "without prejudice" on call of committees retains its status on the calendar and is in order for consideration when the committee reporting it is again called. Volume **VI,** section **755.**

PASSPORTS.

Mere authority conferred by law to issue passports was held not to authorize creation of a bureau for that purpose. Volume **VII,** section **1249.**

PATENTS, COMMITTEE ON.

The creation and history of the Committee on Patents. Section 28 of Rule XI. Volume **IV,** section **4254.**

Recent history of the Committee on Patents, section 23 of Rule XI. Volume **VII,** section **1983.**

The rule gives to the Committee on Patents jurisdiction of subjects relating "to patents, copyrights, and trade-marks." Volume **IV,** section **4254.**

The subjects of patent law, jurisdiction of courts in patent cases, the Patent Office, including a building therefor, have been considered by the Committee on Patents. Volume **IV,** section **4255.** Volume **VII,** section **1984.**

The subject of an international patent conference was considered by the Committee on Patents. Volume **IV,** section **4255.**

Bills relating to the general subject of trade-marks, including punishment for the counterfeiting thereof, have been considered by the Committee on Patents. Volume **IV,** section **4256.** Volume **VII,** section **1985.**

The Committee on Patents has jurisdiction of general and special legislation relating to copyright. Volume **VII,** section **1986.**

The Committee on Patents has jurisdiction of general and special legislation relating to copyrights, although its title to the jurisdiction of international copyright is not entirely clear. Volume **IV,** section **4257.**

The Committee on the Judiciary has exercised jurisdiction over the subject of international copyright, although the clearest title seems to be with the Committee on Patents. Volume **IV,** section **4075.**

The subject of a court of patent appeals has been within the jurisdiction of the Committee on the Judiciary. Volume **IV,** section **4075.**

PATRONAGE.

The patronage of the House is distributed through a patronage committee nominated by the committee on committees and elected by the majority caucus. Volume **VIII,** section **3627.**

The patronage of the House, exclusive of the committee assignments, is divided as equitably as may be among the majority members exclusive of chairmen, the amount assigned to the individuals member varying with the size of the party majority. Volume **VIII,** section **3627.**

The patronage of the House is distributed through a patronage committee nominated by the committee on committees and elected by the majority caucus. Volume **VIII,** section **3627.**

Chairmen of committees control the patronage of their respective committees and do not participate in the general distribution. Volume **VIII,** section **3627.**

PATTERSON, David T.

Question as to qualifications of. Volume **I,** section **453.**

PATTERSON, ELECTION CASES OF.

The Colorado election case of Patterson and Belford in the Forty-fifth Congress. Volume **I,** sections **523, 524.**

The Tennessee election case of Patterson v. Carmack in the Fifty-fifth Congress. Volume **II,** sections **1104, 1105.**

The South Carolina election case of Myers v. Patterson in the Fifty-ninth Congress. Volume **II,** section **1135.**

The South Carolina election cases of Dantzler v. Lever, Prioleau v. Legare, and Myers v. Patterson in the Sixtieth Congress. Volume **VI,** section **122.**

PATTERSON, ELECTION CASES OF—Continued.

The South Carolina election cases of Richardson v. Lever, Prioleau v. Legare, and Myers v. Patterson, in the Sixty-first Congress. Volume **VI,** section **128.**

PATTON.

The Delaware election case of Latimer v. Patton in the Third Congress. Volume **I,** section **758.**

PAUL.

The Virginia election case of O'Ferrall v. Paul in the Forty-eighth Congress. Volume **II,** section **985.**

The Virginia election case of Paul v. Harrison in the Sixty-seventh Congress. Volume **VI,** section **158.**

PAUPERS.

The study of criminal, pauper, and defective classes is a subject under jurisdiction of the Committee on the Judiciary. Volume **VII,** section **1756.**

PAY.

(1) Of Members.—Rate of, mileage, and stationery.
(2) Of Members.—Certification and disbursement of.
(3) Of Members.—Deductions of absence.
(4) Of Members.—Questions arising as to vacancies and terms of service.
(5) Of Officers and employees.
(6) In general.

(1) Of Members.—Rate of, Mileage, and Stationery.

Rate and method of payment of compensation and mileage of Speaker and Members. Volume **II,** section **1148.**

The statutes provide for Members a mileage of 20 cents a mile going to and coming from each regular session of Congress. Volume **II,** section **1158.**

The law relating to Mileage of Members applies only to the regular sessions of Congress. Volume **II,** section **1159.**

An appropriation for mileage of Members at a regular session is authorized by law, although mileage may have been appropriated for a preceding special session. Volume **II,** section **1160.**

Citation of statutes relating to the pay and mileage of Members. Volume **II,** section **1160.**

Each Member is allowed $125 annually for stationery and the Clerk maintains a stationery room for supplying articles. Volume **II,** sections **1161, 1162.**

Passage by the House of resolution authorizing payments of salaries of Members accepting commissions in the Army. Volume **VI,** section **61.**

(2) Of Members.—Certification and Disbursement of.

The Speaker during sessions and the Clerks during recess of Congress certifies to the compensation of Members and the Speaker certifies as to mileage. Volume **II,** section **1156.**

Certificates of salary and mileage of Members may be signed for the Speaker by a designated employee. Volume **II,** section **1157.**

The Sergeant-at-Arms disburses the pay and mileage of Members and delegates. Volume **I,** section **257.**

(3) Of Members.—Deductions for Absence.

The statutes provide for deductions by the Sergeant-at-Arms from the pay of a Member or Delegate who is absent from his seat without a sufficient excuse. Volume **II,** section **1150.**

The pay of a Member may be deducted on account of absence. Volume **II,** section **1153.**

The statutes provide that a Member of Delegate withdrawing from his seat before the adjournment of a Congress shall suffer deductions from his compensation. Volume **II,** section **1149.**

PAY—Continued.

(3) Of Members.—Deductions for Absence—Continued.

Instance wherein deductions were made from the salaries of Members because of absence (footnote). Volume **IV,** section **3011.**

The House has decided that the law relating to deductions from the pay of Members applies only to those who have taken the oath. Volume **II,** section **1154.**

The House has by resolution directed the enforcement of the statutes providing for deductions by the Sergeant-at-Arms from the pay of Members and Delegates absenting themselves without leave. Volume **VI,** section **30.**

A quorum not being present, a resolution directing the enforcement of the statute relating to deductions from the pay of Members is not in order as a measure to compel the attendance of absentees. Volume **IV,** section **3011.**

It was held in 1894 that the act of the Sergeant-at-Arms, in pursuance of the law for deductions of Members' salaries for absence, might not be renewed on the floor as a question of privilege. Volume **III,** section **2690.**

(4) Of Members.—Questions Arising as to Vacancies and Terms of Service.

Conclusion of law as to the time of beginning of compensation of a Member elected to fill a vacancy. Volume **I,** section **500.**

A Member-elect who held a commission in the Army and had not taken the oath or his seat in the House having resigned, a question arose as to when the compensation of his successor should begin. Volume **I,** section **500.**

The question relating to the compensation and term of service of Charles H. Page in the Forty-ninth Congress. Volume **II,** section **1206.**

The question relating to the compensation of Ernest M. Pollard in the Fifth-ninth Congress. Volume **II,** section **1155.**

The question as to the pay of a Member elected after the beginning of the term of the Congress to fill a vacancy caused by a declination or resignation of effect on the day the term of the Congress began. Volume **II,** section **1155.**

(5) Of Officers and Employees.

The Clerk is required to pay the officers and employees of the House on the last secular day of each month. Volume **I,** section **251.**

The Clerk is required to pay the officers and employees of the House on the first secular day of each month. Volume **VI,** section **27.**

The House has insisted on its right to determine the compensation of its own officers and employees. Volume **V,** sections **7241, 7242.**

Extra services of employees are properly compensated under authority of a resolution agreed to by the House. Volume **V,** section **7238.**

In case of a month's extra pay an employee having an annual salary is entitled to one-twelfth of the sum of that salary. Volume **V,** section **7229.**

An appropriation to give employees of the House a month's pay in addition to the annual salary is not in order on an appropriation bill. Volume **VII,** section **1310.**

An ordinary appropriation for session employees is not available at an extra session. Volume **V,** section **7231.**

Decision as to per diem employees in case of an appropriation for a longer time than their actual employment. Volume **V,** section **7230.**

The representatives of an employee deceased before the passage of an act granting a month's extra pay are not entitled to what would be paid to the employee were he alive. Volume **V,** section **7228.**

Reference to statutes fixing the pay of session clerks of committees (footnote). Volume **IV,** section **4535.**

A session clerk is entitled to compensation only from the date when he enters upon the discharge of his duties with the committee. Volume **IV,** section **4536.**

PAY—Continued.

(5) Of Officers and Employees—Continued.

A clerk of a committee who ceased to hold office on December 21 was held not to be entitled to the salary for the remainder of the month under the terms of a resolution directing the payment of salaries of employees for that month on the 20th. Volume **IV,** section **4537.**

The clerk of a committee being appointed a postmaster was held to be entitled to his salary as clerk until his successor was appointed, although his salary as postmaster had already begun. Volume **IV,** section **4538.**

The statute prohibiting payment of two or more salaries exceeding $2,000 per annum in the aggregate applies to clerks to members. Volume **VI,** section **210.**

Payment of clerk hire from lump sum appropriations to persons carried on the rolls in another capacity is additional compensation and prohibited by law. Volume **VI,** section **210.**

(6) In General.

A resolution providing compensation for a Territorial agent not having a seat on the floor does not present a question of privilege. Volume **III,** section **2596.**

The rule gives to the several committees on expenditures jurisdiction of the pay of officers, abolition of useless offices, and the economy and accountability of officers. Volume **IV,** section **4315.**

The Committee on Printing has exercised an infrequent jurisdiction as to the pay of employees at the Government Printing Office. Volume **IV,** section **4348.**

The rules provide for the rate of compensation of witnesses summoned to appear before the House or either of its committees. Volume **III,** section **1825.**

PAY ROLLS

The officers of the House, except the Speaker, are required to make monthly certificates as to the presence of the employees on their pay rolls. Volume **V,** section **7233.**

PAYNE, ELECTION, CASE OF.

The Senate election case of Henry B. Payne, from Ohio, in the Forty-ninth Congress. Volume **I,** section **691.**

PAYNE, SERENO E., Of New York, Speaker Pro Tempore and Chairman.

Decisions on questions of order relating to—

Amendments between the Houses. Volume **V,** section **6171.**

Amendments germane. Volume **V,** sections **5902, 5910, 5914.**

Amendments not germane. Volume **V,** sections **5830, 5850, 5907.**

Appeals. Volume **V,** section **5239.**

Appropriation bills. Volume **IV,** section **4035.**

Appropriations for salaries. Volume **IV,** sections **3676, 3681, 3699, 3878.**

Authorization of appropriations. Volume **IV,** sections **3600, 3614, 3624, 3643, 3654, 3655.**

Call of the House. Volume **IV,** sections **3001, 3012, 3028, 3051.**

Committee of the Whole. Volume **IV,** sections **3139, 4711, 4755, 4759, 4765, 4775, 4776, 4777.**

Continuation of a public work. Volume **IV,** sections **3702, 3719, 3738, 3745, 3806.**

Debate. Volume **V,** sections **5109, 5141.**

Deficiency appropriations. Volume **IV,** section **3564.**

Dilatory motions. Volume **V,** section **5725.**

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Enacting clause, motion to strike out. Volume **V,** section **5332.**

Five-minute debate. Volume **V,** sections **5245, 5247, 5248, 5250, 5253.**

General debate. Volume **V,** sections **5212, 5239.**

Jurisdiction of committees. Volume **IV,** sections **4037, 4384, 4385.**

Legislation on appropriation bills. Volume **IV,** section **3812, 3861, 3863, 3876, 3883, 3932, 3938.**

PAYNE, SERENO E., of New York, Speaker Pro Tempore and Chairman—Continued.
Decisions on questions of order relating to—Continued.
Limitations on appropriation bills. Volume **IV,** sections **3939–3941, 3942, 3989, 3991, 3995, 4006, 4015.**
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Order of business. Volume **IV,** section **4735.**
Pairs. Volume **V,** section **5984.**
Previous question. Volume **V,** section **5476.**
Points of order. Volume **IV,** section **3284.** Volume **V,** sections **6886, 6895, 6906, 6908, 6925.**
Quorum. Volume **IV,** section **2928.**
Reading of papers. Volume **V,** section **5291.**
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PAYSON, LEWIS E., of Illinois, Speaker Pro Tempore and Chairman.
Decisions on questions of order relating to—
Appropriations for salaries. Volume **IV,** sections **3677–3679.**
Authorization of appropriations. Volume **IV,** sections **3635, 3781.**
Call of the House. Volume **IV,** sections **2993, 3015.**
Committee of the Whole. Volume **IV,** sections **3131, 4815.**
Committees on appropriations. Volume **IV,** section **4042.**
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Engrossed bills. Volume **IV,** section **3428.**
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Journal. Volume **III,** section **2620.**
Jurisdiction of committees. Volume **IV,** section **4372.**
Leave of absence. Volume **IV,** section **3004.**
Limitations on appropriations (footnote). Volume **IV,** section **3936.**
Personal privilege. Volume **V,** section **5075.**
Point of order. Volume **V,** section **6907.**
Privilege. Volume **III,** section **2540.**
Privileged reports. Volume **IV,** section **4636.**
Quorum. Volume **IV,** sections **2908, 2976, 2994, 3011.**
Refer, motion to. Volume **V,** section **5532.**
Yeas and nays. Volume **V,** section **6023.**
Yielding the floor. Volume **V,** section **5039.**

PEACE.
After their affray on the floor Messrs. Lyon and Griswold were required to pledge themselves before the Speaker to keep the peace during the session. Volume **II,** section **1643.**
Resolutions of intervention abroad and declarations of war and peace are within the jurisdiction of the Committee on Foreign Affairs. Volume **VII,** section **1880.**
Legislation tending to promote peace and discourage war has been considered by the Committee on Military Affairs. Volume **VII,** section **1894.**

PEARCE.
The Colorado election case of Pearce v. Bell in the Fifty-fourth Congress. Volume **II,** section **1073.**

PEARSON.
The North Carolina election case of Pearson v. Crawford in the Fifty-sixth Congress. Volume **II,** sections **1112, 1113.**

PECK.

The impeachment and trial of James H. Peck, United States Judge for the district of Missouri. Volume **III,** sections **2364–2384.**

Instance wherein during an impeachment trial the respondent personally examined a witness. Volume **III,** section **2280.**

During the Peck impeachment trial the respondent assisted his counsel in examining witnesses, in argument on incidental questions, etc. Volume **III,** section **2149.**

PEDDY.

The Senate election case of Peddy v. Mayfield in the Sixty-eight Congress. Volume **VI,** section **165.**

PEELLE.

The Indiana election case of English v. Peelle in the Forty-eight Congress. Volume **II,** section **990.**

PENALTIES.

The subjects of tonnage taxes and fines and penalties on vessels are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4131.**

The subjects of criminals, crimes, penalties, and extradition are within the jurisdiction of the Committee on the Judiciary. Volume **IV,** section **4069.**

Jurisdiction of legislation providing penalties for commercial bribery and other corrupt trade practices belongs to the Committee on the Judiciary. Volume **VII,** section **1754.**

Legislation relating to national banks, including bills granting charters to such banks, and providing penalties for their mismanagement, is within the jurisdiction of the Committee on Banking and Currency. Volume **VII,** section **1790.**

The award of decorations, medals and other military insignia, and penalties for the unlawful wearing thereof are subjects within the jurisdiction of the Committee on Military Affairs. Volume **VII,** section **1900.**

Provisions for assessment and remission of punishments and penalties in connection with crimes and offenses against the mail service have been reported by the Committee on the Post Office and Post Roads, Volume **VII,** section **1920.**

Bills authorizing punishments and penalties when provided for offenses relating to the administration of the lands of the public domain have been reported by the Committee on the Public Lands. Volume **VII,** section **1929.**

The relief of Government employees for losses sustained by reason of unmerited discharge or the undeserved infliction of penalties is a subject within the jurisdiction of Committee on Claims. Volume **VII,** section **1995.**

PENDING AMENDMENTS.

A committee of the whole ordinarily reports only such amendments as it has agreed to, but posed of when it rises. Volume **IV,** section **3225–3228.**

When a special order directs a committee of the whole to report "pending amendments," this does not include an amendment only partially read when the Committee of the Whole rises. Volume **IV,** section **3229.**

Where a special order provided for a vote on an amendment at a designated time the Chairman at the time put the question, and pending amendments to the amendment were not acted upon. Volume **VI,** section **795.**

PENDLETON.

The West Virginia election case of Atkinson v. Pendleton in the Fifty-first Congress. Volume **II,** section **a1020, 1021.**

PENITENTIARIES.

The management of national penitentiaries and the authorization of buildings therefor are within the jurisdiction of the Committee on the Judiciary. Volume **IV,** section **4070.**

PENNINGTON, WILLIAM, of New Jersey, Speaker.
Decisions on questions of order relating to—
Adjournment. Volume **V,** section **6702.**
Amendment not germane. Volume **V,** section **5876.**
Committee service. Volume **IV,** section **4493.**
Communications. Volume **V,** section **6656.**
Disorder. Volume **II,** section **1351.**
Division of question. Volume **V,** section **6109.**
Electoral vote. Volume **III,** section **2574.**
Instructions to committees. Volume **V,** section **5544.**
Organization. Volume **I,** sections **240, 243.**
Personal privilege. Volume **III,** section **2724.**
Point of order. Volume **V,** section **6918.**
Privileged reports. Volume **IV,** section **3144.**
Reading of papers. Volume **V,** section **5284.**
Recognition. Volume **II,** section **1433, 1434.**
Rules. Volume **I,** section **245.**
Suspension of the rules. Volume **V,** section **6855.**
Voting. Volume **IV,** section **2830.**

PENNSYLVANIA.
In 1877 an objection was made that one of the electors of Pennsylvania was illegally appointed, but the vote was counted. Volume **III,** section **1976.**
Interpretation of the corrupt practices at Pennsylvania. Volume **VI,** section **98.**

House election cases from:
Fourth Congress.—David Bard. Volume **I,** section **764.**
Fourth Congress.—Morris v. Richards. Volume **I,** section **554.**
Eighth Congress.—John Hoge. Volume **I,** section **517.**
Nineteenth Congress.—John Sergeant. Volume **I,** section **555.**
Twenty-sixth Congress.—Ingersoll v. Naylor. Volume **I,** section **803, 804.**
Thirty-first Congress.—Little v. Robbins, jr. Volume **I,** section **820.**
Thirty-second Congress.—Wright v. Fuller. Volume **I,** sections **821, 822.**
Thirty-seventh Congress.—Kline v. Verree. Volume **I,** section **727.**
Thirty-seventh Congress.—Kline v. Verree. Volume **II,** section **848.**
Thirty-seventh—Butler v. Lehman. Volume **II,** section **847.**
Thirty-eighth Congress.—Carrigan v. Thayer. Volume **I,** section **712.**
Thirty-eighth Congress—Kline v. Myers. Volume **I,** section **723.**
Thirty-ninth Congress.—Koontz v. Coffroth and Fuller v. Dawson. Volume **I,** sections **556–558.**
Forty-first Congress.—Covode v. Foster. Volume **I,** sections **559–562.**
Forty-first Congress.—Myers v. Moffet. Volume **II,** section **874.**
Forty-first Congress.—Taylor v. Reading. Volume **II,** section **876.**
Forty-second Congress.—Cessna v. Myers. Volume **II,** sections **885, 886.**
Forty-sixth Congress.—Curtin v. Yocum. Volume **II,** sections **939–941.**
Fifty-second Congress.—Craig v. Stewart. Volume **II,** section **1041.**
Fifty-second Congress.—Greevy v. Scull. Volume **II,** section **1044.**
Fifty-second Congress.—Reynolds v. Shonk. Volume **I,** section **682.**
Fifty-fifth Congress.—Hudson v. McAleer. Volume **I,** section **722.**
Fifty-eighth Congress.—Connell v. Howell. Volume **II,** sections **1130, 1131.**
Sixty-second Congress.—Mclean v. Bowman. Volume **VI,** section **98.**
Sixty-second Congress—Wise v. Crago. Volume **VI,** section **99.**
Sixty-second Congress—Hawkins v. McCreary. Volume **VI,** section **111.**
Sixty-second Congress—Bonniwell v. Butler,. Volume **VI,** section **136.**
Sixty-sixth Congress.—Farr v. McLane. Volume **VI,** section **75.**

PENNSYLVANIA—Continued.

House election cases from—Continued.

Sixty-seventh Congress.—John P. Bracken. Volume **VI,** section **152.**

Sixty-ninth Congress.—Bailey v. Walters. Volume **VI,** section **166.**

Seventieth Congress.—James M. Beck. Volume **VI,** section **174.**

Seventy-second Congress.—Kent v. Coyle. Volume **VI,** section **187.**

Senate election case from:

Thirty-fourth Congress.—Simon Cameron. Volume **I,** section **688.**

Seventieth Congress.—William B. Wilson v. Williams S. Vare. Volume **VI,** section **180.**

PENSIONER.

A Member having been a pensioner of a foreign government, the House considered his case and declared him entitled to his seat, but declined to affirm that he was qualified. Volume **I,** section **442.**

PENSIONS.

The rule gives to the Committee on Pensions jurisdiction of matters relating "to the pensions of all the wars of the United States other than the civil war." Volume **IV,** section **4260.**

The rule gives to the Committee on Invalid Pensions jurisdiction as "to the pensions of the civil war." Volume **IV,** section **4258.**

A bill for the payment or adjudication of any private claim against the Government must be referred to one of these committees—Claims, War Crimes, Private Land Claims, Pensions, Invalid Pensions, Accounts. Volume **IV,** section **4380.**

A bill for the payment or adjudication of any private claim against the Government must be referred to one of these committees: Invalid Pensions, Pensions, Claims, War Claims, Public Lands, Accounts. Volume **VII,** section **2129.**

Bills relating to pensioners' oaths and fraudulent claims have been reported by the Judiciary Committee. Volume **IV,** section **4074.**

The Committee on Invalid Pensions reports general and special bills authorizing payments of pensions to soldiers of the civil war, but the actual appropriations therefor are reported by the Committee on Appropriations. Volume **IV,** section **4259.** Volume **VII,** section **1988.**

The Committee on Pensions reports general and special bills authorizing the payment of pensions, but the actual appropriations are reported by the Committee on Appropriations. Volume **IV,** section **4261.** Volume **VII,** section **1990.**

The Appropriations Committee reports the appropriations for fortifications and coast defenses, the District of Columbia, and pensions. Volume **IV,** section **4032.**

Revenue and general appropriation bills, river and harbor bills, certain bills relating to the public lands, for the admission of new States, and general pension bills may be reported at any time. Volume **IV,** section **4621.** Volume **VIII,** section **2251.**

A standing order of the House superseding the existing rule as to Friday evening sessions provides that the second and fourth Fridays of each month shall be devoted to pension bills and bills removing charges of desertion and political disabilities. Volume **IV,** section **3281.**

A provision increasing the number of persons who would be entitled to receive pensions should receive consideration in Committee of the Whole. Volume **IV,** section **4849.**

The Committee of the Whole has decided that a bill to pension a battalion of soldiers should be treated as a private bill. Volume **IV,** section **3293.**

A bill indirectly conferring a pensionable status is in order on a day set apart under the rule for the consideration of private pension bills. Volume **VII,** section **850.**

Private bills and joint resolutions, and amendments thereto, carrying appropriations within the limits of the jurisdiction of the Committees on Invalid Pensions, Pensions, Claims, War Claims, Public Lands and Accounts, do not fall within the rule forbidding consideration of items proposing appropriations in connection with bills reported by non-appropriating committees. Volume **VII,** section **2134.**

PENSIONS—Continued.

The term "general pension bills" is construed to refer to bills or legislation general in character as distinguished from bills or legislation of a private character or bills restricted in their purpose or effect. Volume **VIII,** section **2291.**

General pension bills reported by the Committee on Invalid Pensions are privileged for consideration at any time. Volume **VIII,** section **2291.**

A bill authorizing monthly payment of pensions in lieu of quarterly payments was classified as a general pension bill and held to be within the privilege accorded the Committee on Invalid Pensions to report at any time. Volume **VIII,** section **2291.**

A privileged motion to proceed to the consideration of a general pension bill reported by the Committee on Invalid Pensions is in order on Friday as on other days. Volume **VIII,** section **2292.**

A "general" pension bill was defined as a pension bill affecting a class of proposed beneficiaries and not certain specific individuals. Volume **VIII,** section **2292.**

A bill to extend the provisions of pension law to State militia was held to be a general pension bill and privileged when reported by the Committee on Invalid Pensions. Volume **VIII,** section **2292.**

While the Committee on Invalid Pensions is privileged to report at any time on general pension bills, this right does not extend to the Committee on Pensions. Volume **VIII,** section **2293.**

PENSIONS, COMMITTEE ON.

The creation and history of the Committee on Pensions, section 29 of Rule XI. Volume **IV,** section **4260.**

Recent history of the Committee on Pensions, section 25 of Rule XI. Volume **VII,** section **1989.**

The rule gives to the Committee on Pensions jurisdiction of matters relating "to the pensions of all the wars of the United States other than the civil war." Volume **IV,** section **4260.**

The Committee on Pensions reports general and special bills authorizing the payment of pensions, but the actual appropriations are reported by the Committee on Appropriations. Volume **IV,** section **4261.**

PEOPLE.

Resolutions of State legislatures and of primary assemblies of the people are received as memorials. Volume **IV,** sections **3326, 3327.**

On the occasion of the death of George Washington Congress requested the people to hold public memorial meetings. Volume **V,** section **7181.**

PEREA.

The election case of Gallegos v. Perea, from the Territory of New Mexico, in the Thirty-eighth Congress. Volume **I,** section **728.**

PERFECTING.

When it is proposed to amend by inserting a paragraph it should be perfected by amendment before the question is put on inserting. Volume **V,** section **5758.**

When it is proposed to strike out a paragraph it should be perfected by amendment before the question is put on striking out, although if the motion to strike out fails amendments may still be offered. Volume **V,** section **5758.**

When it is proposed to perfect a paragraph the motions to insert or strike out, if already pending, must remain in abeyance until the amendments to perfect have been moved and voted on. Volume **V,** section **5758.**

Both an original proposition and a proposed amendment in the nature of a substitute may be perfected by amendments before the vote is taken on the substitute. Volume **V,** section **5786.**

PERFECTING—Continued.

An amendment in the nature of a substitute may be proposed before amendments to the original text have been acted on, but may not be voted on until such amendments have been disposed of. Volume **V,** section **5787.**

A paragraph which proposes legislation in a general appropriation bill, being permitted to remain, may be perfected by a germane amendment. Volume **VII,** sections **1405. 1413, 1414, 1415, 1416.**

A paragraph which proposes legislation in a general appropriation bill, being permitted to remain, may be perfected in a germane amendment. But this does not permit a amendment which adds additional legislation. Volume **VII,** section **1425.**

A paragraph changing existing law, being permitted to remain by general consent, may be perfected by germane amendments which do not provide additional legislation. Volume **VII,** section **1420.**

An amendment perfecting a paragraph in an appropriation bill proposing legislation but unobjected to is not in order if not germane or if providing additional legislation. Volume **VII,** section **1435.**

Paragraphs subject to a point of order and permitted to remain in the bill may be perfected by germane amendment, but not by amendments proposing additional legislation. Volume **VII,** section **1600.**

It is not in order to demand a separate vote on perfecting amendments incorporated in amendments adopted by the Committee of the Whole and reported to the House. Volume **VIII,** section **2422.**

If the Committee of the Whole perfect a bill by amendment and then adopt a substitute for the entire bill, only the substitute is reported to the House, and if the House rejects the substitute the original bill without amendment is before the House. Volume **VIII,** section **2426.**

A separate vote in the House on a perfecting amendment offered in the Committee of the Whole and incorporated in an amendment reported to the House is not in order and may be had only by unanimous consent. Volume **VIII,** section **2427.**

In considering a bill for amendment under the five-minute rule an amendment offered as a separate paragraph or section is not in order until the pending paragraph has been perfected and disposed of. Volume **VIII,** section **2356.**

While a motion to recommit with instructions to strike out an amendment adopted by the House is not in order, a motion is admissible accompanied by instructions striking out the text perfected by such an amendment. Volume **VIII,** section **2698.**

It is not in order to propose to recommit with instructions to perfect an amendment previously agreed to by the House. Volume **VIII,** section **2724.**

A motion to strike out a paragraph being pending, and the paragraph then being perfected by an amendment in the nature of substitute, the motion to strike out necessarily falls. Volume **VIII,** sections **2846, 2854.**

After a vote to insert a proposition in a bill it is too late to perfect the proposition by amendment. Volume **VIII,** sections **2852, 2857.**

The motion to strike out and insert is a perfecting amendment and takes precedence of a simple motion to strike out. Volume **VIII,** section **2849.**

A perfecting amendment has precedence of a motion to strike out and must be first voted on when both are pending, but a member recognized on a motion to strike out may not be deprived of the floor by another member proposing a perfecting amendment. Volume **VIII,** section **2860.**

An amendment to perfect the pending section takes precedence of an amendment offered as a new paragraph. Volume **VIII,** section **2868.**

A motion proposing a substitute for a Senate amendment yields to a motion for a perfecting amendment. Volume **VIII,** section **3184.**

PERFECTING—Continued.
It is in order to perfect words proposed to be stricken out and a perfecting amendment is admissible after debate on the motion to strike out has begun. Volume **VIII,** section **2861.**
An original proposition may be perfected by amendments before the vote is taken on the substitute. Volume **VIII,** section **2894.**

PERJURY.
Testimony given before a House or its committee may not be evidence against the witness in any court, except in case of alleged perjury. Volume **III,** section **1769.**
The willful making of a false oath to statements required by the corrupt practices act constitutes perjury. Volume **VI,** section **76.**
In order to support a charge of perjury it must be shown that a quorum of the committee of investigation was present at the time the offense was committed. Volume **VI,** section **345.**

PERKINS, BISHOP W., of Kansas, Speaker Pro Tempore.
Decision of question of order relating to privilege motions. Volume **IV,** section **3073.**

PERKINS, JAMES B., of New York, Chairman.
Decision on question of order relating to—
Amendment, germaneness of. Volume **VIII,** section **2927.**
Appropriations. Volume **VII,** sections **1202, 1294, 1340, 1354, 1360, 1374, 1628.** Volume **VIII,** section **2878.**
Authorization for appropriations. Volume **IV,** section **3592.**

PERKINS, ELECTION CASE OF.
The New Hampshire election case of Perkins v. Morrison in the Thirty-first Congress. Volume **I,** section **311.**

PERLMAN.
The New York election case of Sirovich v. Perlman, in the Sixty-ninth Congress. Volume **VI,** section **169.**

PERSHING.
Ceremonies at the joint session to receive General Pershing. Volume **VIII,** section **3535.**

PERSONAL EXPLANATION.
Personal explanations are allowed only by unanimous consent. Volume **V,** section **5064.** Volume **VIII,** section **2484.**
Unanimous consent having been given for a personal explanation, the Member may not be interrupted by a single objection. Volume **V,** section **5065.**
A Member having the floor to make a personal explanation may not be interrupted while he keeps within parliamentary bounds. Volume **V,** section **5066.**
In the earlier practice of the House a Member having the floor for a personal explanation was allowed the largest latitude in debate. Volume **V,** sections **5067–5070.**
In 1861 the House, overruling the Speaker, established the new rule that a Member making a personal explanation should confine his remarks to that which was personal to himself. Volume **V,** sections **5071–5073.**
A Member in making a personal explanation has the largest latitude, but must confine himself to the point on which he has been criticised, and may not yield time for debate to another. Volume **V,** section **5074.**
As part of a personal explanation relating to matter excluded from the Congressional Record as out of order a Member may read the matter, subject, however, to a point of order if the reading should develop anything in violation of the rules of debate. Volume **V,** section **5079.**
The refusal of leave to make a personal explanation is not recorded in the Journal, but as to the granting of such leave the practice is not uniform. Volume **IV,** sections **2863, 2864.**

PERSONAL INTEREST.

(1) Parliamentary law as to conduct of Member on question of.
(2) As affecting the right to vote.—In general.
(3) As affecting the right to vote.—In cases of censure or arrest.
(4) As affecting the right to vote.—On questions relating to title to a seat.
(5) As affecting the right to vote.—In an impeachment trial.
(6) As affecting the right to vote.—Authority of Speaker in deciding as to.
(2) As affecting the Speaker in presiding.

(1) Parliamentary Law as to Conduct of Member on Question of.

Provisions of the parliamentary law in cases when charges arise against a Member from report of a committee or examination of witnesses in the House. Volume **II,** section **1237.**

The old parliamentary law as to withdrawal of a Member when business concerning himself is debated or decided. Volume **II,** section **1237.**

Instance wherein a Senator participated in debate on credentials of a claimant for his seat. Volume **I,** section **491.**

The rule of parliamentary law as to the conduct of a Member when his private interests are concerned in a question. Volume **V,** section **5949.**

A Member who had preferred charges against Judge Boatner declined, as a Member of the Judiciary Committee, to vote on his case. Volume **III,** section **2518.**

(2) As Affecting the Right to Vote.—In General.

Every Member shall be present and vote unless he have a direct personal or pecuniary interest in the question. Volume **V,** section **5941.**

Where the subject-matter before the House affects a class rather than individuals, the personal interest of Members who belong to the class is not such as to disqualify them from voting. Volume **V,** section **5952.** Volume **VIII,** section **3072.**

The House excused one of its Members from voting on any question connected with the impeachment of a brother. Volume **III,** section **2294.**

A bill affecting a particular corporation being before the House, the Speaker held that a Member directly interested in that corporation as a shareholder had no right to vote. Volume **V,** section **5955.**

A Member who had been assaulted was excused from voting on questions relating to the punishment of his assailant. Volume **V,** section **5962.**

Members who were stockholders in the Bank of the United States were excused from voting on a question relating to that institution. Volume **V,** section **5954.**

Sometimes the House has excused Members from voting on questions in which they had a personal interest (footnote). Volume **V,** section **5950.**

In determining whether the personal interest of a Member in the pending question is such as to disqualify him from voting thereon a distinction has been drawn between those affected individually and those affected as a class. The question as to whether a Member's personal interest is such as to disqualify him from voting is a question for the Member himself to decide and the Speaker will not rule against the constitutional right of a Member to represent his constituency. Volume **VIII,** section **3071.**

The rule prohibiting Members from voting on questions affecting their direct personal interest was held not to apply to votes on propositions increasing the salaries of Members elect. Volume **VIII,** section **3073.**

Instance wherein a Member submitted his resignation from a committee on grounds of disqualifying personal interest. Volume **VIII,** section **3074.**

(3) As Affecting the Right to Vote.—In Cases of Censure or Arrest.

On a resolution in the Senate censuring two Senators, the names of both were called but neither voted. Volume **II,** section **1665.**

A Member against whom a resolution of censure was pending cast a decisive vote on an incidental question, but on the main question did not vote except once in the negative on the motion to lay the resolution on the table. Volume **V,** section **5961.**

PERSONAL INTEREST—Continued.

(3) As Affecting the Right to Vote.—In Cases of Censure or Arrest—Continued.

Members present in custody of the Sergeant-at-Arms for absence, were permitted to vote on a motion to excuse another Member for a similar offense. Volume **V,** sections **5937–5940.**

(4) As Affecting the Right to Vote.—On Questions Relating to Title to a Seat.

It was held in 1840 that the sitting Members from New Jersey might vote on incidental questions arising during the consideration of their titles to their seats. Volume **V,** section **5953.**

The same question affecting the right of four Members to their seats, each voted on the cases of his associates, but not on his own. Volume **V,** section **5958.**

In the proceedings relating to the New Jersey Members in 1839 each contestant did not generally vote on his own case, but voted on the identical cases of his associates. Volume **V,** section **5957.**

On a motion to discharge a committee from consideration of a resolution affecting the seats of several Members, the Chair held that the Members concerned might vote. Volume **V,** section **5960.**

A Senator having voted on a question affecting directly his title to his seat, the Senate ordered that the vote be not received in determining the question. Volume **V,** section **5959.**

A Member of a State legislature having cast for himself a decisive vote for United States Senator the Senate declined to hold the election illegal. Volume **V,** section **5963.**

(5) As Affecting the Right to Vote.—In an Impeachment Trial.

The doctrine of disqualifying personal interest as applied to a Senator sitting in an impeachment trial. Volume **III,** section **2061.**

A question as to the time when the competency of a Senator to sit in an impeachment trial should be challenged for disqualifying personal interest. Volume **III,** section **2061.**

In 1868 the President pro tempore of the Senate voted on the final question at the Johnson trial, although a conviction would have made him the successor. Volume **III,** section **2061.**

A Senator related to President Johnson by family ties voted on the final question of the impeachment without challenge. Volume **III,** section **2061.**

In the Pickering trial a Senator, who as a Member of the House had voted for impeachment, was challenged, but voted. Volume **III,** section **2327.**

A Senator who had been a witness for respondent was excused from voting on the judgment in the Peck trial. Volume **III,** section **2383.**

A Senator excused himself from participation in impeachment proceedings on the ground of close personal relations with one of the managers for the House, but on suggestion took the oath as a member of the court of impeachment. Volume **VI,** section **546.**

(6) As Affecting the Right to Vote.—Authority of Speaker in Deciding as to.

The Speaker has usually held that the Member himself should determine whether or not his personal interest in a pending matter should cause him to withhold his vote. Volume **V,** sections **5950, 5951.**

A point of order being made that a Member was disqualified for voting by a personal interest, the Speaker held that the Chair might not deprive a Member of his constitutional right to represent his constituency. Volume **V,** section **5956.**

An instance wherein the Speaker decided that a Member should not vote because of disqualifying personal interest. Volume **V,** section **5958.**

(7) As Affecting the Speaker in Presiding.

The Speaker leaves the chair during the transaction of any business concerning himself, even the reference of a paper. Volume **II,** section **1359.**

A matter concerning himself being before the House, the Speaker called a Member to the chair. Volume **II,** section **1360.**

PERSONAL INTEREST—Continued.

(7) As Affecting the Speaker in Presiding—Continued.

The Speaker of the House, being the Vice-Presidnet-elect, called a Member to the chair durign discussion of a question relating to the electoral count. Volume **II,** section **1365.**

Resolutions censuring the conduct of the Speaker being presented unexpectedly, he was excused from deciding a point of order in relation thereto. Volume **II,** section **1357.**

In asking an investigation of his conduct Mr. Speaker Clay addressed the House from the chair, but immediately left it when the House was to act. Volume **II,** section **1362.**

A newspaper having made certain charges against the official character of the Speaker, he called a Member to the chair and moved an investigation, which was voted. Volume **II,** section **1364.**

The seat ofthe Speaker as a Member being contested, consent of the House was obtained to permit him to speak on the report, although he had called a Member to the chair. Volume **II,** section **1368.**

An amendment to the Journal disapproving a ruling of the Speaker was held out of order without question as to the propriety of calling another to the chair. Volume **IV,** section **2848.**

The Speaker remained in the chair and ruled as to the relevance of language criticising his conduct as Speaker. Volume **V,** section **5158.**

Mr. Speaker Colfax presided with the President pro tempore at the electoral count of 1869, although he was ascertained by that count to be the Vice-President-elect. Volume **III,** section **1950.**

PERSONS.

Witnesses are summoned in pursuance and by virtue of the authority conferred on a committee to send for persons and papers. Volume **III,** section **1750.** Volume **VI,** section **394.**

The House may confer upon the subcommittees of a committee the power to send for persons and papers. Volume **III,** sections **1801, 2029.** Volume **VI,** section **376.**

Forms of subpoena and compulsory process issued by House committee to produce persons and papers for Blount impeachment. Volume **III,** sections **2038, 2039.**

A committee of the whole charged with an investigation in 1792 was given the power to send for persons and papers. Volume **III,** section **1804.**

The Kansas Committee of 1856 was empowered to send for persons and papers and to arrest and bring before the House any witnesses in contempt. Volume **II,** section **1752.**

A private bill is a bill for the relief of one or several specified persons, corporations, institutions, etc., and is distinguished from a public bill, which relates to public matters and deals with individuals only by classes. Volume **IV,** section **3285.**

The two Houses, by concurrent resolution, constituted a joint select committee of investigation, with power to send for persons and papers and sit during the recess of Congress. Volume **VII,** section **380.**

Instance wherein a committee of investigation after being authorized to send for persons and papers was further empowered to require witnesses to testify. Volume **VI,** section **394.**

Discussion of the power of the House to punish persons other than Members for offenses affecting the dignity, orderly procedure, or integrity of the House. Volume **VI,** section **398.**

A subcommittee, with power to send for persons and papers, was sent to Georgia to investigate the conduct of Judge Speer. Volume **VI,** section **527.**

A committee was authorized to send for persons and papers and to administer oaths in an investigation delegated to it by the House. Volume **VI,** section **536.**

PESTS.

The importation and interstate transportation of trees, shrubs, and other nursery stock, quarantine regulations against insect pests and plant diseases, and the establishment of a national arboretum are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII,** section **1863.**

PETERS, ELECTION CASE OF.

The Kansas election case of Wood v. Peters in the Forty-eigth Congress. Volume **I,** section **417.**

PETERS, RICHARD

The investigation of the conduct of Richard Peters, United States district judge for Pennsylvania, in 1804. Volume **III,** section **2342.**

The House found that Judge Richard Peters had not so acted as to require impeachment. Volume **III,** section **2343.**

PETERS, SAMUEL R., of Kansas, Speaker Pro Tempore.

Decision on question of order relating to—

Recess. Volume **V,** section **6666.**

PETITIONS.

(1) Right of petition.
(2) Who may be petitioners.
(3) Form of.
(4) Presentation of.—By Members.
(5) Presentation of.—By the Speaker.
(6) Reception or rejection of.
(7) Reference of.
(8) Journal entries as to.
(9) In general.

(1) Right of Petition.

References to discussions of the right of petition. Volume **IV,** section **3343.**

Incidental discussion of the right of the House to decline to receive a petition. Volume **V,** section **4964.**

An attempt to censure a Member for presenting a petition alleged to be treasonable failed after long debate. Volume **II,** section **1255.**

The rule requiring petitions to be sent to the Clerk's desk is no invasion of the constitutional right of petition. Volume **IV,** section **3314.**

(2) Who May Be Petitioners.

A Member may himself be a petitioner. Volume **IV,** section **3329.**

Petitions from Indians within the limits of the United States have been received. Volume **IV,** section **3341.**

Petitions from foreigners are properly transmitted through the Executive. Volume **IV,** sections **3336–3340.**

The House has usually refused to receive the petitions of the subjects of a foreign power not residing in the United States. Volume **IV,** sections **3330–3335.**

Reference to Senate rule that no alien may offer a petition directly to the Senate. Volume **IV,** section **3328.**

While slavery existed the House declared that slaves did not posses the right of petition. Volume **IV,** section **3342.**

A proposition to censure a Member for presenting a petition purporting to come from slaves failed after long discussion. Volume **IV,** section **3342.**

(3) Form of.

Papers in the nature of petitions or memorials should be addressed to the House, but may be received if addressed to the Representative when the subject is already before the House. Volume **IV,** sections **3321, 3322.**

An early requirement of the House was that a claimant should present a petition signed by himself as the foundation for his claim. Volume **IV,** section **3324.**

The rule relating to the signing of petitions was formerly enforced strictly by the Senate. Volume **IV,** section **3323.**

PETITIONS—Continued.

(3) Form of—Continued.

Papers general or descriptive in form may not be presented to the House as memorials. Volume **IV,** section **3325.**

Resolutions of State legislatures and of primary assemblies of the people are received as memorials. Volume **IV,** sections **3326, 3327.**

A petitioner who preferred charges against a Federal judge furnished the certificate of a notary to his signature (footnote). Volume **III,** section **2030.**

A question has arisen in the Senate as to whether or not a telegraphic dispatch might be received as a memorial. Volume **IV,** section **3328.**

(4) Presentation of.—By Members.

Petitions, memorials, and bills are introduced by the Member delivering them to the Clerk. Volume **IV,** section **3364.**

Petitions, memorials, and bills referred by delivery to the Clerk are entered on the Journal and Record. Volume **IV,** section **3364.**

A Member may present a petition from the people of a State other than his own. Volume **IV,** sections **3315, 3316.**

Origin of the order for the former call of States for petitions. Volume **IV,** section **3313.**

Two or more Members may not jointly introduce a bill, petition, or resolution. Volume **VII,** section **1029.**

(5) Presentation of.—By the Speaker.

Petitions, memorials, and other papers addressed to the House may be presented by the Speaker as well as by a Member. Volume **IV,** section **3312.**

The Speaker presents petitions from the country at large in the method prescribed by the rule. Volume **IV,** section **3318.**

Instance wherein the Speaker presented a petition in which were preferred charges against a Federal judge. Volume **III,** section **2030.**

Discussion of the duty of a presiding officer in relation to the presentation of communications. Volume **IV,** section **3320.**

The presentation of memorials addressed to the Speaker is within the discretion of the Chair. Volume **VII,** section **1025.**

(6) Reception or Rejection of.

Any petition or memorial of an obscene or insulting nature may be returned by the Speaker to the Member presenting it for reference. Volume **IV,** section **3364.**

When petitions were presented in open House it was held that the question of reception was at once pending. Volume **IV,** section **3350.**

The question on reception being put, the House has frequently declined to receive petitions which did not meet its approval. Volume **IV,** sections **3351–3356.**

For a time a rule was in force providing that no petition on a certain subject should "be received by the House or entertained in any way whatever." Volume **IV,** sections **3347, 3348.**

For a series of years the House adopted orders that all petitions on a certain subject should be at once laid on the table without being read or debated. Volume **IV,** sections **3344–3346.**

If a portion of a petition be excluded by a rule, the entire paper must be excluded if the context be such as to be incapable of division. Volume **IV,** section **3357.**

A portion of a petition, being in contravention of a rule, was laid on the table, while the remainder was referred. Volume **II,** section **3358.**

A motion to receive a petition being laid on the table, the petition itself does not go to the table. Volume **V,** sections **5431–5433.**

An instance wherein a memorial was returned to the memorialists. Volume **IV,** section **3349.**

The proper method of rejecting a petition is by refusal to refer rather than by use of the question of consideration. Volume **V,** section **4964.**

PETITIONS—Continued.

(7) Reference of.

A portion of a petition may be referred to one committee and the remainder to another. Volume **IV,** sections **3359, 3360.**

A bill may be originated by a committee having jurisdiction of the subject by reference of a petition or by order of the house. Volume **IV,** section **3365.**

A committee may receive a petition only through the House. Volume **IV,** section **4557.**

Errors in the reference of petitions and private bills are corrected at the Clerk's table, without action by the House, at the suggestion of the committee having possession. Volume **IV,** section **4379.**

A petition properly referred to a committee gives jurisdiction for reporting a bill. Volume **IV,** section **4361.**

(8) Journal Entries as to.

The Journal should record the name of the first signer of a petition, the number of other signers, and the general place of their residences. Volume **IV,** section **2857.**

Memorials of State legislatures were for a time spread on the Journal in full, but the practice has ceased. Volume **IV,** sections **2855, 2856.**

Where a vote is recorded by yeas and nays the nature of the question on which they are taken should be clearly stated in the Journal, even though thereby the summary of an exceptionable petition be printed. Volume **IV,** section **2826.**

State memorials and petitions may be printed in full in the Record of the House proceedings only by leave of the House as extension of remarks. Volume **VII,** section **1024.**

While it is the practice to print memorials from State legislatures in the Senate proceedings, it is not the custom in the House, and such memorials are presented by filing with the Clerk, and are noted by title in the Record and the Journal. Volume **VII,** section **1024.**

Blanks for briefing petitions for the Record and the Journal may be obtained from the Clerk at the desk. Volume **VII,** section **1026.**

In briefing petitions for the Record and the Journal, the full list of petitioners is not given, and Members indorse on the back, or on slips attached, the name of the first petitioner only or the locality from which received. Volume **VII,** section **1026.**

(9) In General.

Instance wherein the Senate referred papers in the nature of petitions to the managers of a conference. Volume **V,** section **6263.**

In the earlier practice, the House endeavored to pass, either favorably or unfavorably, on all petitions presented. Volume **IV,** sections **3361, 3362.**

A Member having presented a memorial for reference under a rule, and a ruling and appeal having been made as to that reference, it was held that the memorial might not be withdrawn. Volume **IV,** section **3363.**

An allegation that a committee had refused either to give hearings or allow petitions to be read before it was held to involve no question of privilege. Volume **III,** section **2607.**

By request of the House the Speaker has named himself as one of the Members of a commission authorized by law. Volume **II,** section **1342.**

Instance of the presentation in the Senate of a petition for the expulsion of a Senator. Volume **II,** section **1241.**

PETROLEUM RESERVE.

A provision in a general appropriation bill authorizing the expenditure of money therein appropriated for the protection of the naval petroleum reserve was held to be authorized by the holding status. Volume **VII,** section **1246.**

PETTIT, JOHN U., of Indiana, Chairman.

Decision on question of order relating to quorum. Volume **IV,** section **2899.**

PEYOTE.

An appropriation for the suppression of the traffic in peyote was held to be in order on an appropriation bill. Volume **VII**, section **1212**.

PHELPS, ELECTION CASES OF.

The Minnesota election case of Phelps, Cavanaugh, and Becker in the Thirty-fifth Congress. Volume **I**, section **519**.

The Maryland election case of Steward v. Phelps in the Fortieth Congress. Volume **I**, section **739**.

The Senate election cases of Smith, Winthrop, Phelps, and Cass. Volume **I**, sections **787–790**.

PHELPS, JOHN S., of Missouri, Speaker Pro Tempore and Chairman.

Decisions on questions of order relating to—

Amendments germane. Volume **V**, section **5822**.

Enacting clause, motion to strike out. Volume **V**, section **5334**.

General debate. Volume **V**, section **5236**.

Previous question. Volume **V**, section **5464**.

Reconsider, motion to. Volume **V**, section **5675**.

PHILIPPINES.

The Committee on Insular Affairs has general jurisdiction of subjects relating to the Philippine Islands. Volume **VII**, section **1948**.

The Committee on Insular Affairs exercises practically an exclusive jurisdiction over the affairs of the islands ceded by the treaty of 1899, except as to matters of revenue and appropriations. Volume **IV**, section **4214**.

The rule gives to the Committee on Insular Affairs jurisdiction of all subjects, other than revenue and appropriations, relating to the islands which came to the United States by the Spanish treaty of 1899. Volume **IV**, section **4213**.

The revenue relations of the United States with Porto Rico and the Philippines are within the jurisdiction of the Committee on Ways and Means. Volume **IV**, section **4024**.

The subjects of navigation and the navigation laws and regulation of shipping in Hawaii and even in the Philippines have been considered by the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4130**.

A proposition to establish a system for dealing with a certain class of claims in the Philippines was referred by the House to the Committee on Insular Affairs. Volume **IV**, section **4216**.

By order of the House the Resident Commissioners of the Philippine Islands were granted the right of debate, and assigned to offices in the House Office Building. Volume **VI**, section **245**.

By general acquiescence the Resident Commissioners of the Philippine Islands have been permitted the privilege of debating. Volume **VI**, section **246**.

The Resident Commissioners to the United States from Porto Rico and the Philippine Islands have the privilege of the floor. Volume **VIII**, section **3634**.

PICKERING.

The impeachment and trial of John Pickering, judge of the United States district court for New Hampshire, in 1803. Volume **III**, sections **2319–2341**.

PICTURES.

The rule gives to the Joint Committee on the Library jurisdiction "touching the Library of Congress, statuary, and pictures." Volume **IV**, section **4337**.

PIGOTT.

The North Carolina election case of Jennings Pigott in the Thirty-seventh Congress. Volume **I**, section **369**.

PILE.

The Missouri election case of Hogan v. Pile in the Fortieth Congress. Volume **II**, sections **871, 872**.

PILOTAGE.

The Committee on Merchant Marine and Fisheries has jurisdiction of the subject of pilotage. Volume **IV**, section **4136**.

PINCHBACK.

The Louisiana election cases of Sheridan v. Pinchback and Lawrence v. Sypher in the Forty-third Congress. Volume **I**, sections **623–626**.

The Senate election case of Pinchback, McMillan, Marr, and Eustis, from Louisiana, in the Forty-third, Forty-fourth, and Forty-fifth Congresses. Volume **I**, sections **347–353**.

PIRCE.

The Rhode Island election case of Page v. Pirce in the Forty-ninth Congress. Volume **II**, sections **1003, 1004**.

PLACES.

(1) Of meeting of Congress.

(2) Of meetings of Committees.

(1) Of Meeting of Congress.

Neither House during a session of Congress may, without the consent of the other, adjourn for more than three days or to another place. Volume **V**, section **6672**.

The District of Columbia is the seat of government (footnote). Volume **I**, section **2**.

In certain exigencies the President may convene Congress at a place other than the seat of government. Volume **I**, section **2**.

(2) Of Meetings of Committees.

The House has denied to subcommittees the right granted to the committee as a whole to sit at such places as it might deem necessary. Volume **VI**, section **374**.

Pursuant to authorization to "meet at such places as said committee deems advisable." subcommittees of a select committee held hearings in various States of the Union and in Europe. Volume **VI**, section **376**.

Standing committees fix the time and place of their meetings, and in the absence of such provision meet on the call of the chairman. Volume **VIII**, section **2213**.

In the absence of direction by the House, committees designate the time and place of their meetings. Volume **VIII**, section **2214**.

PLATT, ELECTION CASE OF.

The Virginia election case of Platt v. Goode in the Forty-fourth Congress. Volume **II**, sections **921–923**.

PLATT, ORVILLE H., of Connecticut, Presiding Officer at an Impeachment Trial.

Decisions questions of order relating to—

Admission of evidence. Volume **III**, sections **2193, 2223, 2225, 2253—2255, 2259, 2264, 2270, 2277, 2283, 2292, 2293**.

Appeals. Volume **III**, section **2194**.

Arguments as to evidence. Volume **III**, section **2197**.

Attachment of witnesses. Volume **III**, sections **2152, 2153**.

Cross-examination. Volume **III**, sections **2210, 2211**.

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The House by special rule chose a Speaker by a plurality of votes, but confirmed the choice by a majority vote. Volume **I,** sections **221, 222.**

The House, by special rule, chose a Speaker by plurality of votes, but confirmed the choice by a majority vote on a resolution declarative of the result. Volume **I,** section **222.**

The House declined to permit any announcement but its own declaration in a case wherein a Speaker was chosen by plurality of votes. Volume **I,** section **222.**

The House overruled the Speaker and decided that a manager of an impeachment should be elected by a majority and not by a plurality. Volume **III,** section **2345.**

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POINTS OF ORDER.

(1) Making of.—As related to other points of order.
(2) Making of.—Time of.—In general.
(3) Making of.—Time of.—In relation to debate.
(4) Making of.—As to the validity of a report.
(5) Making of.—Relation to question of consideration.
(6) Making of.—In relation to conference reports.
(7) Making of.—Against the whole or a part of a proposition.
(8) Reserving of.—In general procedure.
(9) Reserving of.—On general appropriation bills.
(10) Debate on.
(11) Duty of Speaker as to.—Decisions of. See also "Speaker."
(12) Duty of Speaker as to.—May submit questions to the House.
(13) Duty of Speaker as to.—In relation to Committee of the Whole.
(14) Duty of Speaker as to.—Does not construe Constitution.
(15) Duty of Speaker as to.—In general.
(16) Appeals.—In general. See also "Appeals."
(17) Appeals.—Debate on.
(18) Appeals.—Vote on.
(19) As to matters presented as of privilege.
(20) The call to order in debate. See also "Debate."
(21) That a quorum is not present. See also "Quorum."

POINTS OF ORDER—Continued.

(22) In Committee of the Whole, See also "Committee of the Whole."
(23) During organization of the House.
(24) Record of, in the Journal.
(25) When not made.
(26) During the electoral count.
(27) During impeachment trails.
(28) In general.

(1) Making of.—As related to Other Points of Order.

All points of order should be stated before a decision is made as to any. Volume **IV,** section **3716,** Volume **V,** section **6866.**

A point of order having been made, all points of order on the same proposition should be submitted before decision on any. Volume **VIII,** section **2310.**

The alleged lateness of a point of order may not be urged after the Chair has ruled. Volume **V,** section **6916.**

One point of order against a resolution having been made and decided, and the previous question having been demanded, it was held to be too late to raise a second question of order. Volume **V,** section **6918.**

A question of order just decided on appeal may not be renewed on the suggestion of additional reasons. Volume **V,** section **6877.**

The principle that one point of order may not be made while another is pending has necessarily some limitations. Volume **II,** section **1322.**

(2) Making of.—Time of.—In general.

Discussion as to time at which the point of order may be made. Volume **VII,** section **2149.**

A question of order arising out of any other question must be decided before that question. Volume **V,** section **6864.**

A point of order should be made when a matter is presented and not after consideration and on a succeeding day. Volume **V,** section **6888.**

A point of order against a proposition must be made before an amendment is offered to it. Volume **V,** sections **6907–6911.** Volume **VIII,** section **3443.**

A point of order may not be raised against a proposition after an amendment is offered and even a pro forma amendment precludes a question of order. Volume **VIII,** section **3445.**

An amendment being offered and the reading having begun, a point of order may interrupt the reading and the Chair may rule the amendment out if enough has been read to show that it is out of order. Volume **V,** sections **6886–6887.** Volume **VIII,** sections **2912. 3378, 3437.**

When the House is voting on a motion it is too late to make the point of order that the motion is not in order. Volume **V,** section **6915.**

A point of order relating to the manner in which a resolution should be considered may be made at any time before the consideration begins. Volume **V,** section **6890.**

After a motion to suspend the rules has been seconded and debate has begun it is too late to make the point of order that the motion has not been authorized by a committee. Volume **V,** section **6808.**

If on a committee suspension day an individual motion to suspend the rules is made and seconded, it is then too late to make a point of order. Volume **V,** section **6809.**

If the terms of a special order seem to abrogate a rule for a recess and an evening session for special business, the question of order should be raised before the House goes into recess and not after the House has met in evening session. Volume **IV,** section **3284.**

As to time of making points of order on constitutional questions. Volume **II,** section **1322.**

The question of the constitutional right of the House to originate revenue measures is properly raised at any time after the measure infringing the right has been messaged to the House, Volume **VI,** section **318.**

An action having been completed, it is too late to make the point of order that a quorum was not present when it was taken. Volume **VI,** section **655.**

POINTS OF ORDER—Continued.

(2) Making of.—Time of.—In general.—Continued.

After a motion has been agreed to it is too late to raise the question that the motion was not in order. Volume **VIII,** section **2611.**

A point of no quorum may be made at any time, even though another Member have the floor. Volume **VI,** section **653.**

Points of order against conference reports should be made after the reading of the report and before the reading of the statement, and, if the statement is read in lieu of the report, should be made or reserved before the reading of the statement. Volume **VIII,** section **3285.**

Points of order against conference reports should be made before the statement is read, and come too late after the reading of the statement has been concluded, even where the reading of the report has been waived. Volume **VIII,** section **3287.**

The reference of a bill, or a change in the reference of a bill, by the Speaker does not preclude the point of order, when called up for consideration, that it has been improperly referred. Volume **VII,** section **863.**

A point of order against the reference of a bill to the Private Calendar is properly made after the bill is read and before consideration begins in the Committee of the Whole. Volume **VIII,** section **2373.**

Leave having been given to file a report while the House is not in session a point of order that the bill so reported is not privileged is properly raised when the motion is made to go into Committee of the whole for its consideration. Volume **VIII,** section **2252.**

A point of order against taking from the Speaker's table a Senate bill substantially the same as a House bill already reported favorably and on the House Calendar, comes too late after actual consideration has begun. Volume **VIII,** section **2438.**

While in order "at any time," it has been held that a point of order under section 4 of Rule **XXI** should be raised at a time consistent with the orderly consideration of the bill to which applied. Volume **VII,** section **2138.**

A point of order against an appropriation reported by a committee without authority to report appropriations is in order at any time. Volume **VII,** section **2148.**

One point of order against a resolution having been made and decided, and the previous question having been demanded, it was held to be too late to raise a second question of order. Volume **V,** section **6918.**

(3) Making of.—Time of.—In Relation to Debate.

Under the later practice of the House a point of order may not be made as to a proposition after debate has begun on it. Volume, **V,** sections **6891–6900.**

It is too late to raise a question of order against the consideration of a proposition after debate on it has begun. Volume **VIII,** section **3440.**

Although a point of order may not be made after debate has begun, yet the Chair does not permit a few sentences of debate to preclude a point of order made by a Member who has shown due diligence. Volume **V,** section **6906.**

To preclude a point of order debate should be on the merits of the proposition. Volume **V,** section **6901.**

A point of order against the motion to strike out the enacting clause must be made before debate has begun. Volume **V,** section **6902.**

It is too late to make the point of order that a Member has spoken already if no one claims the floor until he has made some progress in his speech. Volume **V,** section **4992.**

Submission of a question of order precludes further consideration until disposed of. Volume **VIII,** section **3432.**

An amendment against which a question of order has been raised may not be debated until the point of order has been disposed of. Volume **VIII,** section **2556.**

The point of order that a bill is on the wrong calendar may be raised at any time before consideration begins. Volume **VII,** sections **856, 863, 869.**

POINTS OF ORDER—Continued.

(3) Making of.—Time of.—In Relation to Debate—Continued.

A point of order as to a conference report should be made before debate begins. Volume **VIII,** section **3286.**

A point of order against the motion to strike out the enacting clause must be made before debate has begun. Volume **VIII,** section **3442.**

Making of.—As to the Validity of a Report.

After the House has actually entered upon the consideration of a bill it is too late to make a point of order that it is not properly reported from the committee. Volume **V,** section **6889.**

The validity of a committee's action in reporting a bill may not be questioned after actual consideration of the bill has begun in the House. Volume **IV,** section **4599.**

The House having voted to consider a report, it is too late to question whether or not the report has been made properly. Volume **IV,** section **4598.**

The erroneous reference of a private House bill to a committee not entitled to jurisdiction does not confer it, and a point of order is good when the bill comes up for consideration either in the House or in Committee of the Whole. Volume **IV,** sections **4382–4389.**

A committee having reported a private bill grouping together a series of claims, each belonging to the jurisdiction of the committee, it was held that no point of order could be sustained when the bill came up in Committee of the Whole. Volume **IV,** section **4784.**

It is too late to raise a question of order against a conference report after the statement is read, whether after the reading of the report or in lieu of the report. Volume **VIII,** section **3289.**

Points of order are properly raised or reserved against a conference report after it is read, and before the statement is read, and whether the statement is read in lieu of the report or after the report. It is too late to raise a question of order after the reading of the statement. Volume **VIII,** section **3265.**

Where the statement is read in lieu of the conference report, points of order should be made or reserved before the statement is read. Volume **VIII,** section **3256.**

When the reading of the conference report is dispensed with, points of order must be made before the statement is read. Volume **VIII,** section **3288.**

The practice of the House does not countenance the reservation of points of order against a conference report when presented for printing, and questions of order are not entertained until the report has been read for consideration. Volume **VIII,** section **3271.**

Contrary to the practice in the House, questions of order against conference reports may be raised in the Senate at any time before the report is agreed to. Volume **VIII,** section **3280.**

(5) Making of.—Relation to Question of Consideration.

The House having voted to consider a matter, a point of order against it comes too late. Volume **V,** sections **6912–6914.**

A point of order relating to a proposition against which the question of consideration has been demanded was held in abeyance until the House had decided the question of consideration. Volume **VIII,** section **2439.**

A point of order relating merely to the manner of considering a bill should be passed on after the House has decided the question of consideration. Volume **V,** section **4950.**

A point of order which if sustained might prevent the consideration of a bill should be made and decided before the question of consideration is put. Volume **V,** sections **4950, 4951.**

The House having given unanimous consent for the consideration of a bill with a proposed committee amendment, this action was held to be in effect an affirmative decision of the question of consideration, thus precluding a point of order against the amendment. Volume **V,** section **4952.**

POINTS OF ORDER—Continued.

(6) Making of.—In Relation to Conference Reports.

While conference reports were formerly considered in Committee of the Whole, they may not be sent there on suggestion of the point of order that they contain matter ordinarily requiring consideration therein. Volume **V,** sections **6559–6561.**

A point of order as to a conference report should be made before the consideration of the report has begun. Volume **V,** section **6440.**

Points of order against a conference report should be made or reserved before discussion begins. Volume **V,** sections **6903–6905.**

A point of order against a conference report should be made or reserved after the report is read and before the reading of the statement. Volume **V,** section **6424.**

A point of order against a conference report should be made before the statement is read. Volume **V,** section **6441.**

A conference report having been agreed to, it is too late to raise, as a matter of privilege, a question as to whether or not the managers have exceeded their authority. Volume **V,** section **6442.**

In the later but not the earlier practice the Speaker rules a conference report out of order on a question being raised. Volume **V,** sections **6409, 6410.**

When a conference report is ruled out on a point of order it is equivalent to a negative vote on the report. Volume **V,** section **6419.**

Although a conference report may be in disregard of the instructions given the managers, yet it may not be ruled out on a point of order. Volume **V,** section **6395.**

(7) Making of.—Against the Whole or a Part of a Proposition.

If a part of a paragraph is out of order, the entire paragraph is subject to a point of order. Volume **VII,** sections **1172, 1246, 1276, 1283.**

If a portion of a paragraph is out of order the entire paragraph may be stricken from the bill, but after that portion has been ruled out it is too late to lodge the point of order against the paragraph as a whole as if the objectionable matter had not been stricken from the bill. Volume **VIII,** section **3436.**

Points of order may be made to the whole or to a part only of a paragraph. Volume **IV,** section **4739.** Volume **V,** section **6881.**

The point of order against unauthorized appropriations or legislation in general appropriation bills may be made against a portion of a paragraph, even though it be not more than two words. Volume **IV,** section **3652.**

If the point of order is directed to the item of appropriation that item only is eliminated, but if made against the paragraph or section containing the item the entire paragraph or section goes out. Volume **VII,** section **2143.**

Points of order against appropriations in bills from committees without authority to report appropriations are properly directed against the appropriating language only, and when sustained do not affect the remainder of the bill. Volume **VII,** section **2148.**

The fact that a point of order is made against a portion of a paragraph does not prevent another point against the whole paragraph. Volume **V,** section **6882.**

If a portion of a proposed amendment be out of order the whole of it must be ruled out. Volume **V,** section **5784.**

Where any portion of a proposed amendment is out of order it is sufficient ground for the rejection of the whole amendment. Volume **V,** section **6878–6880.** Volume **VIII,** sections **2970, 2980.**

A point of order being made against an entire paragraph the whole of it must go out if a portion merely is subject to the objection. Volume **V,** section **6883.**

A point of order being made against an entire paragraph, and being sustained because a portion only is out of order, the entire paragraph goes out; but it is otherwise if the point is made only against the portion out of order. Volume **V,** sections **6884, 6885.**

POINTS OF ORDER—Continued.

(7) Making of.—Against the Whole or a Part of a Proposition—Continued.

A question of order may not be sustained against a portion of a conference report without affecting the entire report, and modification can only be effected by rejection of the report and instruction of a new conference or, when the managers on the part of the Senate have not been discharged, by a motion to recommit with instructions. Volume **VIII,** section **3307.**

(8) Reserving of.—In General Procedure.

A point of order may be reserved but must be decided or withdrawn on the demand of any Member for the regular order. Volume **VIII,** section **3430.**

A point of order being reserved, the pending question may be debated on its merits if no Member demands the regular order. Volume **VIII,** section **3428.**

A point of order when reserved is not subject to debate. Volume **VIII,** section **3429.**

Debate under reservation of a point of order is by unanimous consent and may be terminated any time by a demand for the regular order. Volume **VIII,** section **3430.**

The reservation of a point of order must be made publicly and not by private arrangement with the Member in charge of the bill. Volume **V,** section **6867.**

When a member who has reserved a point withdrawns it, another Member may renew it immediately. Volume **V,** section **6906.**

A reserved point of order being withdawn another Member may at once renew it. Volume **V,** section **6875.** Volume **VIII,** section **3430.**

A point of order having been reserved and withdrawn, the chairman maintained the right as a member of the committee to renew and rule upon it. Volume **VIII,** section **2898.**

A point of order may not be reserved by a Member if another Member insists on an immediate decision. Volume **V,** sections **6869–6871.**

When a point of order is reserved the pending proposition may be debated on its merits, unless some Member demands a decision of the question of order. Volume **V,** section **6868.**

Where discussion on the merits proceeds while a point of order is reserved, it precludes the making of a second point of order after a decision as to the first. Volume **V,** section **6876.**

An amendment may not be offered to a paragraph in a bill until a point of order reserved against the paragraph has been disposed of. Volume **V,** sections **6872, 6873.**

An amendment read for information is not pending and reservation of points of order is not required to preserve rights thereon. Volume **VIII,** section **3434.**

(9) Reserving of.—On General Appropriation Bills.

The Committee of the Whole must report in its entirety a bill committed to it, unless the House by a reservation of points of order sanctions the striking out of portions against order. Volume **V,** sections **6921–6925.**

Points of order are usually reserved when appropriation bills are referred to the Committee of the Whole in order that portions in violation of rule may be eliminated by raising points of order in committee. Volume **V,** sections **6921–6925.** Volume **VIII,** section **3450.**

Where points of order are reserved on an appropriation bill, a portion not germane and not within the jurisdiction of the Committee may be stricken out on a point of order in Committee of the Whole. Volume **IV,** section **4219.**

Points of order are reserved at the time of reference to Committee of the Whole only on general appropriation bills. Volume **V,** section **6926.**

(10) Debate on.

Debate on a point of order is for the information of the Chair and therefore within his discretion. Volume **V,** sections **6919, 6920.** Volume **VIII,** section **3446.**

Debate on a point of order is at the discretion of the Chair and Members may speak as often as recognized. Volume **VIII,** sections **3448.**

In discussing questions of order the rule of relevancy is strictly construed and debate is confined to the point of order and does not admit reference to the merits of the pending proposition. Volume **VIII,** section **3449.**

POINTS OF ORDER—Continued.

(10) Debate on—Continued.

After the motion is made for the previous question all incidental questions of order, whether on appeal or otherwise, are decided without debate. Volume **V,** sections **5448, 5449.**

The Speaker may of right speak from the chair on questions of order and be first heard. Volume **II,** section **1367.**

Except on questions of order the Speaker may speak from the chair only by leave of the House and on questions of fact. Volume **II,** section **1367.**

The Chair having used his descretion in recognizing a Member for debate on a point of order, declined to entertain an appeal from this recognition. Volume **V,** section **6946.**

Although debate on a question of order is within control of the Speaker, yet he puts to the House the question whether a member called to order during such debate shall "be allowed to proceed in order." Volume **V,** section **5190.**

Time consumed in discussion of incidental points of order is not taken from time allotted for debate under the rule. Volume **VI,** section **606.**

Time consumed in the discussion of points of order is not chargeable to time fixed by special order for debate. Volume **VIII,** section **2556.**

Time consumed in presentation of a point of order is not taken from time allotted in debate. Volume **VIII,** section **2505.**

It is permissible in discussing questions of order to refer to parliamentary decisions of the Senate. Volume **VIII,** section **2518.**

(11) Duty of Speaker as to.—Decisions of. see also "Speaker."

The Speaker decides questions of order. Volume **V,** section **6863.**

The Speaker decides all questions of order, subject to appeal. Volume **II,** section **1313.**

The Speaker may require that a question of order be presented in writing. Volume **V,** section **6865.**

Questions of order arising during a division are decided peremptorily by the Speaker. Volume **V,** section **5926.**

The Speaker sits while rendering decisions on points of order or when participating in debate thereon (footnote). Volume **II,** section **1367.**

It is not the duty of the Speaker to decide any question which is not directly presented in the course of the proceedings of the House. Volume **II,** section **1314.**

It is not the duty of the Chair to decide hypothetical points of order or to anticipate questions which may be suggested in advance of their regular order. Volume **VI,** section **249.**

The decisions of the Speaker on questions of order are not like judgments of courts which conclude the rights of parties, but may be reexamined and reversed. Volume **IV,** section **4637.**

The Speaker may on a difficult question of order decline to rule until he has taken time for examination of the question. Volume **III,** section **2725.**

(12) Duty of speaker as to.—May submit Question to the House.

The Speaker of his own initiative has submitted to the House for decision a question as to procedure. Volume **II,** section **1315, 1316.**

The Speaker sometimes refers a question of order to the House. Volume **IV,** section **3173.**

Instance wherein the Speaker submitted to the House a question as to the order of disposing of several unapproved Journals. Volume **IV,** section **2771.**

Instances wherein the Speaker submitted the decision of questions of order to the House. Volume **IV,** sections **3282, 4930.** Volume **V,** sections **5014, 5323, 5855, 6701.**

(13) Duty of Speaker as to.—In Relation to Committee of the Whole.

The Speaker can not rule in regard to what occurs in Committee of the Whole unless the point of order is reported to the House for decision. Volume **V,** section **6987.**

The Speaker declines to entertain points of order as to conditions alleged to have existed in Committee of the Whole when the report has made no mention thereof. Volume **V,** sections **6932, 6937.**

POINTS OF ORDER—Continued.

(14) Duty of Speaker as to.—Does Not Construe Constitution.

It is not the duty of the Speaker to construe the Constitution as affecting proposed legislation. Volume **II,** sections **1255, 1318–1320.** Volume **VIII**;, section **3427.**

It is for the House and not the Speaker to decide whether or not a Senate amendment on the subject of revenue violates the privileges of the House. Volume **II,** section **1320.**

(15) Duty of Speaker as to.—In General.

In asking an investigation of his conduct, Mr. Speaker Clay addressed the house from the chair, but immediately left it when the House was to act. Volume **II,** section **1362.**

Resolutions censuring the conduct of the Speaker being presented unexpectedly, he was excused from deciding a point of order in relation thereto. Volume **II,** section **1357.**

Discussion of instances in which Speakers have reserved rulings on points of order. Volume **VII,** section **2106.**

An instance wherein the Speaker by unanimous consent reserved his decision on a point of order. Volume **VIII,** section **2396.**

An instance in which the Speaker deferred ruling on an unusual point of order until time could be had to consult the precedents. Volume **VIII,** section **3475.**

Instance wherein the Speaker, desiring further time for consideration of a point of order, reserved his decision until the following day. Volume **VI,** section **432.**

While the Chair in passing upon a point of order may not speculate as to the effect of legislation, he is authorized to take judicial cognizance of statutory law. Volume **VII,** section **1535.**

In passing upon a point of order it is not within the province of the Chair to consider contingencies which might subsequently affect the question presented. Volume **VII,** section **1409.**

A question of order arising out of any other question must be decided before that question. Volume **V,** section **6864.**

The Speaker having remained in the chair while a question relating to himself was pending was excused from deciding a question of order. Volume **II,** section **1358.**

The Speaker may require that a question of order be presented in writing. Volume **V,** section **6865.**

(16) Appeals.—In General. See also "Appeals."

The decision of a question of order by the Chair is subject to appeal by any Member. Volume **V,** section **6938.**

A Member may not submit a question of order to the House except by appeal. Volume **IV,** section **4930.**

An appeal may not be entertained on a question of order on which an appeal has just been taken and decided. Volume **IV,** section **3036.**

While one appeal is pending another may not be taken. Volume **V,** sections **5709, 6939–6941.**

Under certain circumstances Speakers have admitted one appeal while another was pending. Volume **V,** sections **6942, 6943.**

An appeal may not be taken from a response of the Speaker to a parliamentary inquiry. Volume **V,** section **6955.**

The House has overruled a decision of a Speaker admitting an appeal. Volume **V,** section **6953.**

An appeal pending at an adjournment on Friday, but related to public and not private business, does not go over to the next Friday, but comes up on the next legislative day. Volume **V,** section **6945.**

A motion having been withdrawn pending an appeal from a decision that it was in order, it was held that the appeal did not thereby fall. Volume **V,** section **6854.**

A motion being withdrawn, all proceedings on an appeal arising from a point of order related to it fell thereby. Volume **V,** section **5356.**

POINTS OF ORDER—Continued.

Appeals.—In General.—Continued.

The motion to lay on the table an appeal from a decision of a question of order does not, when decided in the affirmative, carry to the table the original matter as to which the question of order has arisen. Volume **V,** section **5434.**

An appeal from the decision of the Chair is in order during a call of the House. Volume **VI,** section **681.**

A question of order just decided on appeal may not be renewed on the suggestion of additional reasons. Volume **V,** section **6877.**

(17) Appeals.—Debate on.

In Committee of the Whole, as well as in the House, a Member may speak but once on an appeal. Volume **V,** section **6951.**

Debate on an appeal in Committee of the Whole has been limited by the committee itself on motion put and carried or by the committee rising to enable the House to limit it. Volume **V,** sections **6947–6950.**

The Chair having used his discretion in recognizing a Member for debate on a point of order, declined to entertain an appeal from this recognition. Volume **V,** section **6946.**

Discretion as to recognition must be lodged with the Presiding Officer. Volume **II,** section **1456.**

(18) Appeals.—Vote on.

When the vote on an appeal has resulted in a tie the Chair has sometimes given a casting vote in favor of his own decision. Volume **V,** section **6956.**

Instance wherein, on a tie vote on an appeal, the Speaker voted in the affirmative. Volume **V,** section **5686.**

When on an appeal from the decision of the Chair the vote would be a tie after the Chair should have voted to sustain his own decision an interesting question would be presented. Volume **V,** section **6957.**

(19) As to Matters Presented as of Privilege.

The Speaker may pass on a question presented as of privilege instead of submitting it directly to the House. Volume **III,** section **2641.**

Early instances wherein the Speaker passed on questions presented as of privilege instead of submitting them directly to the House. Volume **III,** sections **2649, 2650.**

A paper offered as involving a question of privilege should be read to the House rather than privately by the Speaker before a decision is made regarding its privilege. Volume **III,** section **2546.**

A point of order may be raised against a substitute reported by committee, although the original resolution may have been privileged. Volume **VI,** section **418.**

A motion for disposition of a resolution is not admissible while a point of order against the privilege of its consideration is pending. Volume **VIII,** section **2316.**

(20) The Call to Order in Debate. See also "Debate."

The Speaker sometimes interposes to prevent breach of order in debate without waiting for a question to be raised by a Member. Volume **V,** sections **5163, 5169.**

Although debate on a question of order is within control of the Speaker, yet he puts to the House the question whether a Member called to order during such debate shall "be allowed to proceed in order." Volume **V,** section **5190.**

(21) That a Quorum Is Not Present. See also "Quorum."

The point of order must be that no quorum is present—not that no quorum has voted. Volume **IV,** section **2917.**

The Journal having been read and approved, it is too late to make the point of order that a quorum was not present when it was done. Volume **IV,** section **2927.**

The point of no quorum may be made while the Journal is being read. Volume **VI,** section **624.**

POINTS OF ORDER.—Continued.

(21) That a Quorum Is Not Present—Continued.

The point of no quorum may not be withdrawn after the absence of a quorum has been ascertained and announced by the Chair. Volume **IV,** sections **2928–2931.**

(22) In Committee of the Whole. See also "Committee of the Whole."

Questions of order relating to procedure (as distinguished from cases of disorder or contempt) arising in Committee of the Whole are decided by the Chairman, and the Speaker has declined to consider them. Volume **V,** sections **6927, 6928.**

An instance wherein the Committee of the Whole rose and reported a question of order to the House for decision. Volume **V,** section **5955.**

The Chairman of the Committee of the Whole has declined to consider a question of order arising in the House just before the committee began to sit. Volume **IV,** sections **4725, 4726.**

The Committee of the Whole declined to heed an appeal that it overrule its Chairman in order to place legislation urged as desirable on an appropriation bill. Volume **IV,** section **3820.**

A committee having reported a public bill grouping together the authorization of several distinct works, all within the jurisdiction of the committee, it was held that no point of order could be sustained when the bill came up in Committee of the Whole. Volume **IV,** sections **4656, 4657.**

Paragraphs ruled out in Committee of the Whole on points of order are not reported to the House. Volume **IV,** section **4906.**

In Committee of the Whole points of order against the germaneness of a section of a bill are made when the bill is read by sections. Volume **V,** section **6929.**

A bill being considered under the five-minute rule, a point of order against a paragraph should be made before the next paragraph is read. Volume **V,** section **6931.**

An instance in which the Chairman recalled a decision sustaining a point of order against an amendment and submitted the amendment for consideration. Volume **VII,** section **1580.**

The Chairman of the Committee of the Whole having taken an active in the discussion of a point of order, the question was by unanimous consent passed over to be later raised in the House. Volume **VII,** section **1527.**

(23) During Organization of the House.

Pending the election of a Speaker or a Speaker pro tempore the Clerk preserves order and decorum and decides questions of order, subject to appeal. Volume **I,** section **64.**

In earlier days the Clerk of the last House presiding at the organization declined to decide questions of order and referred them to the House. Volume **I,** sections **68–72.**

In 1855, the Clerk decided questions of order at the organization. Volume **I,** section **91.**

In 1855, while the Clerk was presiding at the organization of the House, a question of order was decided by him and the decision sustained. Volume **I,** section **75.**

Clerk Forney, presiding before the organization of the House in 1856, declined to decide points of order when there was a division of opinion among Members. Volume **V,** section **5325.**

In 1869 the hold-over Clerk, basing his authority on the law of 1863, declined to entertain a question of order or an appeal pending the motion to proceed to election of Speaker. Volume **I,** section **79.**

In 1863, at the organization of the House, the hold-over Clerk disclaimed authority to enforce the rules, but decided points of order as authorized by a rule of the last House. Volume **I,** section **77.**

Instance wherein during the organization the Clerk of the preceding House declined to entertain an appeal from his decision. Volume **I,** sections **22–24.**

In 1867 the Clerk, acting under the law of 1863, declined to entertain any proposition not consistent with the organization of the House. Volume **I,** section **80.**

POINTS OF ORDER—Continued.

(24) Record of, in the Journal.

The Clerk is required to note all questions of order and the decisions thereon and print the record thereof as an appendix to the Journal. Volume **I,** section **251.**

It was the early (but is not the present) practice that a decision on a point of order should not be recorded in the Journal unless an appeal had been taken. Volume **IV,** section **2847.**

It is the usual practice that motions, points of order, and appeals not entertained by the Speaker shall not appear in the Journal. Volume **IV,** sections **2844–2846.**

The demand of a Member for an alleged constitutional right was held to be sufficiently journalized as a point or order. Volume **IV,** section **2852.**

(25) When Not Made.

Where a motion not in order under the rules is made without objection and agreed to by the House by major vote the action is binding on the House and the Speaker. Volume **IV,** section **3177.**

A motion once made and carried is binding, although in the first instance it might have been ruled out had a point of order been made in time. Volume **V,** section **6917.**

A roll call may not be interrupted even by a point of order. Volume **VIII,** section **3131.**

(26) During the Electoral Count.

During the electoral count of 1869 the President pro tempore used his discretion about entertaining points of order but declined absolutely to entertain appeals. Volume **III,** section **1949.**

(27) During Impeachment Trials.

The Presiding Officer on an impeachment trial may make preliminary rulings on questions of evidence and incidental questions or may submit such questions to the Senate at once. Volume **III,** section **2084.**

The preliminary rulings of the Presiding Officer on an impeachment trial stand as the judgments of the Senate unless some Senator requires a vote. Volume **III, section 2084.**

At the Johnson trial the Chief Justice ruled that one point of order might not be made while another was pending. Volume **III,** sections **2100–2102.**

Instance of an appeal from a ruling of the President pro tempore in the Senate sitting for an impeachment trial. Volume **III,** section **2179.**

Instance of an appeal from the decision of the Chief Justice on a question of order arising during the Johnson trial. Volume **III,** sections **2100–2102.**

At the Johnson trial the Chief Justice felt constrained to submit to the Senate for decision a question of order affecting the organization. Volume **III,** sections **2100–2102.**

(28) In General.

A decision of the Chair on a question of order is such intervening business as permits the repetition of a motion to adjourn. Volume **V,** section **5378.**

By offering a pro forma amendment in Committee of the Whole a Member does not lose the right to insist on his pending point of order. Volume **V,** section **6874.**

A point of order being withdrawn, any Member may renew it. Volume **VIII,** section **3429.**

A special order may provide that all points of order against a proposition be considered as waived. Volume **VII,** section **769.**

Submission of a question of order precludes further consideration until disposed of. Volume **VIII,** section **3432.**

An amendment may not be offered to a motion against which a point of order is pending. Volume **VIII,** section **2824.**

A paragraph includes headings or subheadings and when stricken out on a point of order carries with it such titles or subtitles. Volume **VIII,** section **2353.**

A member required to take his seat because of unparliamentary language may not be recognized to present a point of order against ensuing proceedings. Volume **VIII,** section **2545.**

POINTS OF ORDER—Continued.

(28) In General.—Continued.

A point of order as to the competency or meaning of an amendment does not constitute a parliamentary question. Volume **VI,** section **254.**

The question as to the pertinency of court decisions predicated on legislation subject to points of order at the time of enactment. Volume **VII,** section **1151.**

The previous question may not be demanded on a proposition against which a point of order is pending. Volume **VIII,** sections **2681, 3433.**

A Delegate may make a point of order but may not vote. Volume **VI,** section **240.**

POLICE.

The statutes place on the Sergeants-at-Arms of two Houses the duty of preserving the peace and security of the Capital and the appointment and control of the Capitol police. Volume **I,** section **258.**

By concurrent resolution the two Houses authorized their Sergeants-at-Arms to appoint special police for an important occasion. Volume **V,** section **7243.**

Appropriations for maintenance of police and health and other departments in the District of Columbia are authorized by the organic act creating permanent form of government in the District of Columbia. Volume **VII,** section **1185.**

POLICE COURT.

The Committee for the District of Columbia has exercised jurisdiction as to the police and juvenile courts and justices of peace in the District. Volume **IV,** section **4290.**

POLITICAL DISABILITIES.

Bills for the removal of political disabilities have been within the jurisdiction of the Committee on the Judiciary. Volume **IV,** section **4058.**

A standing order of the House, superseding the exiting rule as to Friday evening sessions, provides that the second and fourth Fridays of each month shall be devoted to pension bills and bills removing charges of desertion and political disabilities. Volume **IV,** section **3281.**

POLITICAL DIVISIONS.

Recognitions are alternated according to differences on the pending question rather than on account of political differences. Volume **II,** section **1444.**

POLK, JAMES K., PRESIDENT.

In 1846 President Polk, for reasons of public policy, declined to inform the House as to expenditures from the secret or contingent fund of the State Department. Volume **II,** section **1561.**

In 1848 President Polk declined, on constitutional grounds, to honor the unconditional request of the House for a copy of the instructions to the minister sent to negotiate a treaty with Mexico. Volume **II,** sections **1518, 1519.**

POLK, JAMES K., of Tennessee, Speaker.

Decisions on questions of order relating to—

Adjournment, Volume **V,** section **6728.**

Amendments. Volume **V,** section **5765.**

Appeals. Volume **V,** sections **5055, 6942.**

Appointment of committees. Volume **IV,** section **4487.**

Censure. Volume **V,** section **5195.**

Committee of the Whole, Volume **IV,** sections **4825, 4911.**

Contempt. Volume **III,** section **1668.**

Debate. Volume **V,** sections **5090, 5105, 5132, 5146, 5157, 5162, 5200.**

Divison of the question. Volume **V,** sections **6108, 6147.**

Disorder. Volume **II,** sections **1648, 1653.**

Instructions of committees. Volume **II,** section **1338.**

POLK, JAMES X., of Tennessee, Speaker—Continued.
Decisions on questions of order relating to—Continued.
Journal. Volume **IV**, sections **2775, 2776, 2817, 2874.**
Lay on the table. Volume **V,** sections **5431, 5432.**
Messages. Volume **V,** section **6640.**
Minority views. Volume **IV,** section **4601.**
Petitions. Volume **IV**, sections **3315, 3316.**
Points of order. Volume **V,** section **5014.**
Postpone, motion to. Volume **V,** sections **5313, 5316.**
Previous question. Volume **V,** sections **5467, 5477.**
Privilege. Volume **III**, section **2523.**
Protests. Volume **IV,** section **2802.**
Question of order. Volume **V,** section **6927.**
Reading of papers. Volume **V,** sections **5287, 5441.**
Recognition. Volume **II**, sections **1435, 1436.**
Reconsider, motion to. Volume **V,** section **5695.**
Reports. Volume **IV,** sections **4587.**
Rules. Volume **V,** section **6779.**
Speaker's explanation. Volume **II**, section **1369.**
Substitute amendment. Volume **V,** section **5793.**
Sundays. Volume **V,** section **6728.**
Suspension of rules. Volume **V,** section **6831.**
Suspension of joint rules. Volume **V,** section **6788.**
Voting. Volume **V,** sections **5946, 5947.**
Withdrawal of memorials. Volume **IV,** sections **3363.**
Yielding the floor. Volume **V,** section **5014.**

POLK, TRUSTEN.
For expressions hostile to the Government, absence from his seat, presence within the lines of the enemy, Trusten Polk was expelled from the Senate. Volume **II,** section **1270.**

POLL BOOKS. See "Elections of Representatives."

POLL TAX. See "Elections of Representatives."

POLLARD.
The question relating to the compensation of Ernest M. Pollard in the Fifty-ninth Congress. Volume **II,** section **1155.**

POLLING BOOTH. See "Elections of Representatives."

POLLING PLACES. See "Elections of Representatives."

POLLS. See "Elections of Representatives."

POLLUTION.
The Committee on Interstate and Foreign Commerce's former jurisdiction over legislation relating to the navigation, commerce, shipping facilities, and pollution of the Great Lakes, and the survey and improvement of navigation therefrom to the Sea via the St. Lawrence River has been transferred to the Committee on Merchant Marine and Fisheries. Volume **VII,** section **1809.**
The pollution of navigable waters is a subject within the jurisdiction of the Committee on Rivers and Harbors. Volume **VII,** section **1839.**

POMEROY.
The Senate election case relating to S.C. Pomeroy, of Kansas, in the Forty-second Congress. Volume **I,** section **689.**

POOL.

The North Carolina election case of Pool v. Skinner in the Forty-eighth Congress. Volume **I,** section **312.**

POPULATION.

Under the law of 1929 the President transmits to each fifth Congress a statement of population and apportionment of existing number of Representatives among the several States thereunder. Volume **VI,** section **41.**

Statement of population and apportionment thereunder submitted to the Seventy-first Congress, and form of message transmitting it. Volume **VI,** section **42.**

A reapportionment by a State legislature which rendered congressional districts of the State less compact and contiguous as to territory and more disproportionate as to population was not disturbed. Volume **VI,** section **53.**

PORTERFIELD.

The Virginia election case of Porterfield v. McCoy in the Fourteenth Congress. Volume **I,** sections **770, 771.**

PORTO RICO.

The revenue relations to the United States with Porto Rico and the Philippines are within the jurisdiction of the Committee on Ways and Means. Volume **IV,** section **4024.**

The rule gives to the Committee on Insular Affairs jurisdiction of all subjects other than revenue and appropriations relating to the islands which came to the United States by the Spanish treaty of 1899. Volume **IV,** section **4213.**

The Committee on Insular Affairs exercises practically an exclusive jurisdiction over the affairs of the islands ceded by the treaty of 1899, except as to matters of revenue and appropriations. Volume **IV,** section **4214.**

The Resident Commissioner to the United States from Porto Rico has the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

The rules give to the Resident Commissioner of Porto Rico the status of a Delegate in the House and assign to him an additional place on the Committee on Insular Affairs. Volume **II,** section **1306.**

Legislation relating to Porto Rico, with the exception of matters of revenue and appropriations, are within the jurisdiction of the Committee on Insular Affairs. Volume **VII,** section **1949.**

The immigration of aliens to Hawaii and Porto Rico is a subject within the jurisdiction of the Committee on Immigration and Naturalization. Volume **VII,** section **2040.**

PORTRAITS.

The purchase of paintings and portrails has been within the jurisdiction of the Joint Committee on the Library. Volume **IV,** sections **4343.**

Ceremonies at the presentation of portrails of ex-Speakers. Volume **V,** sections **7065–7069.**

Under the later practice portrails of the Speakers are painted by order of the House in the course of their incumbency and are hung without ceremony. Volume **VIII,** section **3530.**

In 1910 provision was made by resolution for the painting of portrails of all former Speakers of whom no acceptable portrait was in possession of the House. Volume **VIII,** section **3530.**

PORTS OF ENTRY.

In the later practice of the House subjects relating to transportation of duitable goods, ports of entry and delivery, and customs collection districts have been reported by the Committee on Ways and Means. Volume **IV,** section **4026.**

POSEY.

The Indiana election case of Posey v. Parrott in the Fifty-first Congress. Volume **II,** section **1029.**

POST.

The Illinois election case of Worthington v. Post in the Fiftieth Congress. Volume **II,** sections **1009, 1010.**

POSTOFFICE.

The Postmaster superintends the post office in the Capitol and is responsible for the prompt and safe delivery of mail. Volume **I,** section **270.**

The Postmaster superintends the post office in the Capitol and House Office Building and is responsible for the prompt and safe delivery of mail. Volume **VI,** section **34.**

The rule gives to the Committee on Post Office and Post Roads jurisdiction of subjects relating "to the post office and post roads, including appropriations for their support." Volume **IV,** section **4190.**

POST OFFICE AND POST ROADS, COMMITTEE ON.

The creation and history of the Committee on Post Office and Post Roads. Section 14 of Rule XI. Volume **IV,** section **4190.**

Recent history of the Committee on Post Office and Post Roads, section 14 of Rule XI. Volume **VII,** section **1914.**

The rule gives to the Committee on Post Office and Post Roads jurisdiction of subjects relating "to the post office and post roads, including appropriations for their support." Volume **IV,** section **4190.**

Subjects relating to postal savings banks and postal telegraphy are within the jurisdiction of the Committee on Post Office and Post Roads. Volume **IV,** section **4193.**

The jurisdiction of the Committee on Post Office and Post Roads extends to the railway mail service, ocean mail service, pneumatic tube service, etc. Volume **IV,** section **4192.**

The appropriation for officers and clerks in the railway mail service belongs to the jurisdiction of the Committee on Post Office and Post Roads. Volume **IV,** section **4191.**

The Committee on the Post Office and Post Roads exercise jurisdiction over proposed legislation relating to the carrying of mails both foreign and domestic, including Rural Free Delivery and the Air Mail Service, and over the Postal Savings System. Volume **VII,** section **1915.**

The acquisition lease, or transfer of realty or other facilities for post office purposes are subjects within the jurisdiction of the Committee on the Post Office and Post Roads. Volume **VII,** section **1916.**

Exclusion from the mails of dangerous, fraudulent, gambling, or otherwise objectionable commodities, devices or paraphernalis is a subject within the juridiction of the Committee on the Post Office and Post Roads. Volume **VI,** section **1918.**

Provisions for assessment and remission of punishments and penalties in connection with crimes and offenses against the mail service have been reported by the Committee on the Post Office and Post Roads. Volume **VI,** section **1920.**

By decision of the House, bills to increase the efficiency of the postal service through the retirement of superannuated employees were referred to the Committee on the Post Office and Post Roads. Volume **VII,** section **1921.**

Bills relating to the classification of salaries of postal employees are within the jurisdiction of the Committee on the Post Office and Post Roads. Volume **VII,** section **1922.**

Bills providing for the purchase of post-office sites and the erection of buildings thereon are within the jurisdiction of the Committee on Public Buildings and Grounds rather than that of the Committee on the Post Office and Post Roads. Volume **VII,** section **1966.**

The covering of post office departmental positions into the classified service is a subject within the jurisdiction of the Committee on the Civil Service and not the Committee on the Post Office and Post Roads. Volume **VII,** section **2019.**

POST OFFICE AND POST ROADS, COMMITTEE ON—Continued.

The construction and maintenance of post roads are subjects within the jurisdiction of the Committee on Roads and not the Committee on the Post Office and Post Roads. Volume **VII,** section **2067.**

The granting of indefinite leaves of absence to superannuated employees of the Post Office Department is a subject within the jurisdiction of the Committee on the Post Office and Post Roads and not the Committee on the Civil Services. Volume **VII,** section **2106.**

POST ROADS.

The rule gives to the Committee on Post Office and Post Roads jurisdiction of subjects relating "to the post office and post roads, including appropriations for their support." Volume **IV,** section **4190.**

Legislation authorizing Federal aid to the States in the construction of rural post roads and Federal highways is within the jurisdiction of the Committee on Roads. Volume **VII,** section **2066.**

The construction and maintenance of post roads are subjects within the jurisdiction to the Committee on Roads and not the Committee on the Post Office and Post Roads. Volume **VII,** section **2067.**

POSTAGE.

A bill increasing the rate of postage has been held to affect the revenues and therefore to require consideration in Committee of the Whole. Volume **IV,** section **4861.**

POSTAL SAVINGS BANK.

Subjects relating to postal savings banks and postal telegraphy are within the jurisdiction of the Committee on Post Office and Post Roads. Volume **IV,** section **4193.**

POSTAL TELEGRAPH.

Subjects relating to postal savings banks and postal telegraphy are within the jurisdiction of the Committee on Post Office and Post Roads. Volume **IV,** section **4193.**

The Committee on the Post Office and Post Roads has jurisdiction over subjects relating to Government control of telephone in the District of Columbia. Volume **VII,** section **1919.**

POSTMASTER.

The elective officers of the House, in addition to the Speaker, are the Clerk, Sergeant-at-Arms, Doorkeeper, Postmaster, and Chaplain. Volume **I,** section **187.**

Creation of the office of Postmaster. Volume **I,** section **269.**

The Postmaster superintends the post-office in the Capitol and is responsible for the prompt and safe delivery of mail. Volume **I,** section **270.**

The Postmaster superintends the post office in the Capitol and House Office Building and is responsible for the prompt and safe delivery of mail. Volume **VI,** section **34.**

Directions to the Postmaster of the House specifying the number of mail deliveries was held to destroy the privilege of a resolution reported by the Committee on Accounts. Volume **VIII,** section **2299.**

The Postmaster accounts for the Government property in his possession. Volume **I,** section **271.**

Employees under the Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall generally be assigned only to the duties for which they are appointed. Volume **V,** section **7232.**

The Postmaster having died, it was held that contracts for carrying the mails must be made by the Clerk and not by the Assistant Postmaster. Volume **V,** section **7235.**

Instance wherein the House failed to elect a Doorkeeper and Postmaster, the officers of the preceding House continuing to serve. Volume **I,** section **193.**

Charges against the Postmaster being sustained, his office was declared vacant and his assistant was directed to perform the duties temporarily. Volume **I,** section **292.**

An appropriation for examination of presidential postmasters was held to be authorized by law. Volume **VII,** section **1198.**

POSTMASTER—Continued.

While bills relating to individual claims of postmasters for reimbursement for unavoidable losses belong to the jurisdiction of the Committee on Claims, general legislation providing for disposition of such claims has been reported by the Committee on the Post Office and Post Roads. Volume **VII,** section **1917.**

Bills relating to claims of Postmasters for unavoidable losses are within the jurisdiction of the Committee on Claims and not of the Committee on the Post Office and Post Roads. Volume **VII,** section **1999.**

POSTPONE, MOTION TO.

(1) General conditions of.
(2) Relation to the previous question.
(3) Relation to special orders.
(4) In relation to Committee of the Whole.
(5) To a day certain.
(6) Indefinitely.

(1) General Conditions of.

Precedence of the motions to postpone as related to other motions. Volume **V,** section **5301.**

A motion to postpone to a day certain, refer, or postpone indefinitely, being decided, is not again in order on the same day at the same stage of the question. Volume **V,** section **5301.**

Interpretation of the rule which forbids the repetition of the motions to postpone or refer at the same stage of the question. Volume **V,** section **5591.**

A motion to postpone must include the whole of a pending resolution and may not apply to a portion only. Volume **V,** section **5306.**

The motions to postpone, refer, amend, for a recess, and to fix the day to which the House shall adjourn may be amended. Volume **V,** section **5754.**

Laying on the table the motion to postpone consideration of Senate amendments was held not to carry to the table pending motions for their disposition. Volume **VIII,** section **2657.**

(2) Relation to the Previous Question.

The motion to postpone may not be entertained after the previous question has been ordered. Volume **V,** sections **5320, 5321.** Volume **VIII,** section **2617.**

After the previous question is ordered on a bill a motion to postpone the bill is not in order. Volume **V,** section **5319.** Volume **VIII,** section **2616.**

A motion to reconsider the vote on the engrossment of a bill may be admitted after the previous question has been moved on a motion to postpone. Volume **V,** section **5663.**

A motion for the previous question takes precedence of the motion to postpone. Volume **VI,** section **400.**

(3) Relation to Special Orders.

A bill which comes before the House by the terms of a special order merely assigning the day for its consideration may be postponed by a majority vote. Volume **IV,** sections **3177–3182.**

It is not in order to move to propose a special order providing for the consideration of a class of bills. Volume **V,** section **4958.**

A special order was held in abeyance, no objection having been offered. Volume **VII,** section **791.**

(4) In Relation to Committee of the Whole.

It is not in order in the House to move to postpone or otherwise consider, a bill which is still in the Committee of the Whole. Volume **IV,** section **4915.** Volume **VIII,** section **2436.**

A motion that a bill be reported with a recommendation to postpone is in order in Committee of the Whole. Volume **IV,** section **4765.**

POSTPONE, MOTION TO—Continued.

(4) In Relation to Committee of the Whole—Continued.

It is not in order to move to postpone consideration of pending business to Calendar Wednesday. Volume **VIII,** section **2614.**

The motion to go into the Committee of the Whole may not be laid on the table or indefinitely postponed. Volume **VI,** section **726.**

The motion to rise and report with the recommendation that consideration be postponed to a day certain is in order in the Committee of the Whole and is preferential. Volume **VIII,** section **2372.**

A motion to report a bill from the Committee of the Whole with a recommendation that it do pass has precedence of a motion recommending postponement. Volume **IV,** section **4765.**

In Committee of the Whole a motion to report a bill with the recommendation that it lie on the table has precedence of motions recommending postponement or recommittal. Volume **IV,** section **4777.**

(5) To a Day Certain.

The motion to postpone may specify the day but not the hour of that day. Volume **V,** section **5307.**

The motion to postpone to a day certain is debatable within very narrow limits only. Volume **V,** sections **5309, 5310.**

On a motion to postpone to a day certain, the merits of the bill may not be debated. Volume **V,** sections **5311–5315.**

Debate on the motion to postpone to a day certain is within narrow limits only and is confined to the question of postponement. Volume **VIII,** section **2615.**

The motion to postpone a day certain is debatable within narrow limits only and does not admit discussion of the merits of the pending proposition. Volume **VIII,** section **2640.**

The motion to postpone to a day certain does not admit debate on the merits of the pending proposition. Volume **VIII,** section **2616.**

Debate on the motion to postpone to a day certain is confined to the advisability of postponement and does not extend to the merits of the question under consideration. Volume **VIII,** section **2372.**

The constitutional mandate that the House "shall proceed to reconsider" a vetoed bill has been held not to preclude a motion to postpone consideration to a day certain. Volume **IV,** sections **3542–3547.** Volume **VII,** section **1101.**

The constitutional mandate that the House "shall proceed to reconsider" a vetoed bill is complied with by laying it on the table, referring it to a committee, postponing consideration to a day certain, or immediately voting on reconsideration. Volume **VII,** section **1105.**

Reconsideration of a bill returned with the President's objections may be postponed to a day certain by a majority vote. Volume **VII,** section **1112.**

A bill called up in the morning hour may not be made a special order by a motion to postpone to a day certain. Volume **IV,** section **3164.**

A Member who had yielded the floor to enable the subject to be postponed to a day certain was held to be entitled to prior recognition when the subject was again considered. Volume **V,** section **5014.**

It is in order to reconsider a vote postponing a bill to a day certain, even on a later day. Volume **V,** section **5643.**

The election of certain officers of the House having been postponed to a day certain, the Speaker ruled out a motion providing for their earlier election. Volume **V,** section **5308.**

A veto message having been read, only three motions are in order: to lay on the table, to postpone to a day certain, or to refer, which motions take precedence in the order named. Volume **VII,** section **1100.**

POSTPONE, MOTION TO—Continued.

(5) To a Day Certain—Continued.

The motion for the previous question takes precedence of the motion to postpone to a day certain. Volume **VIII,** section **2609.**

A motion to postpone to a day certain the consideration of a pending resolution was held to include in its application all related propositions. Volume **VIII,** section **2613.**

The motion to postpone to a day certain was held to be applicable to an appeal from the decision of the Chair. Volume **VIII,** section **2613.**

In Committee of the Whole the motion to recommend postponement to a day certain has precedence of the motion to amend. Volume **VIII,** section **2615.**

The motion to postpone to a day certain is subject to amendment. Volume **VIII,** section **2824.**

It is in order to lay on the table a motion to postpone to a day certain. Volume **VIII,** sections **2654, 2657.**

The motion to postpone to "the next legislative day" was construed as a motion to postpone to a day certain. Volume **VIII,** section **2657.**

(6) Indefinitely.

A motion to postpone indefinitely opens to debate all the merits of the proposition. Volume **V,** section **5316.**

It has been held in order to move to postpone indefinitely the further execution of an order relating to the election of officers of the House. Volume **V,** section **5318.**

It is not in order to move to postpone indefinitely the consideration of a veto message of the President. Volume **IV,** section **3548.**

The motion to postpone indefinitely may not be applied to the motion to refer. Volume **V,** section **5317.**

The motion to postpone indefinitely may not be applied to a motion to suspend the rules. Volume **V,** section **5322.**

Instance where a House bill returned with Senate amendments adhered to was postponed indefinitely. Volume **V,** section **6200.**

Early instances where one House postponed to an indefinite time bills returned from the other with amendments disagreed to and requests for a conference. Volume **V,** section **6199.**

POTOMAC RIVER.

The construction of a memorial bridge across the Potomac River is a subject which has been considered by the Committee on Public Buildings and Grounds. Volume **VII,** section **1968.**

POTTER, CLARKSON N., of New York, Speaker Pro Tempore.

Decision on question of order relating to quorum. Volume **IV,** section **2951.**

POTTER, EMERY D., of Ohio, Chairman.

Decision on question of order relating to withdrawal of motion. Volume **V,** section **5348.**

POULTRY.

Bills for the stimulation of production, sale, and distribution of livestock and livestock products and the authorization of appropriations for international conferences on poultry and poultry products have been reported by the Committee on Agriculture. Volume **VII,** section **1867.**

The control of stockyards and packing plants and the regulation of interstate and foreign commerce in livestock, dairy, and livestock products, poultry and poultry products, are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII,** section **1869.**

POWELL.

The Senate did not consider Lazarus W. Powell worthy of expulsion because he had formerly counseled his State to be neutral between the Government and its enemies. Volume **II,** section **1271.**

POWER COMMISSION.

The investigation of water resources, the creation of a Federal power Commission, the leasing of power sites, and the supervision and development of water power are subjects which have been committed to the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1808.**

POWER, ELECTION CASE OF.

The Senate case of Sanders, Power, Clark, and Maginnis, from Montana, in the Fifty-first Congress. Volume **I,** section **358.**

POWER PLANT.

The Capitol power plant and its service, like the House Office Building, are under the control of the Architect of the Capitol subject to the approval of the House Office Building Commission. Volume **VIII,** section **3656.**

The House Office Building Commission is charged with control of the Capitol power plant. Volume **VIII,** section **3657.**

POWER OF SPEAKER.

Mr. Speaker Reed in a ruling referred to the power of the Speaker in relation to the House itself. Volume **IV,** section **4452.**

POWER, USURPATION OF.

Discussion of usurpation of power as a ground for impeachment. Volume **III,** section **2509.**

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While the precedents are not uniform, the practice of the Senate is to permit the withdrawal of suggestions that a quorum is not present prior to ascertainment and announcement by the Chair. Volume **VI,** section **644.**

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(1) Of the House of Representatives.—Questions of privilege.
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(1) Of the House of Representatives.—Questions of Privilege.

A resolution relating to an alleged invasion of the prerogatives of the House presents a question of privilege. Volume **II,** sections **1487, 1488.**

A proposition relating to the constitutional prerogatives of the House has always been considered a question of privilege. Volume **II,** section **1529.**

To justify a question of privilege an invasion of the prerogatives of the House must be alleged to be actual, not prospective. Volume **III,** section **2556.**

It being alleged that the constitutional prerogatives of the House were invaded by certain Senate amendments to a bill the question of privilege was raised before the bill came up for consideration. Volume **II,** section **1491.**

A resolution that the rights and dignity of the House have been invaded by the Executive presents a question of privilege. Volume **III,** section **2565.**

A resolution implying that the constitutional rights of the House may have been invaded by the Executive presents a question of privilege. Volume **III,** section **2563.**

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An appeal of a Member to the President for protection was considered derogatory to the privilege of the House. Volume **III,** section **2680.**

A letter from an executive officer of the Government criticizing the Senate was condemned in debate as a breach of privilege and withdrawn. Volume **III,** section **2566.**

PREROGATIVES—Continued.

(1) Of the House of Representatives.—Questions of Privilege—Continued.

Question as to the right of the House to interfere for the protection of Members who without the Hall get into difficulties disconnected with their official duties (footnote). Volume **III,** section **2678.**

The President having transmitted to the House a message reflecting on the integrity of its membership, the House declared it a breach of privilege and ordered it laid on the table. Volume **VI,** section **330.**

(2) Of the House of Representatives.—As to Organization.

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Reference to discussion of the permanent and temporary conditions of Senate and House respectively, as organized bodies (footnote). Volume **IV,** section **4445.**

A question has arisen as to whether or not the House, in the face of the provision of law, may proceed to business before the election of a Clerk. Volume **I,** section **243.**

In 1867 the law of 1789 was considered as binding the House to elect a Clerk before proceeding to business. Volume **I,** section **241.**

It has been decided that, notwithstanding the requirements of the act of 1789, the House may proceed to business before the election of a Clerk. Volume **I,** section **242.**

In one or two cases it has been held that the Clerk may not entertain a motion to correct the roll, which he makes up under the law. Volume **I,** sections **22–24.**

The constitutional power of the House to compel the attendance of absent Members is not confined to cases wherein there is a lack of a quorum. Volume **IV,** sections **2985–2987.**

(3) Of the House of Representatives.—As to Rules.

The Constitution confers on the House the power to determine the rules of its proceedings. Volume **V,** section **6741.**

Discussion by the Supreme Court of the power of the House to make its own rules. Volume **V,** section **6755.**

The rules of one House of Representatives are not binding on a succeeding House, directly or indirectly, unless adopted by the latter House. Volume **V,** section **6002.**

The theory that a House might make its rules binding on the succeeding House was at one time much discussed and even followed. Volume **V,** sections **6744–6747.**

The House, in a rule continuing the Clerk in office until the election of his successor, assumed to perpetuate its authority beyond its own existence. Volume **I,** section **235.**

The House has made rules which have been followed through other Congresses by the Executive Departments, although the authority for the rules has been considered doubtful. Volume **V,** sections **6752–6754.**

The two Houses by concurrent resolution have assumed to extend the powers of a joint committee beyond the adjournment of Congress, but later action seems to recognize a law as the proper instrumentality for such purpose. Volume **IV,** sections **4437–4444.**

Instance wherein a joint rule provided a joint committee for the next Congress. Volume **IV,** section **4445.**

(4) Of the House of Representatives.—Rules, as Related to Law.

A law passed by the then existing Congress was recognized by the House as of binding force in matters of procedure. Volume **V,** sections **6767, 6768.**

The Speaker held it his duty to proceed in accordance with the mandatory provision of a law in the enactment of which the then existing House had concurred. Volume **II,** section **1341.**

Congress may not by law interfere with the constitutional right of a future House to make its own rules. Volume **I,** section **82.**

PREROGATIVES—Continued.

(4) Of the House of Representatives.—Rules, as Related to Law—Continued.

The validity of a law passed by a preceding Congress which proposes to govern the House as to its rules or its organization is doubtful. Volume **V,** sections **6765, 6766.**

The question as to whether or not the House, in its procedure, is bound by a law passed by a former Congress. Volume **IV,** section **3298.**

The House has held, notwithstanding the law of 1789, that it may adopt rules before electing a Clerk. Volume **I,** section **245.**

The constitutional right of the House "to determine the rules of its proceeding" may not be impaired or destroyed by the indefinite repetition of dilatory motions. Volume **V,** sections **5707, 5708.**

(5) Of the House of Representatives.—For the Decision of the House Rather than the Speaker.

It is for the House and not the Speaker to pass on a question relating to the constitutional prerogatives of the House. Volume **II,** section **1490.**

It is for the House and not the Speaker to decide whether or not the constitutional prerogatives of the House have been invaded. Volume **II,** section **1491.**

(6) Of the House of Representatives.—As to Contempts—General Discussion.

Discussion of the power of the House to punish for a breach of its privileges. Volume **II,** section **1606.**

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Discussion of the right of the House to punish for contempt, with references to English precedents. Volume **III,** section **1667.**

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Discussion of the theory that the House has the inherent power to punish for contempts wherever committed. Volume **II,** section **1615.**

Each House possesses the inherent power of self-protection. Volume **II,** section **1614.**

Discussion as to the right of the House to punish for a contempt not committed in its actual presence. Volume **II,** section **1619.**

The House ordered spread on its Journal a paper in which Samuel Houston protested against the right of the House to punish him for contempt. Volume **II,** section **1619.**

In the Irwin case the House asserted its authority, as grand inquest of the nation, to investigate, with the attendant right of punishment for contempt, in case of offenses in a preceding Congress. Volume **III,** section **1690.**

In 1877 the House imprisoned members of a State canvassing board for contempt in refusing to obey a subpoena duces tecum for the production of certain papers relating to the election of Presidential electors. Volume **III,** section **1698.**

(7) Of the House of Representatives.—As to Contempts.—Decisions of the Courts.

Decision of the Supreme Court affirming the right of the House to punish John Anderson for contempt. Volume **II,** section **1607.**

In the Chapman case the Supreme Court held that the power to punish for contempt remains with each House in cases to which its power properly extends. Volume **II,** section **1614.**

The power of the House to punish for contempt is limited to the cases expressly defined by the Constitution. Volume **II,** section **1611.**

In the Kilbourn case the court held that no witness could be punished for contumacy except in an inquiry which the House has power to make. Volume **II,** section **1611.**

The attempt, in 1876, to punish Hallet Kilbourn for declining to testify before a committee resulted in a decision of the Supreme Court denying that the House has an unlimited power to punish for contempt of its authority. Volume **II,** section **1611.**

PREROGATIVES—Continued.

(8) Of the House of Representatives.—As to Contempts.—Relations to Authority of the Courts.

In a case where the House has the right to punish for contempt its officers may not be held liable for the proper discharge of ministerial functions in connection therewith. Volume **III,** section **1713.**

A writ of habeas corpus being served on the Sergeant-at-Arms, who held the witness Irwin in custody for contempt, the House, after consideration, prescribed the form and manner of return. Volume **II,** section **1691.**

While confined in jail for contempt the witness Kilbourn was released by habeas corpus proceedings, the court intimating that the punishment of law superseded the right of the House to punish. Volume **II,** section **1610.**

(9) Of the House of Representatives.—Members Summoned as Witnesses.

The House decided that the summons of a court to Members to attend and testify constituted a breach of privilege and directed them to disregard the mandate. Volume **III,** section **2691.**

Members having informed the House, as a matter of privilege, that they had been summoned before the grand jury of the District of Columbia, the House authorized them to respond to the summons. Volume **III,** section **2662.**

(10) Of the House of Representatives.—Demand of the Court for Papers from the Files.

No officer or employee of the House may produce any paper belonging to the files of the House before a court without permission of the House. Volume **III,** section **2663.**

No officer or employee of the House should furnish, except by authority of the House or a statute, any copy of any paper belonging to the files of the House. Volume **III,** section **2663.**

The House, in maintenance of its privilege, has refused to permit the Clerk to produce in court, in obedience to a summons, an original paper from the files, but has given the court facilities for making certified copies. Volume **II,** section **2664.**

(11) Of the House of Representatives.—As to Appropriation Bills.

It being alleged that the Senate had invaded the constitutional prerogative of the House to originate appropriation bills, the Speaker entertained the matter as of privilege. Volume **III,** section **2558.**

Discussion by a committee of the House of the constitutional right of the Senate to originate bills appropriating money from the Treasury. Volume **II,** section **1500.**

In 1885 the House, after learned debate, declined to investigate the power of the Senate to originate bills appropriating money. Volume **II,** section **1501.**

(12) Of the House of Representatives.—As to Revenue Legislation.

Revenue bills must originate in the House, but the Senate may concur with amendments. Volume **II,** section **1480.**

Discussion of the privilege of the House and Senate, respectively, in relation to revenue bills. Volume **II,** section **1488.**

After a full but inconclusive conference with the Senate the House reaffirmed its own exclusive right to originate revenue measures. Volume **II,** sections **1487, 1488.**

The Senate having insisted on its right to add a revenue amendment to an appropriation bill, the House declined to proceed further with the bill. Volume **II,** section **1485.**

The Senate having added a revenue amendment to an appropriation bill the House returned the bill to the Senate, which reconsidered and struck out the amendment. Volume **II,** section **1493.**

The Senate having added certain revenue amendments to a nonrevenue House bill, the House ordered the bill to be returned to the Senate. Volume **II,** section **1495.**

In 1874 the House declined to take issue with the Senate over an amendment of that body authorizing certain Government obligations. Volume **II,** section **1490.**

PREROGATIVES—Continued.

(12) Of the House of Representatives.—As to Revenue Legislation—Continued.

The House having questioned a Senate amendment providing a tax on incomes on a non-revenue bill, the Senate withdrew the amendment. Volume **II,** section **1486.**

In 8130 a bill affecting the revenue was presented in the Senate and withdrawn after a discussion of the constitutional question. Volume **II,** section **1482.**

A bill to abolish a duty was refused consideration in the Senate, one objection being that the Senate had no right to originate such a measure. Volume **II,** section **1483.**

Every instances of Senate and House participation in revenue legislation. Volume **II,** section **1484.**

Instances wherein the Senate has acquiesced in the constitutional requirement as to revenue bills while holding to a broad power of amendment. Volume **II,** sections **1497–1499.**

In 1872 the House and Senate, after discussion, disagreed as to limitations of Senate amendments to a revenue bill of the House. Volume **II,** section **1489.**

In 1807 the House refused to agree to Senate amendments enlarging the scope of a revenue bill. Volume **II,** section **1481.**

In 1889 Senate amendments to a House revenue bill were questioned in the House as an infringement of the House's privilege. Volume **II,** section **1496.**

Instance wherein a Senate amendment affecting the revenue was not objected to until the stage of conference. Volume **II,** section **1492.** Volume **VI,** section **314.**

In 1883 the House raised but did not press a question as to certain Senate amendments relating to the revenue. Volume **II,** section **1491.**

Instance wherein the House referred to the managers of a conference the examination of the question whether or not the Senate amendments in disagreement invaded the House's prerogative of originating revenue bills. Volume **V,** section **6405.**

In 1883 the House did into inform the Senate of the Act that it had instructed its managers of a conference to consider an alleged invasion of the House's prerogatives by the Senate amendments in disagreement. Volume **V,** section **6406.**

It is for the House and not the Speaker to decide whether or not a Senate amendment on the subject of revenue violates the privileges of the House. Volume **II,** section **1320.**

An alleged invasion by the Senate of the House's constitutional prerogative of originating revenue legislation has been held in the later practice to present a question of privilege. Volume **III,** sections **2559–2562.**

A question relating to the invasion of the constitutional prerogatives of the House by a Senate amendment comes too late after the bill has been sent to conference. Volume **VI,** section **314.**

Discussion of differentiation between bills for the purpose of raising revenue and bills which incidentally raise revenue. Volume **VI,** section **315.**

A bill raising revenue incidentally was hold not to infringe upon the constitutional prerogative of the House to originate revenue legislation. Volume **VI,** section **315.**

Decision by the Senate holding a bill proposing a gasoline tax in the District of Columbia to be a revenue producing measure and that under the Constitution it should originate in the House. Volume **VI,** section **316.**

A bill proposing an increase in rates of postage is a revenue bill within the constitutional requirement as to revenue bills. Volume **VI,** section **317.**

The Senate having passed a bill with incidental provisions relating to revenue, the House returned the bill, holding it to be an invasion of constitutional prerogative. Volume **VI,** section **317.**

A point of order that a Senate bill proposing an increase to postage rates contravened the prerogative of the House was not sustained by the Senate. Volume **VI,** section **317.**

The question of the constitutional right of the House to originate revenue measures in properly raised at any time after the measure infringing the right has been messaged to the House. Volume **VI,** section **318.**

PREROGATIVES—Continued.

(12) Of the House of Representatives.—As to Revenue Legislation—Continued.

The House, while disclaiming the establishment of a precedent, sent to conference a bill declared to involve a question of infringement of the constitutional prerogative of the House in the origination of revenue legislation. Volume **VI,** section **318.**

In 1930 the House insisted on its exclusive right to originate revenue measures and returned to the Senate a Senate concurrent resolution characterized as an infringement on its constitutional prerogative. Volume **VI,** section **319.**

Instance wherein the Senate declined to consider a bill consider a bill challenged as an infringement on the right of the House to originate revenue measures. Volume **VI,** section **320.**

Discussion of the right of the House to originate revenue legislation. Volume **VI,** section **321.**

Instance wherein proposed Senate amendments to a revenue bill were questioned in the House as an invasion of the constitutional prerogatives in relation to revenue legislation. Volume **VI,** section **322.**

(13) Of the House of Representatives.—Power of Investigation.

The power of inquiry as related to the power of impeachment. Volume **II,** section **1596.**

Having the constitutional right to concur in appropriating the public money, the House has exercised also the right to examine the application of those appropriation. Volume **III,** section **1730.**

The House of Representatives having appointed a committee to inquire into the conduct of the President of the United States, and the President having protested, the House insisted on its right so to do. Volume **II,** section **1596.**

The House very early overruled the objection that its inquiry into the conduct of clerks in the Executive Departments would be an infringement on the Executive power. Volume **III,** section **1729.**

In 1810 the House, after mature consideration, determined that it had the right to investigate the conduct of General Wilkinson, although he was not an officer within the impeaching power of the House. Volume **III,** section **1727.**

In 1861 the two House by concurrent action assumed without question the right to investigate the conduct of the war. Volume **III,** section **1728.**

The right to coerce the attendance of witnesses in an inquiry for legislative purposes was discussed in the Hyatt case. Volume **III,** section **1722.**

In 1876, after examination and discussion, the House declared its right through a subpoena duces tecum to compel the production of books, papers, and especially telegrams. Volume **III,** section **1812.**

A subject being within the power of the House to investigate, it was held that State officers might not decline to produce records on the pea that they possessed them in their official capacities. Volume **III,** section **1698.**

Discussion of the effect of a State law as a limitation on the right of the House to investigate. Volume **III,** section **1696.**

Reference to inquiry as to existence of a republican form of government in a State. Volume **I,** section **346.**

The House does not possess the general power to inquire into the private affairs of the citizen. Volume **II,** section **1611.**

The general authority of the House to compel testimony and the production of papers in an investigation and the relation of this right to the rights of individuals to privacy in business affairs were discussed in 1837. Volume **III,** section **1733.**

In authorizing an investigation of the Bank of the United States in 1832 a distinction was drawn between the public relations of the bank to the Government and its dealings with private individuals. Volume **III,** section **1731.**

In 1834 the directors of the Bank of the United States resisted the authority of the House to compel the production of books of the bank before an investigating committee. Volume **III,** section **1732.**

PREROGATIVES—Continued.

(13) Of the House of Representatives.—Power of Investigation—Continued.

An inquiry as to the integrity of Senators was held to be within the power of the Senate, and questions relating thereto were not unreasonable intrusions into the affairs of the citizen. Volume **II,** section **1614.**

Discussion of the extent of the Senate's power of investigation. Volume **III,** section **1722.**

(14) Of the House of Representatives.—Inquiries of the Executive.

The House declared in 1796 that its constitutional requests of the Executive for information need not be accompanied by a statement of purposes. Volume **II,** section **1509.**

The House has requested the President to lay before it information as to the carrying out and the violation of treaties, and the information has been furnished. Volume **II,** sections **1510, 1511.**

In 1822 the House called generally and specifically for papers relating to the treaty of Ghent, and obtained them, although the Executive advised against their publication. Volume **II,** sections **1512, 1513.**

In 1848 President Polk declined, on constitutional grounds, to honor the unconditional request of the House for a copy of the instructions to the minister sent to negotiate a treaty with Mexico. Volume **II,** sections **1518, 1519.**

President Washington, in 1796, declined the request of the House that he transmit the correspondence relating to the recently ratified treaty with Great Britain. Volume **II,** section **1509.**

In 1846 President Polk, for reasons of public policy, declined to inform the House as to expenditures from the secret or contingent fund of the State Department. Volume **II,** section **1561.**

President Grant declined to answer an inquiry of the House as to whether or not he had performed any executive acts at a distance from the seat of government. Volume **III,** section **1889.**

President Jackson declined to furnish to the Senate a copy of a paper purporting to have been read by him to the heads of the Executive Departments. Volume **III,** section **1887.**

In 1886 the refusal of the Attorney-General to transmit certain papers called for by the Senate led to a discussion of prerogatives and a declaration by the Senate. Volume **III,** section **1894.**

The House having asserted its right to direct the heads of the Executive Departments to furnish information, the Secretary of War returned an answer to a portion of the inquiry, declining to respond to the remainder. Volume **III,** section **1886.**

In 1842 the House vigorously asserted and President Tyler as vigorously denied the right of the House to all papers and information in possession of the Executive relating to subjects over which the jurisdiction of the House extended. Volume **III,** sections **1884, 1885.**

The Postmaster-General having responded to an inquiry in a manner considered is respectful, the Senate referred the matter to the President, whereat an explanation was forthcoming. Volume **III,** section **1906.**

The Senate returned to the Secretary of the Navy an impertinent document transmitted in response to an inquiry. Volume **III,** section **1907.**

Even in the case of an application for papers relating to an Indian treaty President Jackson asserted the Executive prerogative as opposed to the contention of the House. Volume **II,** section **1534.**

(15) Of the House of Representatives.—As to Executive Appointments

The power of appointment to office belongs to the President, and Congress by law may not declare one an officer who is not such in fact. Volume **II,** section **1595.**

PREROGATIVES—Continued.

(15) Of the House of Representatives.—As to Executive Appointments—Continued.

A statute prohibiting the creation of new ambassadorships except by act of Congress is in contravention of the President's constitutional prerogatives and will not support a point of order against an appropriation for the salary of an ambassadorship not created by act of Congress but appointed by the President and confirmed by the Senate. Volume **VII,** section **1248.**

(16) Of the House of Representatives.—As to Treaty-making Power in General.

In 1796 the House affirmed that when a treaty related to subjects within the power of Congress it was the constitutional duty of the House to deliberate on the expediency of carrying such treaty into effect. Volume **II,** section **1509.**

In 1816 the House, after discussion with the Senate, maintained its position that a treaty must depend on a law of Congress for its execution as to such stipulations as relate to subjects constitutional intrusted to Congress. Volume **II,** section **1506.**

In 1820 the House considered, but without result, its constitutional right to a vote in any treaty ceding territory. Volume **II,** section **1507.**

In 1868, after discussion with the senate, the House's assertion of right to a voice in carrying out the stipulations of certain treaties was conceded in a modified form. Volume **II,** section **1508.**

In 1871 the House asserted its right to a voice in carrying into effect treaties on subjects submitted by the Constitution to the power of Congress. Volume **II,** section **1523.**

Discussion of the right of the House to share in the treaty-making power. Volume **II,** section **1509. Volume VI,** section **324.**

Discussion of the prerogatives of the House in relation to treaties, commercial and otherwise. Volume **II,** sections **1546, 1547.**

Discussion of the prerogatives of the House as to treaties.—On May 16, 1922, Mr. Theodore E. Burton, of Ohio, discussed at length the constitutional prerogatives of the House as to international treaties. Volume **VI,** section **325.**

Discussion of the prerogatives of the House as to treaties, commercial and otherwise, and its obligation in the enactment of supplementary legislation. Volume **VI,** section **326.**

Instances of the action of the House in carrying into effect, terminating, enforcing, and suggesting treaties. Volume **II,** sections **1502–1505.**

The House sometimes requests the Executive to negotiate a treaty, although the propriety of the act has been questioned. Volume **II,** sections **1514–1517.**

In 1909 the House originated and the Senate agreed to, a resolution requesting the President to negotiate by treaty or otherwise with a foreign government. Volume **VI,** section **323.**

In 1881 the House Committee on Foreign Affairs, discussing the treaty-making power, concluded that the House had no share in it. Volume **II,** section **1525.**

After long discussion the House, in 1871, successful asserted its right to a voice in approving Indian treaties. Volume **II,** sections **1535, 1536.**

(17) Of the House of Representatives.—As to Revenue Treaties

After long and careful consideration the Judiciary Committee of the House decided, in 1887, that the executive branch of the Government might not conclude a treaty affecting the revenue without the assent of the House. Volume **II,** sections **1528–1530.**

The question raised in the House as to whether a treaty modifying or repealing laws providing for revenue may be negotiated without action on the part of the House. Volume **VI,** section **324.**

In 1884 and 1886 the Ways and Means Committee assumed that the right of the House to a voice in making treaties affecting the revenue had been conceded. Volume **II,** sections, **1526, 1527.**

In 1880 the House declared that the negotiation of a treaty affecting the revenues was an invasion of its prerogatives. Volume **II,** section **1524.**

PREROGATIVES—Continued.

(17) Of the House of Representatives.—As to Revenue Treaties—Continued.

The House has at times advised the Executive in regard to treaties affecting the revenue. Volume **II,** sections **1520–1522.**

The House maintains that customs duties may not be changed otherwise than by an act of Congress originated by itself. Volume **II,** section **1531.**

Approvals by Congress of reciprocity treaties affecting customs duties. Volume **II,** section **1531.**

Argument that the treaty-making power is subject to the authority and power to originate revenue legislation specifically delegated by the Constitution to the House. Volume **VI,** section **324.**

Argument that duties are more properly regulated with the publicity of Congressional action than by treaties negotiated by the Executive and ratified by the Senate in secrecy. Volume **II,** section **1532.**

In 1844 the Senate took the view that the constitutional method of regulating duties was by act of Congress rather than by treaty. Volume **II,** section **1532.**

Discussion of the prerogatives of the Senate as to treaties affecting customs duties. Volume **II,** section **1531.**

Discussion by a Senate committee as to the jurisdiction of the Senate over revenue treaties. Volume **II,** section **1533.**

Reference to discussion in the Senate over right of the House to a voice in making treaties affecting the revenue (footnote). Volume **II** section **1528.**

Alleged infringement by the treaty-making power on the constitutional right of the House to originate revenue measures presents a question of privilege. Volume **III,** section **2564.**

(18) Of the House of Representatives.—As to Foreign Relations in General.

The House has usually had a voice in the recognition of the independence of a foreign nation when such recognition has affected relations with another power. Volume **II,** sections **1541–1544.**

The House has declared its "constitutional right to an authoritative voice in declaring and prescribing the foreign policy of the United States as well in the recognition of new powers as in other matters." Volume **II,** section **1539.**

Arguments in the Senate that the power of recognizing foreign governments is vested in the President. Volume **II,** section **1545.**

The joint resolution of 1898 declaring the intervention of the United States to remedy conditions existing in the island of Cuba originated in the House. Volume **II,** section **1540.**

Discussion as to the right of the House to withhold an appropriation to pay the expenses of diplomatic agents appointed by the Executive. Volume **II,** sections **1546, 1647.**

An authorization of diplomatic relations with a foreign nation originated in the House in 1882. Volume **II,** section **1549.**

Congratulations of the House on the adoption of a republican form of government by Brazil. Volume **II,** section **1550.**

In 1868 the House declined to assert that no purchase of foreign territory might be made without the sanction of a previously enacted law. Volume **II,** section **1508.**

While not questioning the right of the House to decline to appropriate for a diplomatic office, President Grant protested against its assumption that it might give directions as to that service. Volume **II,** section **1548.**

Resolutions originating in the House and making an exchange of compliments with certain Republics were disapproved by President Grant as infringing on Executive prerogative. Volume **II,** section **1556.**

Instance wherein a foreign executive declined to communicate to the legislative assembly of the nation certain resolutions of the House of Representatives. Volume **V,** section **7221.**

The participation by the United States in a World Court of International Justice is a subject within the jurisdiction of the Committee on Foreign Affairs. Volume **VI,** section **326.**

PREROGATIVES—Continued.

(18) Of the House of Representatives.—As to Foreign Relations in General—Continued.

Instance wherein the House declared its attitude on a question of foreign policy and expressed its readiness to participate in the enactment of legislation relative thereto. Volume **VI,** section **326.**

While conceding that its prerogative relative to participation in foreign relations has not been definitely established, the House asserted its right to originate legislation relating to foreign affairs upon which the injunction of secrecy is not imposed and questions appertaining to an international judiciary in particular. Volume **VI,** section **326.**

In 1920 the Senate requested that concurrence of the House in a resolution proposing to restrict the power of the President in the negotiation of foreign affairs. Volume **VI,** section **327.**

Instance wherein a committee of the House reported a resolution declaring the attitude of the United States on a question of foreign policy. Volume **VI,** section **328.**

In 1916 the House originated and the Senate agreed to a measure authorizing the President to invite a conference of Governments of the world to consider the establishment of a Court of Arbitration. Volume **VI,** section **329.**

(19) Of the House of Representatives.—As to the Election of President and Vice-President.

Provisions of the Constitution governing proceedings of the House in electing a President. Volume **III,** section **1981.**

Precedents of the House and Senate in relation to notifying the President-elect and Vice-President-elect of their elections. Volume **III,** section **2000.**

In 1877 the privileges, powers, and duties of the two Houses, respectively, in connection with the electoral count were carefully examined. Volume **III,** section **1953.**

The House by formal resolutions declared that there was no power in Congress or elsewhere to revise or change the result arrived at in the joint meeting for counting the electoral vote of 1877. Volume III, sections **1924, 1925.**

A bill related to the constitutional functions of the House in the counting the electoral vote was held to be highly privileged. Volume **II,** section **2578.**

References to the early agitation in the House for a voice in making arrangements for the inauguration of President. Volume **III,** section **1996.**

(20) Of the House of Representatives.—Declarations by.

Declaration of the House as to third term of a President. Volume **II,** section **1568.**

An opinion of the Attorney-General that neither House may by resolution give a construction to an existing law which would be of binding effect on an executive officer. Volume **II,** section **1580.**

(21) Of the House of Representatives.—Administration of Oaths.

In the Blount impeachment case the House seems to have distrusted its power to authorize the Speaker to administer oaths. Volume **III,** section **2294.**

Discussion as to the competency of the Senate to empower one of its officers to administer oaths. Volume **III,** section **2162.**

(22) Of the House of Representatives.—Conferences as to.

The two Houses being at variance over a question of constitutional prerogative, the differences were submitted to a committee of conference. Volume **II,** section **1495.**

There being a difference between the two Houses as to the right of the Senate to originate a revenue bill, the subject was committed to a conference. Volume **II,** sections **1487, 1488.**

Instance of a conference over the prerogatives of the two Houses respecting revenue legislation. Volume **II,** section **1485.**

On a conference relating to the prerogatives of the two Houses, all the conferees were selected to represented the attitude of the majority of the House. Volume **V,** section **6338.**

PREROGATIVES—Continued.

(23) Of the House of Representatives.—In General.

It is for the House and not the speaker to determine whether or not a proposed action is within the constitutional power of the House. Volume **IV,** section **3507.**

As to time of making points of order on constitutional questions. Volume **II,** section **1322.**

The House has insisted on its right to determine the compensation of its own officers and employees. Volume **V,** sections **7241, 7242.**

Neither House may exercise any authority over a Member or officer of the other, but may complain to the other House. Volume **V,** section **5095.**

Discussion as to the clause of the Constitution under which Federal supervisors of elections acted. Volume **II,** section **931.**

The Constitution requires election of Representatives by the people, and State authorities may not determine a tie by lot. Volume **I,** section **775.**

(24) Of the Chief Justice Presiding at an Impeachment Trial.

When the President of the United States is impeached the Chief Justice of the Supreme Court presides. Volume **III,** section **2082.**

The Senate, in its rules, has refrained from prescribing an oath for the Chief Justice when he presides at an impeachment trial. Volume **III,** section **2079.**

Written dissent of the Chief Justice from views taken by the Senate as to its constitutional functions at an impeachment trial. Volume **III,** section **2057.**

In the Johnson trial the articles of impeachment were presented before the Chief Justice had taken his seat, although he had filed his written dissent from such procedure. Volume **III,** section **2057.**

Discussion as to whether or not the Chief Justice presiding at an impeachment trial is entitled to vote. Volume **III,** section **2098.**

During the Johnson trial Chief Justice Chase gave a casting vote on incidental questions, and the Senate declined to declare his incapacity to vote. Volume **III,** section **2067.**

An anxiety lest the Chief Justice might have a vote seems to have led the Senate to drop the words "high court of impeachment" from its rules. Volume **III,** section **2057.**

Discussion of the functions of the Chief Justice in decisions as to evidence in an impeachment trial. Volume **III,** section **2084.**

(25) Of Congress as to Meeting and Adjourning.

Instances wherein Congress has been convened by proclamation or by law. Volume **I,** sections **10, 11.**

Instances of laws fixing the time of annual meeting of Congress. Volume **I,** section **5.**

Instance wherein a law convening Congress specified the hour as well as the day. Volume **I,** sections **10, 11.**

In the later but not the earlier practice the fact that Congress has met once within the year does not make uncertain the constitutional mandate to meet on the first Monday of December. Volume **I,** sections **10, 11.**

In the later Congresses it has been established, both by declaration and practice, that a special session, whether convened by law or proclamation, ends with the constitutional day for annual meeting. Volume **V,** sections **6690–6693.**

The First Congress having met once in each of its two years of existence, a doubt existed as to whether or not it would legally meet again on the day appointed by the Constitution. Volume **I,** section **5.**

In 1797 the Congress assembled on the day constitutionally provided by law, although it had already held a session that year. Volume **I,** sections **6–9.**

Instance wherein Congress in adjourning fixed by resolution the time of meeting of the next session on the constitutional day. Volume **I,** section **5.**

The First Congress by law appointed for its second meeting a day later than the day fixed by the Constitution. Volume **I,** section **5.**

In the later view an existing session ends with the day appointed by the Constitution for the regular annual session. Volume **II,** section **1160.**

PREROGATIVES—Continued.

(25) Of Congress as to Meeting and Adjourning—Continued.

Early Congresses convened either by proclamation or law on a day earlier than the constitutional day remained in continuous session to a time beyond that day. Volume **I,** sections **10, 11.**

Early Congresses having by law met on a day earlier than the constitutional day, remained in continuous session to a time beyond that day. Volume **I,** sections **6–9.**

Reference to discussion of the constitutional power of the President to adjourn Congress in a certain contingency (footnote). Volume **I,** section **12.**

Discussion as to whether or not there is a distinction between a session called by the President and other sessions of Congress (footnote). Volume **I,** section **12.**

(26) Of State Legislatures.—As Related to Congress.

Discussion of the powers of Congress and the States as to fixing the times, places, and manner of elections. Volume **I,** sections **311, 313.**

Discussion of the respective powers of Congress and the States in establishing Congressional districts. Volume **I,** section **310.**

Is the establishing of districts an exercise of the power of regulating the times, places, and manner of elections? Volume **I,** section **310.**

The House declined to interfere with the act of a State in changing the boundaries of a Congressional district. Volume **I,** section **313.**

(27) Of State Legislatures.—As Related to State Constitutions.

Argument that right of a State to regulate time, place, and manner is derived from the Federal and not the State constitution. Volume **II,** section **947.**

Reference to the principle that in exercise of the powers conferred by the Federal Constitution the State legislature is not controlled by the State constitution. Volume **II,** section **1133.**

The constitution of a State may not control its legislature in fixing, under the Federal Constitution, the time of election of Congressmen. Volume **I,** section **525.**

A legislature being in existence, a constitutional convention may not fix the times, etc., of elections of Representatives. Volume **I,** sections **363, 367.**

Discussion as to the power of a State convention to fix the time for election of Representatives in Congress when the legislature had already acted. Volume **I,** section **522.**

(28) Of State Legislatures.—In Electing Senators.

A State legislature may not revise a decision of the United States Senate that two persons have been duly elected Senators. Volume **I,** section **546.**

No State may prescribe qualifications for a United States Senator in addition to those prescribed by the Federal Constitution. Volume **I,** section **632.**

A legislature is not precluded from its constitutional power to elect a Senator by the fact that it may not do so on the date fixed by law. Volume **II,** section **955.**

In electing a Senator the State legislature acts under authority of the Federal Constitution, and a State constitution and laws conflicting therewith are void. Volume **I,** section **632.**

(29) Of the President of the United States.

Reference to President's protest against assumption by the House of the right to designate the officers who should disburse appropriations (footnote). Volume **IV,** section **4032.**

Reference to questions arising in the Senate as to recess appointments in a case wherein one session followed its predecessor immediately. Volume **V,** section **6693.**

At the time of President Johnson's impeachment it was agreed that he should be described as President and not as Acting President. Volume **III,** section **2415.**

At the time of the impeachment of President Johnson it was conceded that he was entitled to exercise the duties of the office until convicted by the Senate. Volume **III,** section **2407.**

Reference to argument of Senator Charles Sumner that President Johnson should be suspended during impeachment proceedings. Volume **III,** section **2407.**

PREROGATIVES—Continued.

(29) Of the President of the United States—Continued.

The Senate having adopted a resolution advising the Executive as to matters within the sphere of his duties, the latter in a statement to the press announced that no official recognition would be accorded it. Volume **VI,** section **331.**

In cases where its investigations have suggested the culpability of executive officers, the Senate has by resolution submitted advice or suggestions to the Executive. Volume **VI,** section **331.**

PRESENT.

A Member who has answered "present" on a roll call may change the answer to "yea" or "nay," but the Speaker may not entertain the request of a Member who has not answered at all to record his vote. Volume **V,** section **6060.**

PRESENTATIONS.

Ceremonies at the presentation of various gifts to Congress. Volume **V,** sections **7101–7104.**

Ceremonies at the presentation of portraits of ex-Speakers. Volume **V,** sections **7065–7069.**

The sword of Washington and the staff of Franklin were presented to Congress with addresses by Members. Volume **V,** section **7100.**

The House, by resolution, accepted the gift of a flag made of American silk. Volume **V,** section **7105.**

A letter from a foreign artist, presenting to Congress a bust of Lafayette, was communicated to the House by message from the President and with that message appears in the Journal. Volume **V,** section **7106.**

Instances wherein Members of the House, by private subscription, made presentations to colleagues and others. Volume **VIII,** section **3519.**

PRESENTS.

Presents to the President or other officers were formerly placed at the disposal of Congress. Volume **II,** sections **1588, 1589.**

PRESIDENT OF THE SENATE.

A bill passed notwithstanding the objections of the President is sent by the Presiding Officer in the House which last acts on it to the Secretary of State for preservation. Volume **IV,** section **3524.**

The Speaker and President of the Senate have discretion as to the use of the Capitol grounds for processions, assemblies, music, and speeches on occasions of national interest. Volume **V,** section **7312.**

The statutes provide for transmitting the certificates of the action of the electors in each State to the President of the Senate. Volume **VIII,** section **1916.**

The President of the Senate is the Presiding Officer of the joint meeting for the count of the electoral votes. Volume **VIII,** section **1918.**

The President of the Senate preserves order in the joint meeting for the count of the electoral votes. Volume **VIII,** section **1921.**

Certificates of the votes of the electors in the several States for President and Vice-President are transmitted to the President of the Senate, who may, in case of delay, send for them. Volume **VIII,** section **1917.**

At the conclusion of the electoral count the President of the Senate merely announces the state of the vote, which, with the list of the votes, is entered on the Journals of the two Houses. Volume **VIII,** section **1918.**

PRESIDENT OF THE UNITED STATES. See also "Election of President," "Electoral Count," "Inquiry," and "Vetoed bills."

(1) Messages of.—Transmittal of, a constitutional function.

(2) Messages of.—Confidential.

(3) Messages of.—Reception of.

PRESIDENT OF THE UNITED STATES—Continued.

(4) Messages of.—Laying before the House, reading, and printing.
(5) Messages of.—Distribution and reference of an annual or general message.
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(7) Messages of.—In general.
(8) Communications with.—Old practice of the annual speech.
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(10) Communications with.—Cabinet officers not called to the House.
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(15) Bills.—Requirements as to presentation to.
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(17) Bills.—Approval of.
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(19) Convening of Congress by.
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(21) Notification of, as to organization of the House.
(22) Notification of, as to adjournments.
(23) Requests of or directions to.
(24) Advice to, by the House.
(25) Praise or censure of.
(26) Prerogatives of.—Power of appointment to office.
(27) Prerogatives of.—Appointment of Members to office.
(28) Prerogatives of.—As to treaties in general.
(29) Prerogatives of.—As to revenue treaties.
(30) Prerogatives of.—As to other foreign relations.
(31) Investigations as related to authority of.
(32) Impeachment of.
(33) Questions of privilege relating to.
(34) References to, in debate.
(35) Inauguration of.
(36) Decease of.
(37) In general.

(1) Messages of.—Transmittal of, a Constitutional Function.

The Constitution provides that the President shall from time to time give Congress information of the state of the Union and make recommendations. Volume **V,** section **6612.**

A message from the President is usually communicated to both Houses on the same day when its nature permits. Volume **V,** section **6590.**

A message from the President is usually communicated to both Houses on the same day, but an original document accompanying can of course be sent to but one House. Volume **V,** sections **6616, 6617.**

Origin of the practice as to the transmission and reception of messages from the President of the United States. Volume **V,** section **6613.**

(2) Messages of.—Confidential.

As late as 1843 the President transmitted a message in part confidential. Volume **V,** section **7255.**

When messages of a confidential nature were received from the President or Senate the House went into secret session. Volume **V,** sections **7251, 7252.**

A rule, not invoked for many years, provides for secret sessions of the House whenever the President may and send a confidential message or the Speaker or any Member may announce that he has a confidential communication to present. Volume **V,** sections **7247, 7248.**

PRESIDENT OF THE UNITED STATES—Continued.

(2) Messages of.—Confidential—Continued.

The Speaker may not treat as confidential official communications received from the heads of executive departments. Volume **VI,** section **434.**

(3) Messages of.—Reception of.

The ceremony of receiving a messenger from the President of the United States in the House. Volume **V,** section **6591.**

A message from the President is received during consideration of a question of privilege, but does not displace the pending business. Volume **V,** sections **6640–6642.**

Messages sent to the House by the President before its organization have been retained in custody of the Clerk, but have not been read. Volume **V,** sections **6647–6649.**

No officer or agent of either House has authority to receive returned bills or messages from the President for delivery at the next session. Volume **VII,** section **1115.**

The reception of a message from the President or the other house is not the transactions of business and does not require the presence of a quorum. Volume **VIII,** section **3339.**

The reception of a message from the President or the Senate is not the transaction of business. Volume **V,** section **6600.**

The President was allowed to withdraw papers included with a message by inadvertence. Volume **V,** section **6651.**

An instance wherein a message from the President to the House of one Congress was received by the House of the next and laid on the table. Volume **V,** section **6645.**

(4) Messages of.—Laying Before the House, Reading, and Printing.

Messages of the President are regularly laid before the House only at the time prescribed by the order of business. Volume **V,** sections **6635–6638.**

Messages from the President are laid before the House on the day on which received at a convenient time within the discretion of the Speaker. Volume **VIII,** section **3341.**

Under the later practice message from the President are laid before the Hose on Calendar Wednesday by unanimous consent or on motion to dispense with proceedings in order on that day. Volume **VII,** section **913.**

The laying before the House of a message from the President was held not to be business within the terms of a special order restricting the transaction of business, but being objected to, was no insisted upon. Volume **VII,** section **761.**

At an informal rising of the Committee of the Whole a message from the President of the United States may be laid before the House only by unanimous consent. Volume **IV,** section **4787.**

While a message of the President is always read in full and entered on the Journal, the latest rulings have not permitted the reading of the accompanying documents to be demanded as a matter of right. Volume **V,** sections **5267–5271.**

While a question of privilege is pending the reading of a message of the President is in order only by unanimous consent. Volume **V,** section **6639.**

The reading of a message from the President having been presented in the closing hours of a session, it was read at the beginning of the next session of the same Congress. Volume **V,** section **6646.**

Messages from the Senate and President giving notice of bills passed or approved are entered in the Journal and published in the Record. Volume **V,** section **6593.**

The documents which are a part of a message of the President are not read before the message is disposed of. Volume **V,** section **5272.**

Accompanying documents, although referred to in a message from the President, are not read or entered on the Journal. Volume **VII,** section **1108.**

While a rule formerly made the printing of documents accompanying messages from the President mandatory, the statute superseding the rule does not require it. Volume **VIII,** section **3352.**

While a message of the President is always printed in the Congressional Record the accompanying documents are not printed. Volume **V,** section **6963.**

PRESIDENT OF THE UNITED STATES—Continued.

(5) Messages of.—Distrubtion and Reference of an Annual or General Message.

The President's annual message is usually referred by the House to the Committee of the Whole House on the state of the Union. Volume **V,** section **6631.**

A presidential message may be divided for reference and portions relating to one topic referred to one committee while portions dealing with other subjects are referred to other committees. Volume **VIII,** section **3348.**

A message from the President dealing with questions within the jurisdiction of several committees may be divided for reference and each subject referred to its appropriate committee. Volume **VIII,** section **3349.**

Formerly the annual message of the President was distributed by resolution to the committees having jurisdiction, but since he first session of the Sixty-fourth Congress the practices has been discontinued. Volume **VIII,** section **3350.**

The annual message of the President is usually referred, when read, to the Committee of the Whole House on the state of the Union, whence it is distributed by action of the House to appropriate committees. Volume **V,** sections **6621, 6622.**

While the President's annual message is usually referred entire to the Committee of the Whole at once, yet a portion of it has been referred to a select committee. Volume **V,** section **6628.**

The Committee of the Whole, in distributing the President's message, may refer portions to a standing or select committee with instruction. Volume **V,** sections **6626, 6627.**

The Committee of the Whole, having under consideration the President's message, may report in part recommending a resolution for adoption. Volume **V,** section **6625.**

Form of resolutions for the distribution of the President's annual message. Volume **V,** sections **6621, 6622.**

The resolutions distributing the President's annual message are within the jurisdiction of the Committee on Ways and Means. Volume **IV,** section **4030.**

The resolutions distributing the President's annual message are reported by the Committee on Ways and Means. Volume **V,** section **6621, 6622.**

The reference of a message from the President to committees may be changed by unanimous consent. Volume **VIII,** section **3351.**

(6) Messages of.—Reference of an Ordinary or Special Message.

Messages from the President and communications from the heads of Departments and from other sources are referred from the Speaker's table. Volume **IV,** section **3089.**

Messages of the President other than the annual messages are usually referred to standing committees at once, even in matters of great importance (footnote). Volume **V,** section **6621.**

A motion to refer a presidential message is privileged. Volume **VIII,** section **3348.**

While the annual message of the President is customarily referred by the House, special message usually are referred by the Speaker, but it has been held that any Member may object and offer a motion for a different reference. Volume **VIII,** section **3348.**

Messages of the President when not referred on motion from the floor are referred to the appropriate committee by the Speaker. Volume **VIII,** section **3347.**

Special messages from the President touching on one subject only are referred ordinarily by the Speaker without motion from the floor. Volume **VIII,** section **3346.**

Ordinary messages of the President are referred without debate, usually by the Speaker, but sometimes by the House itself. Volume **V,** section **6631.**

A message of the President is usually referred by direction of the Speaker, but a Member may move a reference. Volume **IV,** section **4053.**

The House may refer a message of the President to a select committee, and may specify its number, instruct it, and give it power to send for persons and papers. Volume **V,** sections **6633, 6634.**

PRESIDENT OF THE UNITED STATES—Continued.

(6) Messages of.—Reference of an Ordinary or Special Message—Continued.

Instance wherein the House referred a message of the President. Volume **IV,** section **4216.**

In 1858 the House declined to refer a message of the President relating to Kansas to the Committee on Territories, and referred it to a select committee, with instructions, Volume **IV,** section **4518.**

A message from President Monroe asking for an adjustment of certain personal claims was referred to a select committee, with instructions. Volume **V,** section **6632.**

(7) Messages of.—In General.

It has ordinarily been considered a mark of disapprobation to lay a message of the President on the table. Volume **V,** sections **6643, 6644.**

The President may notify Congress by message of the promulgation of the ratification of a constitutional amendment. Volume **V,** section **7044.**

A communication from a foreigner to the House is properly transmitted through the Executive. Volume **V,** section **6662.**

Petitions from foreigners are properly transmitted through the Executive. Volume **IV,** sections **3336–3340.**

The President having transmitted to the House a message reflecting on the integrity of its membership, the House declared it a breach of privilege and ordered it laid on the table. Volume **IV,** section **330.**

The President of the United States transmitted to the Senate a letter impeaching the conduct of a Senator. Volume **II,** section **1263.**

The impeachment proceedings against Judge Pickering were set in motion by a message from the President. Volume **III,** section **2319.**

A concurrent resolution providing for a joint session to receive the President's message was held to be of the highest privilege. Volume **VIII,** section **3335.**

Ceremonies at the delivery of a speech of the President of the United States to Congress. Volume **VIII,** section **3333.**

A member rising to interrogate the President during the delivery of a message before a joint session of the two Houses would address the President and not the Speaker. Volume **VIII,** section **3337.**

(8) Communications With.—Old Practice of the Annual Speech.

In early years the President made a speech to the Congress, and the House attended the Speaker in presenting the address in reply. Volume **II,** section **1139.**

Ceremonies at the delivery of an annual speech of the President of the United States to Congress. Volume **V,** section **6629.**

In 1801 President Jefferson discontinued the custom of making an annual speech to Congress and transmitted the first annual message. Volume **V,** section **6629.**

President Madison declined a conference with a committee of the Senate. Volume **V,** section **6630.**

(9) Communications With.—Old Practice of Addresses to.

Form decided on by the two Houses for addressing the President of the United States (footnote). Volume **V,** section **6629.**

In response to the President's annual speech the Speaker, attended by the House, used to deliver an address. Volume **V,** section **6629.**

A joint rule formerly prescribed the method of presenting a joint address of the two Houses to the President. Volume **V,** section **6630.**

(10) Communications With.—Cabinet Officers not Called to the House.

The House decided early in its history that the Secretaries of the President's Cabinet should not be called to give information personally on the floor of the House. Volume **III,** section **1880.**

The proposition to have the heads of the Executive Departments occupy seats on the floor and participate in the proceedings. Volume **II,** section **1587.**

PRESIDENT OF THE UNITED STATES—Continued.

(11) Communications With.—Cabinet Officers Before Committees.

Members of the President's Cabinet appear before committees of the House and give testimony. Volume **III,** sections **1881–1883.**

(12) Communications With.—General Principles as to Inquiries.

The privilege of resolutions of inquiry applies to those addressed to the President of the United States. Volume **III,** section **1864.**

Resolutions of inquiry addressed to the President have usually contained the clause "if not incompatible with the public interest," especially when on the subject of diplomatic affairs. Volume **III,** sections **1896–1901.**

The clause "if not, in his judgment, incompatible with the public interest," is generally used by the Senate in resolutions of inquiry directed to the President. Volume **III,** sections **1902, 1903.**

It has been considered proper to use the word "request" in asking for information from the President, and "direct" in addressing the heads of Departments. Volume **III,** section **1895.**

An early instance wherein a resolution making inquiry of the President of the United States contained the condition "if not incompatible with the public interest." Volume **V,** section **5759.**

As to the use of the words "request" and "direct" in resolutions of inquiry addressed to the Executive (footnote). Volume **III,** section **1856.**

In some instances the House has made its inquiries of the President without condition, and has even made the inquiry imperative. Volume **III,** sections **1896–1901.**

The House declared in 1796 that its constitutional requests of the Executive for information need not be accompanied by a statement of purposes. Volume **VII,** section **1509.**

The President having failed to respond to a resolution of inquiry, the House respectfully reminded him of the fact. Volume **III,** section **1890.**

A demand that the head of an Executive Department transmit a more complete reply to a resolution of inquiry may not be presented as a matter of privilege. Volume **III,** section **1892.**

A proposition to investigate whether or not the head of an Executive Department had failed or declined to respond to an inquiry of the House was held not to be a matter of privilege. Volume **III,** section **1893.**

The House, after debate, called on the President for a list of appointments of Members of Congress to offices (footnote). Volume **III,** section **1864.**

A letter from the head of an Executive Department responding to a resolution of inquiry is not printed in full in the Journal, but a brief summary of its contents is printed. Volume **IV,** section **2858.**

A discussion in the Senate as to its powers in calling for papers from the President. Volume **III,** sections **1902, 1903.**

Discussion in the Senate as to the practice of requiring information from the heads of Departments and requesting it of the President. Volume **III,** section **1904.**

Discussion of the status of the Department of State in relation to resolutions of inquiry. Volume **III,** section **1905.**

(13) Communications With.—Refusal to Respond to Inquiries.

The head of a Department having declined to respond to an inquiry of the House, a demand for a further answer was entertained as a matter of privilege. Volume **III,** section **1891.**

The House having asserted its right to direct the heads of the Executive Departments to furnish information, the Secretary of War returned an answer to a portion of the inquiry, declining to respond to the remainder. Volume **III,** section **1886.**

In 1842 the House vigorously asserted and President Tyler as vigorously denied the right of the House to all papers and information in possession of the Executive relating to subjects over which the jurisdiction of the House extended. Volume **III,** sections **1884, 1885.**

PRESIDENT OF THE UNITED STATES—Continued.

(13) Communications With.—Refusal to Respond to Inquiries—Continued.

President Grant declined to answer an inquiry of the House as to whether or not he had performed any executive acts at a distance from the seat of government. Volume **III,** section **1889.**

On request President Johnson furnished to the House the minutes of a meeting of the Cabinet. Volume **III,** section **1888.**

President Jackson declined to furnish to the Senate a copy of a paper purporting to have been read by him to the heads of the Executive Departments. Volume **III,** section **1887.**

In 1886 the refusal of the Attorney-General to transmit certain papers called for by the Senate led to a discussion of prerogatives and a declaration by the Senate. Volume **III,** section **1894.**

The Postmaster-General having responded to an inquiry in a manner considered disrespectful, the Senate referred the matter to the President, whereat an explanation was forthcoming. Volume **III,** section **1906.**

In 1837 a committee discussed the authority of the House in calling for papers from the Executive Departments and the kind of papers properly subject to its demand. Volume **III,** section **1738.**

Discussion of the right of the House to demand papers from a public officer. Volume **III,** section **1700.**

Discussion as to the use of the subpoena duces tecum in procuring papers from public officers. Volume **III,** section **1700.**

(14) Communications With.—Inquiries as to Treaties and Foreign Relations.

The House has requested the President to lay before it information as to the carrying out and the violation of treaties and the information has been furnished. Volume **II,** sections **1510, 1511.**

In 1822 the House called generally and specifically for papers relating to the treaty of Ghent and obtained them, although the Executive advised against their publication. Volume **II,** sections **1512, 1513.**

President Washington in 1796 declined the request of the House that he transmit the correspondence relating to the recently ratified treaty with Great Britain. Volume **II,** section **1509.**

In 1846 President Polk, for reasons of public policy, declined to inform the House as to expenditures from the secret, or contingent, fund of the State Department. Volume **II,** section **1561.**

In 1848 President Polk declined on constitutional grounds to honor the unconditional request of the House for a copy of the instructions to the minister sent to negotiate a treaty with Mexico. Volume **II,** sections **1518, 1519.**

Even in the case of an application for papers relating to an Indian treaty President Jackson asserted the Executive prerogative as opposed to the contention of the House. Volume **II,** section **1534.**

After full discussion of its relations to the Executive, the House inserted a qualifying clause in its request for information as to certain foreign relations. Volume **II,** section **1547.**

(15) Bills.—Requirements as to Presentation to.

Every bill which has passed the two Houses is presented to the President for his signature if he approve. Volume **IV,** section **3482.**

In general orders, resolutions, and votes in which the concurrence of the two Houses is necessary must be presented to the President on the same condition as bills. Volume **IV,** section **3482.**

The question as to whether or not concurrent resolutions should be sent to the President for his signature. Volume **IV,** section **3484. Volume VII,** section **1084.**

Although the requirement of the Constitution seems specific, the practice of Congress has been to present to the President for approval only such concurrent resolutions as are legislative in effect. Volume **IV,** section **3483.**

PRESIDENT OF THE UNITED STATES—Continued.

(15) Bills.—Requirements as to Presentation to—Continued.

A concurrent resolution providing for final adjournment of the two Houses is not presented to the President for approval. Volume **IV,** section **3482.**

It has been conclusively settled that a joint resolution proposing an amendment to the Constitution should not be presented to the President for his approval. Volume **V,** section **7040.**

Joint resolutions proposing amendments to the Constitution, although not requiring the approval of the President, have their several readings and are enrolled and signed by the Speaker (footnote). Volume **V,** section **7029.**

The President requested a duplicate copy of a bill, lost after transmission to him, by a message addressed to the House in which the bill originated. Volume **VII,** section **1093.**

(16) Bills.—Manner of Presentation to.

The rule and practice as to the enrolling and signing of bills and their presentation to the President. Volume **IV,** section **3429.**

The certification and presentation of enrolled bills to the President is governed by usage founded on former joint rules. Volume **IV,** section **3430.**

The method of presenting bills to the President of the United States has been considered but not settled by either law or rule. Volume **IV,** section **3494.**

The old rule prohibiting the sending of bills from one House to the other and to the President in the last hours of a Congress did not operate well in practice (footnote). Volume **IV,** section **3487.**

Enrolled bills are presented to the President by the Committee of Enrollment. Volume **IV,** section **3429.**

It has long been the practice for the chairman of the Committee on Enrolled Bills to present bills to the President of the United States for his signature. Volume **IV,** section **3493.**

In early days a joint committee took enrolled bills to the President of the United States. Volume **IV,** section **3432.**

The Committee on Enrolled Bills reports, for entry on the Journal, the date of presentation of bills to the President. Volume **IV,** section **3430.**

The chairman of the Committee on Enrolled Bills reports daily the enrolled bills presented to the President of the United States for approval. Volume **IV,** section **3431.**

Instance wherein a bill enrolled and signed by the Presiding Officers of the two Houses of one session was sent to the President and approved at the next session. Volume **IV,** section **3486.**

There having been no unreasonable delay in transmitting an enrolled bill to the President, a resolution relating thereto was decided not to present a question of privilege. Volume **III,** section **2601.**

(17) Bills.—Approval of.

The approval of a bill by the President of the United States is valid only with his signature. Volume **IV,** section **3490.**

An instance where the President, in announcing his approval of a bill, gave his reasons for so doing. Volume **IV,** section **3491.**

In 1842 a committee of the House discussed the act of President Jackson in writing above his signature of approval a memorandum as to his construction of the bill. Volume **IV,** section **3492.**

The act of President Tyler in filing with a bill an exposition of his reasons for signing it was examined and severely criticised by a committee of the House. Volume **IV,** section **3492.**

At the close of the Fifty-ninth Congress the President approved bills as to the hour and minute of the calendar day instead as of the legislative day. Volume **IV,** section **3489.**

A bill not returned by the President within ten days (Sundays excepted) becomes a law as if signed, unless Congress by adjournment prevents its return. Volume **IV,** section **3520.**

PRESIDENT OF THE UNITED STATES—Continued.

(17) Bills.—Approval of—Continued.

The President, in the opinion of the Attorney-General, may sign a bill at any time within ten days after Congress has adjourned for a recess. Volume **IV,** section **3496.**

The Supreme Court affirmed the validity of an act presented to the President while Congress was sitting and signed by him within ten days, but after the Congress had adjourned for a recess. Volume **IV,** section **3495.**

President Johnson contended that he might not approve bills during a recess of Congress. Volume **IV,** sections **3493, 3494.**

There is much doubt as to whether a bill which remains with the President ten days without his signature, Congress having meanwhile adjourned for a recess, becomes a law. Volume **IV,** section **3493.**

An instance wherein the President signed a bill after the adjournment of Congress. Volume **IV,** section **3497.**

A bill passed by both Houses during an interim session and presented to the President less than 10 days before adjournment of the session, but neither signed by the President nor returned without his signature, does not become a law. Volume **VII,** section **1115.**

An instance where the President signed bills after Congress had adjourned for a recess. Volume **VII,** section **1087.**

The President, in the opinion of the Attorney General, has the power to approve bills after adjournment sine die of the Congress which has passed them, but within 10 days (Sundays excepted) after they have been presented to him. Volume **VII,** section **1088.**

An enrolled bill, when signed by the President, is deposited in the Office of the Secretary of State. Volume **IV,** section **3429.**

A statute requires that bills signed by the President shall be received by the Secretary of State from the President. Volume **IV,** section **3485.**

Notice of the signature of a bill by the President is sent by message to the House in which it originated, and that House informs the other. Volume **IV,** section **3429.**

The President usually informs the House of his signature to a bill, but this is not necessary to the validity of the act. Volume **IV,** section **3495.**

It is usual for the President to inform the House by message of such bills as he has approved and of such as have become laws without his approval. Volume **V,** sections **6614, 6615.**

The President sometimes, at the close of a Congress, informs the House as to both the bills he has signed and those he has allowed to fail. Volume **IV,** sections **3499–3502.**

An instance where the President communicated his omission to sign a bill through the committee appointed to notify him that Congress was about to adjourn. Volume **IV,** section **3504.**

The President usually notifies the House of bills that have become laws without his approval. Volume **IV,** section **3503.**

Announcement of approval of a bill by the President is transmitted to the House in which the bill originated. Volume **VII,** section **1089.**

A concurrent resolution to send to the President for approval bills which had passed both Houses in the previous session of the same Congress but which for want of time failed to reach him was treated as privileged. Volume **VII,** section **1086.**

(18) Bills—Recall and Correction of Bills Already Transmitted.

Bills sent to the President but not yet signed by him are sometimes recalled by concurrent resolution of the two Houses. Volume **IV,** sections **3507–3509.**

The process of recalling from the President and amending an enrolled bill. Volume **IV,** sections **3510–3518**

A bill wrongly enrolled was recalled from the President, who erased his signature, and recommitted to the Committee on Enrolled Bills with instructions. Volume **IV,** section **3506.**

A bill sent to the President but not yet signed by him was recalled by concurrent resolution. Volume **VII,** section **1091.**

PRESIDENT OF THE UNITED STATES—Continued.

(18) Bills.—Recall and Correction of Bills Already Transmitted.—Continued.

An instance where a joint committee asked of the President the return of a bill. Volume **IV,** section **3505.**

Instance wherein an enrolled bill recalled from the President was afterwards amended. Volume **IV,** section **3508.** Volume **VII,** section **1091.**

A bill that had not actually passed, having been enrolled and signed by the President of the United States, was disregarded by the Executive and Congress passed another bill. Volume **IV,** section **3498.**

An error in a bill that has gone to the President of the United States may be corrected by a joint resolution. Volume **IV,** section **3519.** Volume **VII,** section **1092.**

An instance where the President returned a bill already signed by him, in order that the enrollment might be corrected. Volume **IV,** section **3505.**

A resolution for the reenrollment and signing of a bill which the President had declined to sign for constitutional reasons was held to be privileged. Volume **IV,** section **3493.**

(19) Convening of Congress by.

In early days extra sessions were held on dates fixed by law rather than at the call of the President. Volume **VIII,** section **3371.**

The President may on extraordinary occasions convene both or either of the Houses of Congress. Volume **I,** section **1.**

One Congress having by law provided a time for the meeting of the next Congress, that Congress nevertheless met at an earlier day on call of the President. Volume **I,** section **12.**

Instances wherein Congress has been convened by proclamation or by law. Volume **I,** sections **10, 11.**

In certain exigencies the President may convene Congress at a place other than the seat of government. Volume **I,** section **2.**

The statutes provide that in case of the removal, death, resignation, or inability of both President and Vice-President during a recess of Congress the Secretary who acts as President shall convene Congress in extraordinary session. Volume **I,** section **13.**

Discussion as to whether or not there is a distinction between a session called by the President and other sessions of Congress (footnote). Volume **I,** section **12.**

(20) Adjourning of Congress.

When the two houses disagree as to adjournment the President may adjourn them. Volume **V,** section **6672.**

The Executive has successfully opposed as unconstitutional an effort of the two Houses to fix by law the time of adjournment of Congress. Volume **V,** section **6688.**

Reference to discussion of the constitutional power of the President to adjourn Congress in a certain contingency (footnote). Volume **I,** section **12.**

In the later Congresses it has been established both by declaration and practice that a special session, whether convened by law or proclamation, ends with the constitutional day for annual meeting. Volume **V,** sections **6690–6693.**

(21) Notification of, as to Organization of the House.

The Senate and President are informed of the presence of a quorum and the organization of the House. Volume **I,** sections **198–203.**

In recent years all the officers have been elected before the President and Senate have been informed of the organization. Volume **I,** sections **194–196.**

In the earlier practice the messages announcing the organization were sent immediately after the election of Speaker and did not refer to the election of Clerk. Volume **I,** sections **198–203.**

In 1860 the House decided that it might inform the Senate and President of its organization and election of a Speaker before it had elected a Clerk. Volume **I,** section **240.**

PRESIDENT OF THE UNITED STATES—Continued.

(21) Notification of, as to Organization of the House—Continued.

A Speaker pro tempore being elected, the Senate and President are informed. Volume **II,** section **1401.** Volume **VI,** section **275.**

The Speaker being elected to fill a vacancy caused by resignation, the Senate, but not the President, was notified of the fact. Volume **I,** sections **231, 232.**

When the House elects a Speaker pro tempore for any considerable time it is usual to notify the Senate, and sometimes the President of the United States also. Volume **II,** sections **1406–1412.**

The House having approved the Speaker's designation of a Speaker pro tempore, the oath was administered and the Clerk was directed to notify the President and the Senate. Volume **VI,** sections **266, 277, 280.**

(22) Notification of, as to Adjournments.

Form of resolution authorizing a joint committee to notify the President of the approaching adjournment of Congress. Volume **V,** section **6723.**

At the adjournment of the last session of a Congress, even at the expiration of the constitutional term of the House, the two Houses send a joint committee to inform the President. Volume **V,** section **6724.**

Instance wherein the President of the United States was not notified of the expiration of a session of Congress. Volume **V,** section **6692.**

The resolution notifying the President that the House is ready to adjourn sine die is usual, but has sometimes been omitted. Volume **V,** sections **6725, 6726.**

The two Houses do not notify the President when they are about to adjourn for the holiday recess (footnote). Volume **V,** section **6680.**

(23) Requests of or Directions to.

The House has requested the Executive authority to prosecute one of the officers of the House. Volume **I,** section **287.**

The Senate requested the Executive to prosecute William Duane for defamation of the Senate. Volume **II,** section **1604.**

The House declined to ask of the Executive the removal of an officer whom a committee had found delinquent. Volume **III,** section **2501.**

The House requested the President, if necessary, to afford military protection to the Kansas Committee of 1856. Volume **III,** section **1752.**

In 1807 the House, after mature consideration, declined to investigate charges against the chief of the Army, but requested the President to make such an inquiry. Volume **III,** section **1726.**

The House once passed a resolution requesting the President to cause a reduction of the executive estimates to be made. Volume **IV,** section **3577.**

The two Houses requested the President to transmit to the States forthwith certain proposed amendments to the Constitution. Volume **V,** section **7043.**

On one occasion at least the two Houses have requested the President to transmit to the States a joint resolution proposing an amendment to the Constitution. Volume **V,** section **7041.**

Congress, by concurrent resolution, directs executive officers to make investigations in river and harbor matters. Volume **II,** section **1593.**

In the early practice of the House a resolution making a request of the President was taken to him by a committee of Members. Volume **III,** section **1726.**

In 1909 the House originated, and the Senate agreed to, a resolution requesting the President to negotiate by treaty or otherwise with a foreign government. Volume **VI,** section **323.**

In cases where its investigations have suggested the culpability of executive officers, the Senate has by resolution submitted advice or suggestions to the Executive. Volume **VI,** section **331.**

PRESIDENT OF THE UNITED STATES—Continued.

(23) Requests of or Directions to—Continued.

The Senate having adopted a resolution advising the Executive as to matters within the sphere of his duties, the latter in a statement to the press announced that no official recognition would be accorded it. Volume **VI,** section **331.**

A resolution addressed to the President requesting the transmission of papers having been offered, the Senate modified it by incorporation of the clause "if not incompatible with the public interest." Volume **VI,** section **433.**

The President declined to submit to the Senate in response to its request certain papers touching the London Naval Treaty of 1930 on the ground that such compliance would be incompatible with the public interest. Volume **VI,** section **433.**

(24) Advice to, by the House.

The House, either alone or in concurrence with the Senate, has by resolution expressed opinions or determinations on important public questions. Volume **II,** sections **1562–1568.**

The House has at times adopted resolutions requesting or advising the Executive as to matters within the sphere of his duties. Volume **II,** sections **1573–1578.**

Declaration of the House as to third term of a President. Volume **II,** section **1568.**

In cases where its investigations have suggested the culpability of executive officers, the House has by resolution submitted advice, or requests, to the Executive. Volume **II,** sections **1581–1584.**

An opinion of the Attorney-General that neither House may by resolution give a construction to an existing law which would be of binding effect on an executive officer. Volume **II,** section **1580.**

Under the early practice resolutions embodying opinions of the House were presented to the President of the United States by a committee. Volume **II,** section **1542.**

(25) Praise or Censure of.

While the House in some cases has bestowed praise or censure on the President or a member of his Cabinet, such action has at other times been held to be improper. Volume **II,** sections **1569–1572.**

A formal protest by the President against certain proceedings of the House was declared a breach of privilege. Volume **II,** section **1590.**

President Jackson having sent to the Senate a protest against its censure of his acts, the Senate declared the protest a breach of privilege and refused it entry on the Journal. Volume **II,** section **1591.**

(26) Prerogatives of.—Power of Appointment to Office.

The power of appointment to office belongs to the President, and Congress by law may not declare one an officer who is not such in fact. Volume **II,** section **1595.**

Reference to President's protest against assumption by the House of the right to designate the officers who should disburse appropriations (footnote). Volume **IV,** section **4032.**

In 1842 the House, after discussion, abandoned a proposition to pass on the authority of the President to appoint commissions of investigations without the sanction of law. Volume **II,** section **1585.**

Secretary Stanton communicated directly to the House the fact of the President's attempt to remove him. Volume **III,** section **2408.**

Discussion as to whether President Johnson was justified in attempting to test the constitutionality of the tenure of office law. Volume **III,** section **2411.**

Discussion of the term "recess of the Senate", as related to the President's power of appointment. Volume **V,** section **6687.**

Reference to questions arising in the Senate as to recess appointments in a case wherein one session followed its predecessor immediately. Volume **V,** section **6693.**

PRESIDENT OF THE UNITED STATES—Continued.

(27) Prerogatives of.—Appointment of Members to Office.

No Member may during the term for which he was elected be appointed to any office which shall have been created or the emoluments of which shall have been increased during such term. Volume **I,** section **485.**

Summary of instances wherein Members of the House and Senate have been appointed by the Executive to commissions (footnote). Volume **I,** section **493.**

A Member who had been appointed a militia officer in the District of Columbia by the President was deprived of his seat in the House. Volume **I,** section **486.**

(28) Prerogatives of.—As to Treaties in General.

The House sometimes requests the Executive to negotiate a treaty, although the propriety of the act has been questioned. Volume **II,** sections **1514–1517.**

Discussion of the right of the House to share in the treaty-making power. Volume **II,** sections **1509.**

Discussion of the prerogatives of the House in relation to treaties, commercial and otherwise. Volume **II,** sections **1546, 1547.**

Instances of the action of the House in carrying into effect, terminating, enforcing, and suggesting treaties. Volume **II,** sections **1502–1505.**

In 1796 the House affirmed that when a treaty related to subjects within the power of Congress it was the constitutional duty of the House to deliberate on the expediency of carrying such treaty into effect. Volume **II,** section **1509.**

In 1816 the House, after discussion with the Senate, maintained its position that a treaty must depend on a law of Congress for its execution as to such stipulations as relate to subjects constitutionally intrusted to Congress. Volume **II,** section **1506.**

In 1868, after discussion with the Senate, the House's assertion of right to a voice in carrying out the stipulations of certain treaties was conceded in a modified form. Volume **II,** section **1508.**

In 1871 the House asserted its right to a voice in carrying into effect treaties on subjects submitted by the Constitution to the power of Congress. Volume **II,** section **1523.**

After long discussion the House, in 1871, successfully asserted its right to a voice in approving Indian treaties. Volume **II,** sections **1535, 1536.**

In 1881 the House Committee on Foreign Affairs, discussing the treaty-making power, concluded that the House had no share in it. Volume **II,** section **1525.**

In 1868 the House declined to assert that no purchase of foreign territory might be made without the sanction of a previously enacted law. Volume **II,** section **1508.**

In 1820 the House considered, but without result, its constitutional right to a voice in any treaty ceding territory. Volume **II,** section **1507.**

(29) Prerogatives of.—As to Revenue Treaties.

The House has at times advised the Executive in regard to treaties affecting the revenue. Volume **II,** sections **1520–1522.**

In 1880 the House declared that the negotiation of a treaty affecting the revenues was an invasion of its prerogatives. Volume **II,** section **1534.**

In 1884 and 1886 the Ways and Means Committee assumed that the right of the House to a voice in making treaties affecting the revenue had been conceded. Volume **II,** sections **1526, 1527.**

After long and careful consideration, the Judiciary Committee of the House decided, in 1887, that the executive branch of the Government might not conclude a treaty affecting the revenue without the assent of the House. Volume **II,** sections **1528–1530.**

Argument that duties are more properly regulated with the publicity of Congressional action than by treaties negotiated by the Executive and ratified by the Senate in secrecy. Volume **II,** section **1532.**

Reference to discussion in the Senate over right of the House to a voice in making treaties affecting the revenue (footnote). Volume **II,** section **1528.**

PRESIDENT OF THE UNITED STATES—Continued.

(30) Prerogatives of.—As to Other Foreign Relations.

The House has declared its "constitutional right to an authoritative voice in declaring and prescribing the foreign policy of the United States, as well in the recognition of new powers, as in other matters." Volume **II,** section **1539.**

The House has usually had a voice in the recognition of the independence of a foreign nation when such recognition has affected relations with another power. Volume **II,** sections **1541–1544.**

An authorization of diplomatic relations with a foreign nation originated in the House in 1882. Volume **II,** section **1549.**

In 1825 the House, after long discussion, declined to make a declaration of policy or give express approval of a diplomatic service instituted by the President. Volume **II,** sections **1546, 1547.**

In 1811 the House originated and the Senate agreed to a resolution declaring the attitude of the United States on a question of foreign policy. Volume **II,** section **1538.**

Discussion as to the right of the House to withhold an appropriation to pay the expenses of diplomatic agents appointed by the Executive. Volume **II,** sections **1546, 1547.**

In 1825 the House, after long debate, made an unconditional appropriations for the expenses of the ministers to the Panama Congress. Volume **II,** sections **1546, 1547.**

While not questioning the right of the House to decline to appropriate for a diplomatic office, President Grant protested against its assumption that it might give directions as to that service. Volume **II,** section **1548.**

Congratulations of the House on the adoption of a republican form of government by Brazil. Volume **II,** section **1550.**

The House has, by resolution, extended its sympathy to foreign peoples desirous of greater liberty. Volume **II,** sections **1553–1555.**

Resolutions originating in the House and making an exchange of compliments with certain Republics were disapproved by President Grant as infringing on Executive prerogative. Volume **II,** section **1556.**

The power of the President to appoint diplomatic representatives to foreign governments and to determine their rank is derived from the Constitution and may not be circumscribed by statutory enactments. Volume **VII,** section **1248.**

A statute prohibiting the creation of new ambassadorships except by act of Congress is in contravention of the President's constitutional prerogatives and will not support a point of order against an appropriation for the salary of an ambassadorship not created by act of Congress but appointed by the President and confirmed by the Senate. Volume **VII,** section **1248.**

Where the President has appointed a diplomatic representative and the appointment has been approved by the Senate, a point of order does not lie against an appropriation for the salary of such representative unless the rate of pay has been otherwise fixed by law. Volume **VII,** section **1248.**

The President, at will, may raise a legation to an embassy or reduce an embassy to a legation, any statute to the contrary notwithstanding, and where the President has made such change and followed it with an appointment which has been approved by the Senate, an appropriation for the salary of the appointee is in order unless the rate of pay is in contravention of law. Volume **VII,** section **1248.**

In 1920 the Senate requested the concurrence of the House in a resolution proposing to restrict the power of the President in the negotiations of foreign affairs. Volume **VI,** section **327.**

In 1916 the House originated and the Senate agreed to a measure authorizing the President to invite a conference of Governments of the world to consider the establishment of a Court of Arbitration. Volume **VI,** section **329.**

PRESIDENT OF THE UNITED STATES—Continued

(31) Investigations as Related to Authority of.

The House of Representatives having appointed a committee to inquire into the conduct of the President of the United States, and the President having protested, the House insisted on its right so to do. Volume **II,** section **1598.**

President Jackson resisted with vigor the attempt of a committee of the House to secure his assistance in an investigation of this administration. Volume **III,** section **1737.**

In 1837 a committee took the view that the House might inquire into alleged corrupt violations of duty by the Executive only with impeachment in view. Volume **III,** section **1740.**

The right and duty of the House to inquire into the manner of expenditure of public money by the executive branch was early asserted. Volume **III,** section **1726.**

The House very early overruled the objection that its inquiry into the conduct of clerks in the Executive Departments would be an infringement on the Executive power. Volume **III,** section **1729.**

The House in 1824 investigated, on application of the United States minister to Mexico, a controversy on a public matter between him and the Secretary of the Treasury. Volume **III,** section **1741.**

Members of the President's Cabinet whose reputations and conduct have been assailed on the floor of the House have sometimes asked for an investigation. Volume **III,** sections **1734, 1735.**

Vice-President Calhoun asked the House, as the grand inquest of the nation, to investigate certain charges made against his conduct as Secretary of War, and the House granted the request. Volume **III,** section **1736.**

In 1792 the House declined to request the President to inquire into the causes of the defeat of General St. Clair's army and asserted its own right to make the investigation. Volume **III,** section **1725.**

In 1810 the House, after mature consideration, determined that it had the right to investigate the conduct of General Wilkinson, although he was not an officer within the impeaching power of the House. Volume **III,** section **1727.**

At the first investigation of charges against General Wilkinson the proceedings were ex parte, but at the second inquiry the House voted that he should be heard in his defense. Volume **III,** section **1727.**

The House having investigated charges against General Wilkinson, of the Army, the results were transmitted to the President by the hands of a committee. Volume **III,** section **1727.**

In 1861 the two Houses, by concurrent action, without question the right to investigate the conduct of the war. Volume **III,** section **1728.**

While a committee of the House reported it inexpedient for the House to investigate the charges of a subordinate against a captain in the Navy, they expressly asserted the power of the House so to do. Volume **III,** section **1738.**

(32) Impeachment of.

Treason, bribery, or other high crimes and misdemeanors require removal of President, Vice-President, or other civil officers on conviction by impeachment. Volume **III,** section **2001.**

The Constitution requires the Chief Justice to preside when the President of the United States is tried before the Senate. Volume **III,** section **2055.**

When the President of the United States is impeached the Chief Justice of the Supreme Court presides. Volume **III,** section **2082.**

The first attempt to impeach Andrew Johnson, President of the United States. Volume **III,** sections **2399–2407.**

In the first inquiry the House decided not to impeach President Johnson. Volume **III,** section **2407.**

PRESIDENT OF THE UNITED STATES—Continued

(32) Impeachment of—Continued

The impeachment and trial of Andrew Johnson, President of the United States. Volume **III,** sections **2408–2443.**

At the time President Johnson's impeachment it was agreed that he should be described as President and not as Acting President. Volume **III,** section **2415.**

At the time of the impeachment of President Johnson it was conceded that he was entitled to exercise the duties of the office until convicted by the Senate. Volume **III,** section **2407.**

Reference to argument of Senator Charles Sumner that President Johnson should be suspended during impeachment proceedings. Volume **III,** section **2407.**

On the report from the Committee on Reconstruction the House voted the impeachment of President Johnson. Volume **III,** section **2412.**

It does not appear that President Johnson sought to be represented before the committee making the first investigation. Volume **III,** section **2403.**

A proposal to investigate the official conduct of the President of the United States with a view to impeachment was laid on the table. Volume **III,** section **541.**

(33) Questions of Privilege Relating to.

A resolution that the rights and dignity of the House have been invaded by the Executive presents a question of privilege. Volume **III,** section **2563.**

A resolution implying that the constitutional rights of the House may have been invaded by the Executive presents a question of privilege. Volume **III,** section **2563.**

An appeal of a Member to the President for protection was considered derogratory to the privilege of the House. Volume **III,** section **2680.**

A newspaper charge that a Member of the House had been influenced by Executive patronage was submitted as privileged, but the House declined to investigate. Volume **III,** section **2701.**

An alleged corrupt combination between Members of the House and Executive was investigated as a question of privilege. Volume **III,** section **2538.**

The House declined to entertain as a question of privilege a resolution to investigate a charge made by a Cabinet officer that Members of Congress, not named, had made a corrupt proposition to the Executive. Volume **III,** section **2654.**

The President, by message, complained to the House that his Secretary, immediately after delivering a message to the House had been assaulted in the Capitol. Volume **II,** section **1615.**

(34) References to, in Debate.

It is in order in debate to refer to the President of the United States or his opinions either with approval or critisim, provided that such reference be relevant to the subject under discussion and otherwise conformable to the rules of the House. Volume **V,** sections **5087–5091.**

It has been held in order to refer in debate to the President of the United States in terms of criticism provided such reference be in language conformable to the rules of the House. Volume **VIII,** section **2500.**

Debate in the House may refer to the motives of the President but personal criticism, innuendo or ridicule are not in order. Volume **VIII,** section **2497.**

Criticism of the manner in which the President discharged the duties of his office was decided by the House not to violate the rules of decorum in debate. Volume **VIII,** section **2499.**

The right to criticize official acts and policies of the President in debate in the House should not be denied or abridged but such debate is subject to proper rules requiring decorum in debate. Volume **VIII,** section **2497.**

It is not in order in debate to refer to the President of the United States in terms of opprobrium. Volume **VIII,** section **2497.**

It is a breach of order in debate to refer to the President disrespectfully. Volume **VIII,** section **2498.**

PRESIDENT OF THE UNITED STATES—Continued.

(34) References to, in Debate—continued.

The principles of decorum and courtesy governing the relations of the two Houses should extend to the relations of the House with the President. Volume **VIII,** section **2497.**

Remarks in debate charging the President with "persistent defamation" of an officer was held by the House to constitute a breach of order. Volume **VIII,** section **2497.**

A statement made in debate to the effect that the President considered himself the Government and used pork as the crude material of his administration was held not to involve a breach of order. Volume **VIII,** section **2499.**

Instance wherein the House struck from the Record a speech containing language reflecting personally on the President of the United States. Volume **VIII,** section **2497.**

A resolution providing for investigation of the propriety of language referring to the President of the United States and said to violate the privileges of debate was considered as privileged. Volume **VIII,** section **2499.**

A reference in debate to the probable action of the President of the United States was held to involve no breach of order. Volume **V,** section **5092.**

In debating a proposition to impeach the President of the United States a wide latitude was permitted to a Member in preferring charges. Volume **V,** section **5093.**

Mr. Speaker Colfax held that a Member, in debating a proposition to impeach the President, should abstain from language personally offensive. Volume **V,** section **5094.**

The law of Parliament, evidently inapplicable to the House of Representatives, forbids the member from speaking "irreverently or seditiously against the King." Volume **V,** section **5086.**

(35) Inauguration of.

When March 4 falls on Sunday the inauguration of the President of the United States occurs at noon, March 5. Volume **III,** section **1996.**

When the inauguration date falls on Sunday the inauguration of the President of the United States occurs at noon, the following day. Volume **VI,** section **449.**

Review of procedure at the several inaugurations of the Presidents, with record of the participation of the House therein. Volume **III,** sections **1986–1995.** Volume **VI,** sections **447–453.**

Arrangements for the inauguration of the President of the United States (but not the Vice–President) made by a joint committee of the two Houses. Volume **III,** sections **1998, 1999.**

References to the early agitation in the House for a voice in making arrangements for the inauguration of the President. Volume **III,** section **1996.**

Ceremonies at the administration of the oath of office to Millard Fillmore, President of the United States. Volume **III,** section **1997.**

A proposition that the House cooperate with the Senate in the conduct of the ceremonies of the President's inauguration was held not to present a question of privilege. Volume **III,** section **2622.**

Arrangements for the inauguration of the President elect and Vice President of the United States made by a joint committee of the two Houses. Volume **VI,** section **451.**

An instance wherein, owing to inclemency of the weather, the President elect took the oath and delivered his inaugural address in the Senate Chamber. Volume **VI,** section **447.**

The concurrent resolution creating a joint committee authorized to arrange for the quadrennial inauguration ceremonies is considered sufficient authorization for the necessary appropriations for that purpose. Volume **VI,** section **452.**

(36) Decease of.

Ceremonies in memory of President William Henry Harrison. Volume **V,** section **7176.**

Ceremonies in honor of President Zachary Taylor, who died during a session of Congress. Volume **V,** section **7177.**

Ceremonies in memory of President Abraham Lincoln. Volume **V,** section **7178.**

PRESIDENT OF THE UNITED STATES—Continued.

(36) Decease of—Continued.

Ceremonies in memory of President James A. Garfield. Volume **V,** section **7179.**

Proceedings and exercises in memory of the late President McKinley. Volume **V,** section **7180.**

Ceremonies and exercises in memory of President Warren G. Harding. Volume **VIII,** section **3575.**

Proceedings and exercises in memory of former President Theodore Roosevelt. Volume **VIII,** section **3579.**

Ceremonies in memory of Woodrow Wilson. Volume **VIII,** section **3578.**

Ceremonies in memory of Calvin Coolidge. Volume **VIII,** section **3574.**

The House waited on the President of the United States on the occasion of the death of George Washington. Volume **V,** section **7181.**

Ceremonies on the occasion of the deaths of members of the President's Cabinet. Volume **V,** sections **7198–7200.**

In rare instances the House has noticed the decease of a member of a member of the family of a President or ex-President. Volume **V,** sections **7182–7184.**

By joint resolution Congress has expressed its condolence with the widow of a deceased President. Volume **V,** section **7176.**

In rare instances the House has noticed the decease of a member of the family of a President or ex-President. Volume **VIII,** section **3580.**

In conformity with custom, widows of former Presidents of the United States are granted the franking privilege. Volume **VIII,** section **3581.**

(37) In General.

The House has decided that a Vice-President succeeding to the Presidency should be called "the President" without qualification. Volume **II,** section **1586.**

The President and Vice-President of the United States and their secretaries have the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

The House formally extended the privileges of the floor to the widow of President Madison. Volume **V,** section **7081.**

The Speaker is required to set aside a portion of the west gallery for the use of the President, members of his Cabinet, justices of the Supreme Court, and foreign ministers and suites, and their respective families. Volume **V,** section **7302.**

Presents to the President or other officers were formerly placed at the disposal of Congress. Volume **II,** sections **1588, 1589.**

Cases of impeachment are excluded by the Constitution from the offenses for which the President may grant reprieves and pardons. Volume **III,** section **2003.**

A question as to the expediency of impeaching an officer removable by the Executive. Volume **III,** section **2501.**

The Senate ordered an attested copy of the court's decisions in the Humphreys case to be sent to the President of the United States. Volume **III,** section **2397.**

Bills providing for the protection of the President and relating to the office and its duties have been reported by the Committee on the Judiciary. Volume **IV,** section **4077.**

Subjects relating to the succession of the office of President in case of his death, disability, etc., have been within the jurisdictions of the Committee on Election of President, Vice-President, and Representatives in Congress. Volume **IV,** section **4304.**

Changes in the law regarding the electoral count and resolutions regulating the actual count by the House and Senate are within the jurisdiction of the Committee on Election of President, Vice-President, and Representatives in Congress. Volume **IV,** section **4303.**

Proposed changes of the Constitution as to the term of Congress and the President and the time of annual meeting of Congress have been considered by the Committee on Election of President, Vice-President, and Representatives in Congress. Volume **IV,** section **4302.**

PRESIDENT OF THE UNITED STATES—Continued.

(37) In General—Continued.

The rule gives to the Committee on Election of President, Vice-President, and Representatives in Congress jurisdiction of subjects relating to the election of the officials enumerated in the designation. Volume **IV,** section **4299.**

A proposition to pay the traveling express of the President of the United States by a paragraph in an appropriation bill was held to be authorized by law. Volume **IV,** section **3610.**

Reference to principles governing recognition of a State government by the President of the United States. Volume **I,** section **349.**

The House accepted an invitation to attend and participate in ceremonies in celebration of the first inauguration of George Washington as President of the United States without making provision for adjournment or representation. Volume **VIII,** section **3531.**

By concurrent action an invitation was extended to the President of the United States to address a joint session of the two Houses on the subject of the birth of George Washington. Volume **VIII,** section **3532.**

PRESIDENT PRO TEMPORE OF THE SENATE.

(1) Nature and tenure of the office.
(2) General powers and duties of.
(3) Choice of.
(4) By designation.
(5) At the electoral count.

(1) Nature and Tenure of the Office.

Nature of the office of President pro tempore of the Senate and its relation to the Vice-President. Volume **II,** section **1417.**

The President pro tempore of the Senate holds the office at the pleasure of that body. Volume **II,** section **1417.**

A Member of the Senate elected President pro tempore was excused from serving by vote of the Senate. Volume **II,** section **1418.**

(2) General Powers and Duties of.

Discussion and ruling in the Senate as to decisions of questions of order by the Presiding Officer. Volume **II,** section **1340.**

The Senate, by resolution, empowered its acting President pro tempore to sign enrolled bills. Volume **II,** section **1402.**

The Senate, by rule, empowers a Presiding Officer by designation to sign enrolled bills. Volume **II,** section **1403.**

The President pro tempore of the Senate declined to take the responsibility of directing the Secretary to omit from the call of the yeas and nays the name of two Senators who had been declared in contempt. Volume **II,** section **1665.**

(3) Choice of.

The Senate, following the act of 1789, declined to administer the oath to Members-elect until it had chosen a President pro tempore, although a precedent for the proposed action was cited. Volume **I,** section **118.**

In the absence of the Vice President during the election of a President pro tempore of the Senate, a President pro tempore was designated to preside. Volume **VI,** section **281.**

The election of an officer of the Senate may be by ballot, by roll call, or by resolution. Volume **VI,** section **282.**

The instance wherein the Senate elected a number of Presidents pro tempore to serve seriatim for stated terms. Volume **VI,** section **282.**

(4) By Designation.

The President pro tempore of the Senate has general power to designate, in writing, a Senator to perform the duties of the Chair during his absence. Volume **II,** section **1413.**

PRESIDENT PRO TEMPORE OF THE SENATE—Continued.

(4) By Designation—Continued.

In the Senate a temporary President pro tempore sometimes designates another. Volume **II,** section **1385.**

In the Senate the process of designating a President pro tempore for the day's sitting has been the subject of much discussion. Volume **II,** sections **1414–1416.**

(5) At the Electoral Count.

At the first electoral count the Senate elected a President pro tempore solely for that occasion. Volume **III,** section **1928.**

In a case where the Vice-President was also the Vice-President-elect the Senate announced the election of a President pro tempore for the sole purpose of opening the certificates and counting the votes, but it does not appear certain that he acted. Volume **III,** section **1929.**

During the electoral count of 1869 the President pro tempore used his discretion about entertaining points of order, but declined absolutely to entertain appeals. Volume **III,** section **1949.**

During the electoral count of 1869 the President pro tempore declined to entertain a resolution offered by a Member of the House. Volume **III,** section **1949.**

In 1877 the President pro tempore declined to receive an unofficial certificate of the electoral vote of Vermont presented in the joint meeting by a Member of the House. Volume **III,** section **1956.**

At the electoral count of 1885 the President pro tempore, in announcing the result, disclaimed any authority in law to declare any legal conclusion whatever. Volume **III,** section **1958.**

In 1881, the Senate determined that its President had no authority to decide on the reception or rejection of electoral votes. Volume **III,** section **1957.**

PRESIDING OFFICER OF THE SENATE.

Reference to discussions of the powers of the Vice-President as presiding officer of the Senate and as to calling to order. Volume **II,** section **1340.**

Discussion and ruling in the Senate as to decisions of questions of order by the Presiding Officer. Volume **II,** section **1340.**

An instance wherein a President pro tempore presiding at an impeachment trial declined to entertain an appeal from his decision on a point of order. Volume **III,** section **2088.**

The Senate having assembled and there being no Presiding Officer, by mutual consent one of the older Members took the chair. Volume **I,** section **118.**

The President pro tempore of the Senate has general power to designate in writing a Senator to perform the duties of the Chair during his absence. Volume **II,** section **1413.**

The Senate by rule empowers a Presiding Officer by designation to sign enrolled bills. Volume **II,** section **1403.**

Enrolled bills are signed first by the Speaker, then by the President of the Senate. Volume **IV,** section **3429.**

A concurrent resolution authorized the presiding officers of the two House to cancel their signature to an enrolled bill failing to conform to recommendations of the Secretary of War. Volume **VII,** section **1077.**

Forms for addressing the Vice-President or President pro tempore while presiding at an impeachment trial. Volume **III,** section **2066.**

The Presiding Officer of the Senate sitting in an impeachment trial directed the counting of the Senate to ascertain the presence of a quorum. Volume **III,** section **2107.**

The Presiding Officer at an impeachment trial exercises authority to call to order counsel using improper language. Volume **III,** sections **2140, 2141.**

Instance during an impeachment trial wherein the Presiding Officer admonished managers and counsel not to waste time. Volume **III,** section **2151.**

The Senate and not the Presiding Officer decides on a motion for attachment of a witness. Volume **III,** sections **2152, 2153.**

PRESIDING OFFICER OF THE SENATE—Continued.

The two Houses have the power to provide that their presiding officers shall declare an adjournment sine die in case that after a recess a quorum shall be lacking in either House. Volume **V,** section **6686.**

A Senator was designated by resolution to administer the oath to the Presiding Officer, who in turn administered the oath simultaneously to all Senators standing in their places. Volume **VI,** section **516.**

While the precedents are not uniform, the practice of the Senate is to permit the withdrawal of suggestions that a quorum is not present prior to ascertainment and announcement by the Chair. Volume **VI,** section **644.**

At joint sessions of the two Houses the presiding officer of the House extending the invitation occupies the Chair. Volume **VIII,** section **3333.**

PRESS.

(1) Representatives of.—Admitted to floor and gallery.
(2) Representatives of.—Expelled for improper publications.
(3) Representatives of.—Expelled for improper conduct.
(4) In general.

(1) Representatives of, Admitted to the Floor and Gallery.

Representatives of certain specified news associations are admitted to the floor of the House under regulations prescribed by the Speaker. Volume **V,** section **7304.** Volume **VIII,** section **3642.**

Stenographers and reporters other than the official reporters are admitted by the Speaker to the gallery over the Speaker's chair under such regulations as he may prescribe. Volume **V,** section **7304.**

At first the representatives of the press were admitted to the floor, but later the present practice of assigning to them the use of a gallery under certain regulations was adopted. Volume **V,** sections **7305–7310.**

Representatives of the press have been admitted by permission of the Speaker. Volume **V,** sections **7305–7310.**

Accredited members of the press having seats in the gallery and employees of the House may go upon the floor of the House until within fifteen minutes of the hour of meeting. Volume **V,** section **7346.**

Supervision of the press gallery, including designation of its employees, is vested in the standing committee of correspondents, subject to the direction and control of the Speaker. Volume **VIII,** section **3642.**

(2) Representatives of, Expelled for Improper Publications.

For publications affecting the reputations of Members, reporters have been expelled from the House. Volume **II,** sections **1636, 1637.**

The House arrested and arraigned at the bar a newspaper reporter for alleged statements reflecting on the integrity of a Member. Volume **II,** section **1635.**

Reference to debate in the Senate on freedom of the press (footnote). Volume **III,** section **2640.**

(3) Representatives of, Expelled for Improper Conduct.

For improper conduct in connection with legislation reporters have been expelled from the House. Volume **II,** sections **1638, 1639.**

In 1855 the House expelled from the floor William B. Chase, a reporter who refused to testify before a committee. Volume **II,** section **1632.**

Expulsion of a reporter from the floor for improper conduct. Volume **II,** section **1634.**

(4) In General.

Alleged misconduct of an occupant of the press gallery, although occurring during a former Congress, brought before the House as a matter of privilege. Volume **III,** section **2627.**

PRESS—Continued.

(4) In General.—Continued.

The committee investigating charges made by a Member of the House against a member of the press gallery allowed the member to be represented by counsel. Volume **III,** section **1846.**

Instance wherein the Senate proceeded to an investigation of charges made in general term against its membership by newspapers. Volume **II,** section **1612.**

Wide latitude is allowed the press in the criticism of Members of Congress, and such criticisms unless reflecting on a Member in his representative capacity, does not present a question of privilege. Volume **VI,** section **611.**

PRESTON.

The Virginia election case of Trigg v. Preston in the Third Congress. Volume **I,** section **760.**

The Maryland election case of Preston v. Harris in the Thirty-sixth Congress. Volume **II,** section **845.**

PREVIOUS QUESTION.

(1) The motion, its precedence, etc.
(2) Evolution by which the motion has been perfected.
(3) The motion under general parliamentary law.
(4) In relation to the quorum.
(5) By whom moved.
(6) Application of.—In general.
(7) Application of.—To bills.
(8) Application of.—To resolutions.
(9) Application of.—To questions of privilege.
(10) Relation to other motions.—To lay on the table.
(11) Relation to other motions.—To postpone.
(12) Relation to other motions.—To reconsider.
(13) Relation to other motions.—To refer.—The ordinary motion.
(14) Relation to other motions.—To refer.—The special motion provided by rule. See also "Recommit."
(15) Relation to other motions.—To refer.—Application of the special motion.
(16) Relation to other motions.—To refer.—Time of making the special motion.
(17) Relation to other motions.—To refer.—The special motion not debatable but amendable.
(18) Relation to other motions.—To refer.—In general.
(19) Relation to other motions.—To amend.
(20) Relation to other motions.—To suspend the rules.
(21) Relation to other motions.—Question of consideration.
(22) Questions of order pending.
(23) Questions of privilege pending.
(24) The forty minutes of debate after the ordering of.
(25) In relation to division of the question.
(26) Effect of.—On debate and the reading of papers.
(27) Effect of.—Further amendment precluded.
(28) Effect of.—On the withdrawal of motions.
(29) Effect of.—As to the motion to recede.
(30) Effect of.—As to conference reports.
(31) Effect of.—When a bill goes over to another day. See also "Unfinished Business."
(32) As related to reports from Committee of the Whole.
(33) In general.

PREVIOUS QUESTION—Continued.

(1) The Motion, Its Precedence, etc.

The rule for the motion. Volume V, sections **5445, 5446.**

The only motion used for closing debate in the House (as distinguished from the Committee of the Whole) is the motion for the previous question. Volume **V,** section **5456.** Volume **VIII,** section **2662.**

The motions to adjourn, lay on the table, and for the previous question are not debatable and have precedence in the order named. Volume **V,** section **5301.**

The motions to reconsider, for the previous question, and to adjourn are not in order in Committee of the Whole. Volume **IV,** section **4716.**

The House, while acting "in the House as in Committee of the Whole," may refer to a committee, use the previous question, deal with disorder, take the yeas and nays, or adjourn. Volume **IV,** section **4923.**

The motion for the previous question may not include a provision that it shall take effect at a certain time. Volume **V,** section **5457.**

The older and the modern forms for putting the previous question (footnote). Volume **V,** sections **5443, 5754.**

Construction of the law providing for putting the main question without debate during the electoral count. Volume **III,** section **1956.**

Discussion of the relative privilege of the motions to adjourn, to lay on the table and for the previous question. Volume **VIII,** section **2651.**

The motion for the previous question is not admitted in the Senate. Volume **VIII,** section **2663.**

(2) Evolution by Which the Motion has Been Perfected.

History of the process by which the House changed the previous question of Parliament into an instrument for closing debate and brining a vote on the pending matter. Volume **V,** section **5445.** Volume **VIII,** section **2661.**

The development through which the previous question has become a flexible, reasonable, and efficient instrumentality for restricting debate and forwarding business. Volume **V,** section **5446.**

(3) The Motion Under General Parliamentary Law.

Before the adoption of rules, while the House proceeds under general parliamentary law, the motion for the previous question is admissible. Volume **V,** section **5450.**

Prior to adoption of rules, the motion for the previous question is admissible under general parliamentary law, but if ordered without prior debate the 40 minutes' debate prescribed by the rules of the previous Congress is not in order. Volume **VIII,** section **3386.**

Before the adoption of rules the previous question has been admitted, although in the earlier practice it was conceived to differ somewhat from the previous question of the rules. Volume **V,** sections **5451–5455.**

Before the adoption of rules, while the House was acting under general parliamentary law, it was held that the motion to commit was in order pending the motion for the previous question or after it had been ordered on a resolution. Volume **V,** section **5604.** Volume **VIII,** section **2755.**

Before the adoption of rules the motion to commit has been admitted after the ordering of the previous question. Volume **V,** section **6758.**

Before the adoption of rules the previous question of general parliamentary law does not permit forty minutes of debate on questions on which there has been no debate. Volume **V,** section **5509.**

While the House was proceeding under general parliamentary law a motion to commit a pending resolution was admitted after the previous question had been ordered on the adoption of the resolution. Volume **VIII,** section **3384.**

PREVIOUS QUESTION—Continued.

(4) In Relation to the Quorum.

Less than a quorum may order the previous question on a motion incident to a call of the House. Volume **V,** section **5458.**

A call of the house is not in order after the previous question is ordered unless it appears on an actual count by the Speaker that a quorum is not present. Volume **V,** section **5447.**

The previous question having been ordered on a bill by unanimous consent in the absence of a quorum, the Speaker on the next day ruled that the action was null and void. Volume **IV,** section **2964.**

(5) By Whom Moved.

The Member in charge of the bill and having the floor may demand the previous question, although another Member may propose to offer a motion of higher privilege, but the motion of higher privilege must be put before the previous question. Volume **V,** section **5480.**

A Member having the floor to offer a motion may move the previous question thereon although another claims recognition to offer a motion of higher privilege, but the motion of higher privilege must be put before the previous question. Volume **VIII,** section **2684.**

The Member in charge of the bill is entitled to prior recognition to move the previous question even after he has surrendered the floor for debate. Volume **III,** section **2682.**

In the House the Member reporting a measure is entitled to recognition for one hour during which he may yield to others as he may choose, and at the close of which, unless the previous question is moved, the ranking Member in opposition may be recognized for an hour with the same privilege, after which other Members favoring and opposing the measure are recognized alternatively, preference being given Members of the committee reporting the measure. Volume **VIII,** section **2460.**

The Member in charge of the bill is entitled to prior recognition to move the previous question. Volume **VIII,** section **2748.**

Debate on Senate amendments reported in disagreement by managers on the part of the House is under the hour rule, but the Member in charge is entitled to prior recognition and may move the previous question. Volume **VII,** section **1572.**

The Member in charge of the bill may not be demanding the previous question take a Member from the floor. Volume **VIII,** section **2609.**

The proponent of a motion is entitled to the floor against all save the Member in charge, who has prior right to recognition and may move the previous question at any time during the hour allotted him. Volume **VIII,** section **3231.**

A demand for the previous question by the Member in charge of a bill does not preclude consideration of a preferential motion. Volume **VIII,** section **3204.**

The Member in charge of a bill under consideration in the House is recognized for an hour, during which he may move the previous question or yield time, but in yielding to a Member to offer an amendment he surrenders the floor. Volume **VII,** section **1053.**

Under general parliamentary usage a Member having the floor may yield time for debate to others and retain the right to resume debate or move the previous question. Volume **VIII,** section **3383.**

A Member may not demand the previous question if the Member in charge of the bill claims the floor in debate. Volume **II,** section **1458.**

A Member having obtained the floor to make a preferential motion may not thereupon demand the previous question to the exclusion of the Member in charge of the bill. Volume **II,** section **1459.**

A Member having the floor may not exclude a privileged motion by offering a motion of lower privilege and demanding the previous question thereon. Volume **VIII,** section **2609.**

If, after debate, the Member in charge of the bill does not move the previous question, another Member having the floor may do so. Volume **V,** section **5475.**

PREVIOUS QUESTION—Continued.

(5) By Whom Moved—Continued.

A Member opposed to a bill, having the floor, may make a motion for the previous question, although the effect of the motion may be to deprive the Member in charge of the control of the bill. Volume **V,** section **5476.** Volume **VIII,** section **2685.**

It is in order for a member to make a motion and thereupon to demand the previous question on the motion. Volume **V,** sections **5477–5479.**

A demand for the previous question having been withdrawn, any Member is entitled to recognition to renew the motion, although a member of the committee reporting the bill demands the floor. Volume **VIII,** section **2683.**

(6) Application of.—In General.

The previous question may be moved on a single motion or a series of allowable motions, on an amendment or amendments, and on a bill to its final passage or rejection. Volume **V,** section **5443.**

The previous question covers the main question, but does not apply to incidental questions arising therefrom. Volume **V,** section **5467.** Volume **VIII,** section **2687.**

The previous question may be moved on both the motion to refer and on the pending resolution. Volume **V,** section **5466.**

A single motion for the previous question may not apply to a motion to agree to a conference report and also to a motion to ask a further conference on amendments not included in the report. Volume **V,** section **5465.**

In order to prevent amendments, the previous question is sometimes ordered on undebatable motions. Volume **V,** section **5490.**

The motion to go into committee of the Whole to consider a general appropriation bill may not be amended by a nonprivileged proposition, and the previous question may not be demanded on it. Volume **IV,** section **3077.**

The previous question may be applied to the nondebatable motion to limit general debate in Committee of the Whole in order to prevent amendment. Volume **V,** section **5473.**

The motion to close general debate in Committee of the Whole is made pending the motion that the House resolve itself into committee, and though not debatable, the previous question is sometimes asked to prevent attempts at amendment of the motion. Volume **V,** section **5203.**

The motion for the previous question is in order in the House as in Committee of the Whole and operates as in the House. Volume **VI,** section **639.**

A demand for the previous question made at conclusion of debate on a bill without specific designation of question on which moved was held to apply to final passage of the bill and all intervening questions. Volume **VIII,** section **2674.**

In the consideration of Senate amendments a simple motion for the previous question applies to the immediate question only and does not include other pending questions. Volume **VIII,** section **2676.**

The previous question when ordered on a motion to send to conference applies to that motion alone and does not extend to a subsequent motion to instruct conferees. Volume **VIII,** section **2675.**

After the previous question has been ordered on a conference report, the motion to recommit with instructions is privileged, if the other House has not discharged its conferees. Volume **VIII,** section **3312.**

It is in order to move the previous question on motions or resolutions providing for the election of Members to standing committees. Volume **VIII,** section **2174.**

The previous question when ordered on a bill and amendments to final passage continues in force until final disposition of the bill and is not vitiated by recommitment with instructions to report amendments. Volume **VIII,** section **2677.**

PREVIOUS QUESTION—Continued.

(7) Application of.—To Bills.

A single motion for the previous question may be applied only to one bill, and only by unanimous consent may the previous question be moved on several bills at one motion. Volume **V,** sections **5461–5464.**

During consideration "in the House as in Committee of the Whole" the previous question may not be moved on a single section of a bill. Volume **IV,** section **4930.**

During consideration of a bill "in the House as in Committee of the Whole" the previous question may be demanded while Members yet desire to offer amendments. Volume **IV,** sections **4926–4929.**

Amendments to the title of a bill are in order after its passage and were formerly debatable, even though the bill had passed under the operation of the previous question, but a later rule prohibits such debate. Volume **V,** section **5753.**

Instance wherein a substitute amendment was offered to a bill reported from the Committee of the Whole with amendments and the previous question was ordered on all the amendments and the bill to a final passage. Volume **V,** section **5472.**

A bill being reported from the Committee of the Whole with the recommendation that the enacting words be stricken out, the previous question may be moved on a motion to concur without applying also to further action on the bill. Volume **V,** section **5342.**

The previous question when ordered on a bill and amendments to final passage continues in force until final disposition of the bill and is not vitiated by recommitment with instructions to report amendments. Volume **VIII,** section **2677.**

When the previous question is moved on a bill without designating the particular question on which demanded the Speaker construes it as a motion for the previous question on the bill to final passage. Volume **VIII,** section **2673.**

(8) Application of.—To Resolutions.

The previous question may be moved on a series of resolutions, but after it is ordered a separate vote may be had on each resolution. Volume **V,** section **5468.**

An early decision, since reversed, held that the previous question, when ordered on a resolution with a preamble, did not apply to the preamble (footnote). Volume **V,** sections **5469, 5470.**

The previous question may be moved on a resolution while a motion to recommit it is pending. Volume **VIII,** section **2678.**

although previous question had been ordered on a pending resolution, it was held that a question of privilege might be debated. Volume **VI,** section **561.**

(9) Application of.—To Questions of Privilege.

The previous question applies to a question of privielge as to any other question. Volume **II,** section **1256.** Volume **V,** section **5460.** Volume **VIII,** section **2672.**

The previous question may be moved on a proposition to censure a Member, although the effect of it might be to prevent him from making explanation or defense. Volume **V,** section **5459.**

(10) Relation to Other Motions.—To Lay on the Table.

The motion to lay on the table may not be applied to the motion for the previous question. Volume **V,** sections **5410, 5411.**

The motion to lay on the table has precedence of the motion for the previous question. Volume **VIII,** sections **2658, 2660.**

The previous question being demanded on a resolution, a motion to lay the resolution on the table was held to be in order and to take precedence. Volume **VIII,** section **2651.**

The previous question being ordered on a bill to final passage a motion to lay the bill on the table was not entertained. Volume **VIII,** section **2655.**

Under both the earliest and latest practice the motion to lay on the table is not in order after the previous question is ordered. Volume **V,** sections **5415–5422.**

PREVIOUS QUESTION—Continued.

(10) Relation to Other Motions.—To Lay on the Table—Continued.

The previous question being demanded on a resolution, and the yeas and nays ordered on that demand, a motion to lay the resolution on the table was held not in order. Volume **V,** sections **5408, 5409.**

The ordering of the previous question on a resolution does not carry the business to such new stage as to justify the repetition of a motion to lay on the table. Volume **V,** section **5709.**

The motion to lay on the table may not be applied to the motion to commit authorized after the previous question is ordered. Volume **V,** sections **5412–5414.**

(11) Relation to Other Motions.—To Postpone.

The motion to postpone may not be entertained after the previous question has been ordered. Volume **V,** sections **5320, 5321.** Volume **VIII,** section **2617.**

After the previous question is ordered on a bill a motion to postpone the bill is not in order. Volume **V,** section **5319.** Volume **VIII,** section **2616.**

A motion for the previous question takes precedence of the motion to postpone. Volume **VI,** section **400.**

The motion for the previous question takes precedence of the motion to postpone to a day certain. Volume **VIII,** section **2609.**

(12) Relation to Other Motions.—To Reconsider.

Relation of the motion for the previous question to the motion to reconsider (footnote). Volume **V,** section **5656.**

The motion to reconsider and the motion to lay that motion on the table are admitted while the previous question is operated. Volume **VIII,** section **2784.**

A motion to reconsider is debatable if the motion proposed to be reconsidered was debatable and the previous question is not operating. Volume **VIII,** section **2437.**

A motion to reconsider may be made after a motion for the previous question has been made. Volume **V,** section **5656.**

The motion to reconsider and the motion to lay that motion on the table are admitted while the previous question is operating. Volume **V,** sections **5657–5662.**

While the motion to reconsider may be entered at any time during the two days prescribed by the rule, even after the previous question is ordered or when a question of the highest privilege is pending, it may not be considered while another question is before the House. Volume **V,** sections **5673–5676.**

The vote whereby the previous question is ordered may be reconsidered once only. Volume **V,** section **5655.**

The motion to reconsider may not be applied to a vote for the previous question which has been partially executed (Speaker overruled). Volume **V,** sections **5653, 5654.**

When a vote taken under the operation of the previous question is reconsidered the main question stands divested of the previous question and may be debated and amended without reconsideration of the motion for the previous question (Speaker overruled). Volume **V,** sections **5491, 5492.**

When the previous question has been ordered on a series of motions and its force has not been exhausted the reconsideration of the vote on one of the motions does not throw it open to debate or amendment. Volume **V,** section **5493.**

The vote whereby the previous question was ordered having been reconsidered, it was held in order to withdraw the motion for the previous question, the "decision" having been nullified. Volume **V,** section **5357.**

The previous question is exhausted by the vote on the motion on which it is ordered and consequently a motion to reconsider the vote on the main question is debatable. Volume **V,** section **5494.**

As to whether or not it is in order to debate the motion to reconsider a vote taken under the operation of the previous question. Volume **V,** sections **5700, 5701.**

A motion to reconsider the vote on the engrossment of a bill may be admitted after the previous question has been moved on a motion to postpone. Volume **V,** section **5663.**

PREVIOUS QUESTION—Continued.

(12) Relation to Other Motions.—To Reconsider—Continued.

A motion to reconsider the vote on the third reading of a bill may be made and acted on after a motion for the previous question on the passage has been made, but the motion to reconsider may not be debated. Volume **V,** section **5656.**

(13) Relation to Other Motions.—To Refer.—The Ordinary Motion.

The motion to recommit with instructions may be made before the engrossment of a bill and is debatable, but a demand for the previous question, if sustained, cuts if off. Volume **V,** section **5561.**

The previous question may be moved on both the motion to refer and on the pending proposition. Volume **VI,** section **373.**

While the ordinary motion to refer may be applied to a vetoed bill, it is not in order to move to commit it pending the demand for the previous question or after the previous question is ordered on the constitutional question of reconsideration. Volume **VII,** section **1102.**

The motion to refer is in order before the previous question is demanded, but after the previous question has been ordered on a bill to final passage, the motion to refer is not admissible until after the third reading. Volume **VIII,** section **2746.**

(14) Relations to Other Motions.—To Refer.—The Special Motion Provided by Rule. See also "Recommit."

The motion to refer provided for in the rule for the previous question. Volume **V,** section **5569.**

Pending the vote on the passage of a bill under the operation of the previous question a motion to commit to a standing or select committee, with or without instructions, is in order. Volume **V,** section **5443.**

The opponents of a bill have no claim to prior recognition to make the motion to refer under Rule XVII. Volume **II,** section **1456.**

Under the rule for the previous question but one motion to commit is in order. Volume **V,** sections **5577, 5580, 5582, 5885.** Volume **VIII,** sections **2760, 2770.**

The previous question having been ordered, a motion to recommit embodying argument is not in order. Volume **VIII,** section **2749.**

A unanimous-consent agreement to close debate and vote at a specific time is in effect an order for the previous question, and the motion to recommit is in order under Rule XVI. Volume **VIII,** section **2758.**

A special order to lay before the House a bill on the Speaker's table with the previous question ordered on a motion to concur in Senate amendments, does not prevent submission of a motion to recommit. Volume **VII,** section **778.**

The previous question having been ordered on a motion to agree to a Senate amendment to a House bill, a motion to recommit is in order. Volume **VIII,** section **2744.**

The Committee on Rules may not report any order of business under which it shall not be in order to offer the motion to recommit after the previous question is ordered on the passage of the bill. Volume **VIII,** sections **2260, 2262–2264.**

The limitation on the Committee on Rules in reporting orders of business operating to prevent the motion to recommit while the previous question is pending, applies to resolutions for the consideration of bills only and not to a resolution designating a day to be devoted to motions to suspend the rules. Volume **VIII,** section **2265.**

While the Committee on Rules in forbidden to report special orders abrogating the Calendar Wednesday rule or excluding the motion to recommit after ordering the previous question, a resolution making possible that ultimate result was on one occasion held in order. Volume **VIII,** section **2267.**

A rule provides that after the previous question is ordered on the passage of a bill preference in recognition to move to recommit shall be given a Member opposed to the bill. Volume **VIII,** section **2757.**

PREVIOUS QUESTION—Continued.

(14) Relations to Other Motions.—To Refer.—The Special Motion Provided by Rule— Continued.

One proper motion to recommit is in order under operation of the previous question, and one motion being ruled out, another motion to recommit is in order. Volume **VIII,** section **2763.**

The House having determined in the negative the question on the engrossment and third reading of a bill a motion to commit is not in order under the rule for the previous question. Volume **V,** sections **5602, 5603.**

Where a special order declares that at a certain time the previous question shall be considered as ordered on a bill to the final passage, it has usually but not always been held that the motion to commit is precluded. Volume **IV,** sections **3207–3209.**

The previous question having been ordered and a motion to recommit having been made in the form of a resolution with a preamble, the preamble was ruled out of order. Volume **V,** section **5589.**

The Committee of the Whole having decided between two propositions and the House having agreed to the amendment embodying that decision, it was held to be in order in the House to move to recommit with instructions that in effect brought the two propositions to the decision of the House. Volume **V,** section **5592.**

After the previous question had been ordered it was once held in order to move to commit with instructions to strike out a portion of an amendment already agreed to, although such a purpose might not be accomplished directly by a motion to amend. Volume **V,** section **5542.**

The motion to recommit is not in order after the previous question has been ordered on a report from the Committee on Rules. Volume **VIII,** sections **2270, 2750.**

(15) Relation to Other Motions.—To Refer.—Application of the Special Motion.

The motion to commit after the previous question is ordered applies to resolutions, the word "bill" in the rule being a generic term applying to all legislative propositions. Volume **V,** section **5572.** Volume **VIII,** section **2742.**

The motion to commit provided for in the rule for the previous question applies not only to bills, but to resolutions of the House alone. Volume **V,** section **5573.**

An opinion of the Speaker that the motion to commit is not in order when the previous question has been ordered simply on a pending amendment. Volume **V,** section **5573.**

The previous question having been ordered on a motion to agree to a Senate amendment to a House bill, a motion to commit is in order. Volume **V,** section **5575.**

The motion to commit provided for in the rule for the previous question may be applied to a motion to amend the Journal. Volume **V,** section **5574.**

Although the decisions conflict, those last made do not admit the motion to commit after the previous question has been ordered on a report from the Committee on Rules. Volume **V,** sections **5593–5601.**

While the ordinary motion to refer may be applied to a vetoed bill, it is not in order to move to commit it pending the demand for the previous question or after it is ordered on the constitutional question of reconsideration. Volume **IV,** section **3551.**

(16) Relation to Other Motions.—To Refer.—Time of Making the Special Motion.

Where separate motions for the previous question are made, respectively, on the third reading and on the passage of a bill, the motion to commit should be made only after the previous question is ordered on the passage. Volume **V,** section **5577.**

Where the motion for the previous question covers all stages of the bill to the final passage, the motion to commit is made after the third reading, and is not in order before engrossment or third reading or pending the motion for the previous question. Volume **V,** sections **5578–5581.**

Where the motion for the previous question covers all stages of the bill to final passage the motion to recommit is made after the third reading, and is not in order after the question has been put on the passage of the bill. Volume **VIII,** section **2747.**

PREVIOUS QUESTION—Continued.

(16) Relation to Other Motions.—To Refer.—Time of Making the Special Motion—Con.

The motion to refer under Rule XVII may be made pending the demand for the previous question on the passage whether a bill or resolution be under consideration. Volume **V,** section **5576.**

The motion to commit has been admitted pending a demand for the previous question on agreeing to a concurrent resolution. Volume **V,** section **6698.**

When the previous question has been ordered on a simple resolution (as distinguished from a joint resolution) and a pending amendment, the motion to commit should be made after the vote on the amendment. Volume **V,** sections **5585–5588.**

(17) Relation to Other Motions.—To Refer.—The Special Motion Not Debatable But Amendable.

The motion to commit, made after the previous question is ordered, is not debatable. Volume **V,** section **5582.**

The motion to commit under section 1 of Rule XVII is not debatable, but is amendable unless the previous question is ordered on it. Volume **V,** sections **5570, 5571.** Volume **VIII,** sections **2698, 2699, 2738, 2762.**

After the previous question is ordered the motion to commit may be amended, as by adding instructions, unless such amendment be precluded by moving the previous question on the motion to commit. Volume **V,** sections **5582–5584.**

A special order providing that the previous question be considered as ordered "without intervening motion except one motion to recommit" was held to preclude both amendment and debate on the motion to recommit. Volume **VII,** section **776.**

The ordering of the previous question on a bill and all amendments to final passage precludes debate on a motion to recommit but does not exclude amendments to such motion. Volume **VIII,** section **2741.**

The ordinary motion to recommit may be amended, as by adding instructions, unless such amendment is prevented by moving the previous question. Volume **VIII,** section **2695.**

Unless the previous question has been ordered, instructions offered in connection with a motion to recommit may be amended. Volume **VIII,** section **2712.**

Unless the previous question is ordered, a motion to recommit with instructions is open to amendment, and a substitute striking out all proposed instructions and substituting others can not be ruled out as interfering with the right of the minority to move recommitment. Volume **VIII,** section **2759.**

(18) Relation to Other Motions.—To Refer.—In General.

The vote whereby a bill was passed having been reconsidered, amendments having been made, and the third reading ordered again under operation of the previous question, a motion to recommit was held to be in order, although such a motion had previously been rejected. Volume **V,** section **5590.**

A bill recommitted under Rule XVII, with instructions that it be reported "forthwith," was, when reported again, passed to be engrossed and read a third time. Volume **V,** section **5551.**

A bill recommitted under section 1 of Rule XVII (rule of the previous question) and reported back to the House must again be put on its passage to be engrossed for a third reading. Volume **V,** section **5591.**

A bill recommitted under the rule relating to the previous question and on which when it is again reported and considered the previous question is again ordered, may again be subjected to the motion to commit. Volume **V,** section **5591.**

The previous question may be moved on a resolution while a motion to recommit it is pending. Volume **VIII,** section **2678.**

PREVIOUS QUESTION—Continued.

(19) Relation to Other Motions.—To Amend.

An amendment may not attach to the motion for the previous question or the motions to lay on the table and adjourn when used in the House. Volume **V,** section **5754.**

A demand for the previous question takes precedence of a motion to amend. Volume **VIII,** section **2660.**

A motion to instruct conferees is subject to amendment unless the previous question is ordered. Volume **VIII,** section **3231.**

(20) Relation to Other Motions.—To Suspend the Rules.

A motion to suspend the rules may be entertained, although a bill on which the previous question has been ordered may be pending. Volume **V,** section **6827.** Volume **VIII,** section **3418.**

In the later but not the earlier practice the motion to suspend the rules has been admitted after the previous question has been moved. Volume **V,** sections **6831–6833.**

While the previous question was operating on a series of Senate amendments to a House bill it was held not in order to move to suspend the rules to admit a motion to take the vote on the amendments in gross. Volume **V,** sections **6828–6830.**

(21) Relation to Other Motions.–Question of Consideration.

The demand for the question of consideration may not be prevented by a motion for the previous question. Volume **V,** section **5478.**

The question of consideration may not be raised against a bill on which the previous question has been ordered. Volume **V,** sections **4965–4966.**

The question of consideration has been admitted where other business has intervened between the ordering and execution of the previous question, but not after an adjournment merely. Volume **V,** sections **4967–4968.**

A member may demand the question of consideration although the Member in charge of the bill may claim the floor for debate, but the previous question may not be demanded in similar way. Volume **V,** sections **4944–4945.**

(22) Questions of Order Pending.

After the motion is made for the previous question all incidental questions of order, whether on appeal or otherwise, are decided without debate. Volume **V,** sections **5448–5449.**

The previous question may not be demanded on a proposition against which a point of order is pending. Volume **VIII,** section **3433.**

The previous question may not be moved on a motion against which a point of order is pending. Volume **VIII,** section **2681.**

(23) Questions of Privilege Pending.

Although the previous question had been ordered on a motion to reconsider, it was held that a question of privilege might be debated. Volume **III,** section **2532.**

It is in order to debate a question of personal privilege after the previous question has been ordered on a pending question. Volume **VIII,** section **2688.**

(24) The Forty Minutes of Debate After the Ordering of.

Forty minutes of debate are allowed whenever the previous question is ordered on a proposition on which there has been no debate. Volume **V,** section **6821.**

When the previous question is ordered "on any proposition on which there has been no debate" forty minutes are to be divided in debate. Volume **V,** section **5495.**

If there has been debate, even though brief, before the previous question is ordered, the forty minutes of debate provided for in Rule XXVIII is precluded. Volume **V,** sections **5499–5501.**

The debate which justifies a refusal of the right to the forty minutes after the previous question is ordered should be on the merits. Volume **V,** section **5502.**

PREVIOUS QUESTION—Continued.

(24) The Forty Minutes of Debate After the Ordering of—Continued.

The forty minute of debate allowed in certain cases after the previous question is ordered should be demanded before division on the main question has begun. Volume **V,** section **5496.**

The word "proposition" in the rule providing as to debate after the previous question is ordered means the main question and does not refer to incidental motions. Volume **V,** sections **5497, 5498.**

Where the previous question is ordered on a proposition which has been debated in Committee of the Whole the rule permitting forty minutes of debate does not apply. Volume **V,** section **5505.**

The rule permitting forty minutes of debate was held to apply to an amendment on which the previous question had been ordered before there had been debate either in the House or in Committee of the Whole. Volume **V,** section **5503.**

The rule for the forty minutes of debate does not apply to an amendment on which there has been no debate in a case wherein the motion for the previous question covers both the amendment and the original proposition, which has been debated. Volume **V,** section **5504.**

When the previous question is ordered on a conference report which has not been debated the forty minutes of debate is not allowed if the subject-matter of the report was debated before being sent to conference. Volume **V,** sections **5506, 5507.**

The rule permitting forty minutes debate does not apply when the question on which the previous question is ordered without debate is otherwise undebatable. Volume **VIII,** section **2690.**

When the previous question is ordered on the motion to close debate, the rule providing for forty minute debate on propositions on which the previous question has been ordered without prior debate does not apply, and no debate is in order. Volume **VIII,** section **2555.**

Forty minutes of debate are allowed on a proposition on which the previous question is ordered without debate, one-half for those favoring and one-half for those opposing, and where it developed, after recognition, that both favored the proposition the Speaker required each to yield half his time to those opposing the motion. Volume **VIII,** section **2689.**

The previous question having been ordered on a resolution to correct an error in an enrolled bill, the forty minutes of debate was not allowed. Volume **V,** section **5508.**

(25) In Relation to Division of the Question.

The previous question being ordered on a series of resolutions, a division was permitted so as to vote separately on each resolution. Volume **V,** section **6149.**

(26) Effect of.—On Debate and the Reading of Papers.

The motion for the previous question, when agreed to, has the effect of cutting off all debate (except forty minutes on questions not before debated) and of bringing the House to a vote. Volume **V,** sections **5443, 5444.**

After the previous question is moved there may be no further debate, not even the asking of a question. Volume **V,** section **5481.**

The reading of a report being in the nature of debate is not in order after the previous question is ordered. Volume **V,** sections **5294, 5295.**

In the later practice of the House the Member reporting the matter under consideration may not exercise his right to close after the previous question is ordered. Volume **V,** sections **4997–5000.**

In the earlier practice of the House the right of the mover to close the debate might not be cut off by the previous question. Volume **V,** section **4995.**

The previous question having been demanded on a resolution adopting rules for the House, a demand for the reading of the rules, which were not a part of the resolution, was overruled. Volume **V,** section **5297.**

PREVIOUS QUESTION—Continued.

(26) Effect of.—On Debate and the Reading of Papers—Continued.

The previous question being ordered, a Member may not ask a decision of the House on his request for the reading of a paper not before the House (Speaker overruled). Volume **V,** section **5296.**

A Member may demand the reading in full of the actual engrossed copy of a bill, and although the previous question be ordered the bill, on demand, is laid aside until engrossed. Volume **IV,** sections **3395–3399.**

The motion to instruct conferees is subject to amendment and is debatable under the hour rule unless the previous question is ordered. Volume **VIII,** section **3240.**

Debate may continue, the previous question not having been ordered, until the Speaker has put the negative side of the question. Volume **VIII,** section **3065.**

Unless the previous question is operating, debate is in order after the third reading and pending the vote on the passage of the bill. Volume **VIII,** section **3067.**

The only motion used for closing debate in the House (as distinguished from the Committee of the Whole) is the motion for the previous question. Volume **VIII,** section **2662.**

(27) Effect of.—Further Amendment Precluded.

After the previous question has been moved or ordered on a bill and pending amendments further amendments may not be offered. Volume **V,** sections **5486, 5487.**

After the previous question is ordered on a pending proposition modifications or amendments may be made only by unanimous consent. Volume **V,** sections **5482–5485.**

A modification of a proposition being dependent on the right of withdrawal may not be made after the previous question is ordered (Speaker overruled). Volume **V,** section **5484.**

The previous question being demanded or ordered on a motion to concur in a Senate amendment, a motion to amend is not in order. Volume **V,** section **5488.**

The ordering of the previous question to the final passage of a bill was held to exclude a motion to strike out the title. Volume **V,** section **5471.**

The motion to amend the Journal takes precedence of the motion to approve it, but the motion to amend is not admitted after the previous question has been demanded on the motion to approve. Volume **VI,** section **633.**

The motion to amend the Journal may not be admitted after the previous question is demanded on the motion to approve. Volume **VIII,** section **2684.**

The ordering of the previous question after a resolution had been read and before committee amendments had been reported was held to preclude reading or consideration of such amendments. Volume **VIII,** section **2686.**

(28) Effect of.—On the Withdrawal of Motions.

A motion may not be withdrawn after the previous question has been ordered on it. Volume **V,** section **5355.**

The previous question having been demanded on a motion to recommit, it was held to be not in order to withdraw the latter motion. Volume **V,** section **5489.**

While the House was dividing on a second of the previous question on a motion to refer a proposition, a Member was permitted to withdraw it, the House having made no decision. Volume **V,** section **5350.**

Instance of the withdrawal of a motion after the previous question has been ordered on an appeal from a decision on a point of order as to the motion. Volume **V,** section **5356.**

(29) Effect of.—As to the Motion to Recede.

After the previous question has been moved on a motion to adhere, a motion to recede may not be made. Volume **V,** section **6310.**

A motion to recede and concur is in order even after the previous question has been demanded on a motion to insist. Volume **V,** section **6208.**

PREVIOUS QUESTION—Continued.

(29) Effect of.—As to the Motion to Recede—Continued.

Although the previous question may have been demanded on a motion to insist, it has been held that a motion to recede and concur might be admitted to precedence. Volume **V,** section **6321a.**

(30) Effect of.—As to Conference Reports.

A conference report is in order pending a demand for the previous question. Volume **V,** section **6450.**

A conference report has precedence of a report from the Committee on Rules on which the yeas and nays and the previous question have been ordered. Volume **V,** section **6449.**

The motion to recommit a conference report with instructions to the House conferees is subject to amendment unless the previous question is ordered. Volume **VIII,** section **3241.**

It is in order to recommit a conference report, if the other House by action on the report has not discharged its managers, and after the previous question is ordered on agreement, the motion to recommit with or without instructions is privileged. Volume **VIII,** section **3311.**

(31) Effect of.—When a Bill Goes Over to Another Day. See also "Unfinished Business."

When the House adjourns before voting on a proposition on which the previous question has been ordered the question comes up the next day immediately after the reading of the Journal, superseding the order of business. Volume **V,** sections **5510–5517.**

The highly privileged status of a bill on which the previous question has been ordered is not impaired by delays in calling the bill up for action. Volume **IV,** section **3277.**

The precedence which belongs to a bill coming over from a previous day with the previous question ordered is not destroyed by the fact that the allowable motion to commit may be pending with amendments thereto. Volume **V,** section **5519.**

When several bills come over from a previous day with the previous question ordered they have precedence in the order in which the several motions for the previous question were made. Volume **V,** section **5518.**

A bill on which the previous question has been ordered takes precedence of a special order, although the latter may provide for immediate consideration. Volume **V,** section **5520.**

When the terms of a special order are such as in effect to order the previous question, business unfinished with the day set apart by the order does not fall, but is in order the next day after the reading of the Journal. Volume **IV,** section **3185.**

When the House adjourns on days set apart for special business without ordering the previous question, the pending measure comes up as the unfinished business on the next day on which that class of business is again in order. Volume **VIII,** section **2694.**

Business in order on Friday and on which the previous question was pending at adjournment on that day comes up as the unfinished business on the next legislative day. Volume **VIII,** section **2694.**

A resolution coming over from the preceding day with the previous question ordered was held to take precedence of a motion for disposition of a veto message from the President. Volume **VIII,** section **2693.**

A bill on which the previous question has been ordered at adjournment on Wednesday was taken up as the unfinished business on Thursday and took precedence of a motion to go into the Committee of the Whole for the consideration of a bill privileged by special order. Volume **VIII,** section **2674.**

When the House adjourns on Tuesday without voting on a proposition on which the previous question has been ordered, the question does not come up on Wednesday but on the following Thursday. Volume **VII,** section **890.**

If the House adjourn without voting on a proposition on which the previous question has been ordered, the question comes up as unfinished business on the next legislative day, Wednesday excepted. Volume **VIII,** section **2691.**

PREVIOUS QUESTION—Continued.

(31) Effect of.—When a Bill Goes Over to Another Day.—Continued.

In the absence of an order for the previous question, business undisposed of at adjournment comes up as unfinished business only on the next day when that class of business is again in order and not on the next legislative day. Volume **VII,** section **854.**

The consideration of a bill under special order takes precedence of reading of engrossed copy of bill on which the previous question has been ordered. Volume **VII,** section **764.**

The previous question having been ordered on a bill, the reading of the engrossed copy of which has been demanded after order for reading has been agreed to but deferred pending arrival of the actual engrossed copy, is privileged when the engrossed copy is received in the House. Volume **VII,** section **1062.**

A bill under consideration on Calendar Wednesday, and on which the previous question had been ordered but no disposed of at adjournment, comes up as unfinished business on the next legislative day. Volume **VII,** section **967.**

While holding unfinished business on which the previous question was pending at adjournment on the previous day to be of equal privilege, the Speaker directed the call of the Consent Calendar. Volume **VII,** section **990.**

(32) As Related to Reports From Committee of the Whole.

Amendments reported to the House by the Committee of the Whole are subject to amendment and the bill itself is open to amendment in the House unless the previous question is ordered. Volume **VIII,** section **2419.**

A recommendation from the Committee of the Whole to recommit a bill on which the previous question had been ordered by special rule, being rejected, the question recurs on the passage of the bill. Volume **VII,** section **777.**

A special rule, ordering the previous question on a pending bill and amendments to final passage when reported from the Committee of the Whole, was held not to preclude a recommendation by the Committee of the Whole that the bill be recommitted. Volume **VII,** section **777.**

A special order providing that the Committee of the Whole rise at the conclusion of the reading of a bill and report it to the House and that the previous question operate to final passage was held not to interfere with the right of the committee to report with recommendation to recommit. Volume **VIII,** section **2375.**

The recommendation of the Committee of the Whole to recommit a bill being decided in the negative, the question was held to recur on the amendments and bill under a special rule ordering the previous question on the bill and amendments to final passage. Volume **VIII,** section **2375.**

The previous question having been ordered on the report of the Committee of the Whole recommending disagreement to Senate amendments, the preferential motion to concur was held not to be in order. Volume **VIII,** section **3211.**

The Committee of the Whole having reported back Senate amendments to a bill with recommendations for their disposition, it was held that a motion to recommit properly applied to the bill and not to the amendments. Volume **VIII,** section **2743.**

The vote having been taken on agreeing to a report of the Committee of the Whole on which the previous question had been ordered, it was held that the operation of the previous question had been consummated and did not apply to related questions again brought before the House. Volume **VIII,** section **2687.**

The previous question may be moved on a portion of the amendments to a bill reported from the Committee of the Whole, leaving the remaining amendments open to debate and amendment. Volume **VIII,** section **2679.**

If the Committee of the Whole reports to the House a substitute for the entire bill the substitute is subject to amendment in the House unless the previous question is operating. Volume **VIII,** section **2419.**

PREVIOUS QUESTION.—Continued.

(32) As Related to Reports From Committee of the Whole.—Continued.

When a Senate bill is reported by the Committee of the Whole with an amendment in the nature of a substitute and the House rejects the substitute, and the previous question is operating, the vote recurs on the Senate bill without amendment. Volume **VIII,** section **2427.**

(33) In General.

The motion for the previous question is not admitted in the Senate. Volume **VIII,** section **2663.**

Discussion of the rule for limiting debate in the Senate. Volume **VIII,** section **2671.**

Instances wherein Members of the Senate have taken advantage of the privilege of unlimited debate. Volume **VIII,** section **2666.**

An order for the previous question does not preclude the demand for a separate vote on component substantive propositions. Volume **VIII,** section **3173.**

When the House adjourns on Wednesday without voting on a proposition on which the previous question has been ordered the question does not go over to the following Wednesday but comes up on the next legislative day. Volume **VII,** section **895.**

The previous question may be ordered on a bill on the House Calendar Wednesday prior to the expiration of debate allotted under the rule. Volume **VIII,** section **2680.**

The Member calling up a House bill on Calendar Wednesday is recognized for one hour and may move the previous question, for the purpose of preventing debate or amendment, at any time. Volume **VII,** section **955.**

PRICE.

The Missouri election case of Price v. McClurg in the Thirty-eighth Congress. Volume **I,** section **377.**

The Louisiana election case of Beattie v. Price, in the Fifty-fourth Congress. Volume **I,** section **341.**

PRINT, LEAVE TO.

General leave to print may be granted only by the House, although in Committee of the Whole a Member, by unanimous consent, is sometimes given leave to extend his remarks. Volume **V,** sections **7009, 7010.** Volume **VIII,** section **3488.**

Rules governing the furnishing of copy under leave to print in the Congressional Record. Volume **V,** section **7024.** Volume **VIII,** section **3500.**

General leave to print extended at the close of a session authorizes Members to extend remarks without restriction as to the number of extensions. Volume **VIII,** section **3478.**

Leave to print authorizes extensions of the Member's remarks only and other matter may not be included without specific permission. Volume **VII,** section **3480.**

Authorizations to extend remarks in the Record are strictly construed and it is not in order under leave to print to insert other material than that designated in the request. Volume **VIII,** section **3479.**

Instance wherein it was stipulated that matter inserted under leave to print should be limited to the Member's own remarks and should not include newspaper articles or other extraneous matter. Volume **VIII,** section **3481.**

For abuse of the leave to print, the House censured a Member after a motion to expel him had failed. Volume **VI,** section **236.**

An abuse of the leave to print in the Congressional Record gives rise to a question of privilege. Volume **VIII,** section **3495.**

Where one paragraph of a speech inserted in the Record under leave to print contained unparliamentary language, the entire speech was stricken out. Volume **VIII,** section **3472.**

A Member, having inserted articles from a magazine under leave to extend his own remarks, was given unanimous consent to expunge the unauthorized matter on condition that it not be reprinted by the Public Printer as frankable. Volume **VIII,** section **3475.**

PRINT, LEAVE TO—Continued.

A resolution to expunge from the Record a speech alleged to be an abuse of the leave to print must be entertained as a matter of privilege. Volume **VIII,** section **3475.**

A motion to expunge unparliamentary language inserted under leave to print was entertained as privileged. Volume **VIII,** section **3491.**

A resolution providing for the appointment of a committee to consider the propriety of remarks inserted under leave to print was entertained as privileged. Volume **VIII,** section **3493.**

A resolution providing for an investigation of the propriety of remarks, alleged to be an abuse of the leave to print, is entertained as a matter of privilege. Volume **VIII,** section **3495.**

When a Member, under leave to print, places in the Congressional Record that which would not have been in order if uttered on the floor, the House may exclude the language. Volume **VIII,** section **3495.**

Insertion of improper language under leave to print was held to sustain a question of the privilege of the House. Volume **VIII,** section **3491.**

The period within which Members may extend remarks under leave to print begins with the day on which permission is granted. Volume **VIII,** section **3476.**

Remarks extended in the Record under leave to print are inserted as of the date on which permission is granted. Volume **VIII,** section **3483.**

Matter inserted in the Record under leave to print, if in continuation of remarks actually delivered on the floor, appears in connection with the speech in the body of the Record, but where the Member has not actually occupied the floor such extensions of remarks are printed in the Appendix. Volume **VIII,** section **3485.**

It is for the House and not the Speaker to determine whether matter inserted in the Congressional Record under leave to print is in violation of the rules. Volume **VIII,** section **3475.**

PRINTING.

(1) Rules and law as to bills and documents.
(2) Regulations as to numbers of bills, documents, etc.
(3) Documents and illustrations therein.
(4) Of record in election contest.
(5) The Committee on.

(1) Rules and Law as to Bills and Documents.

The printing, enrolling, signing, and certification of bills on their passage between the two Houses are governed by usages founded on former joint rules. Volume **IV,** section **3430.**

The Journal does not record in full a conference report presented merely for printing in the Record under the rule. Volume **IV,** section **2860.**

A bill on its introduction is entered on the Journal by its number and title, but is not printed therein in full. Volume **IV,** section **2854.**

The rules contemplate that a committee may report a matter to the House for printing and recommitment. Volume **V,** section **5647.**

Privileged reports are sometimes printed and recommitted. Volume **IV,** section **4651.**

It was held under the former practice that a proposition on the table might be printed. Volume **V,** section **5427.**

The early practice was not uniform as to the right of a Member to demand the reading of a paper which it was proposed to print. Volume **V,** sections **5263–5265.**

All documents referred to committees or otherwise disposed of are printed, unless otherwise specially ordered. Volume **V,** section **7315.**

All bills, petitions or memorials, or resolutions reported from a committee shall be accompanied by reports in writing, which shall be printed. Volume **V,** section **5647.**

Unless ordered by the House no bill, resolution, or other proposition reported by a committee shall be printed unless placed on the Calendar. Volume **V,** section **7315.**

A statute provides for the printing and distribution of documents. Volume **VI,** section **371.**

PRINTING—Continued.

(1) Rules and Law as to Bills and Documents—Continued.

Discussion of practices of the committees in ordering printing of hearings. Volume **VI,** section **374.**

The calendars are printed daily. Volume **VI,** section **743.**

The printing of hearings before a committee of the House was held to be "printing for the use of the House," and a resolution authorizing such printing was construed to come within the privilege of the Committee on Printing to report at any time. Volume **VIII,** section **2296.**

Bills reported from committees shall be accompanied by reports which shall be printed. Volume **VIII,** section **2783.**

A conference report and the accompanying statement must be correctly printed in the Record, and although the original report and statement are correct, an error in printing either renders it subject to the point of order that it does not comply with the rule. Volume **VIII,** section **3298.**

While a rule formerly made the printing of documents accompanying messages from the President mandatory, the statute superseding the rule does not require it. Volume **VIII,** section **3352.**

Committee hearings may be printed as Congressional documents only when specifically ordered by Congress or either House thereof. Volume **VIII,** section **3664.**

The printing of documents is governed by statute, and motions to authorize such printing are not in order. Volume **VIII,** section **3665.**

A committee of the House may order printed 1,000 copies of its hearings irrespective of cost. Volume **VIII,** section **3666.**

The rules do not require the printing of hearings, and the distribution of records of hearings is within the discretion of the committee in charge of the bill. Volume **VIII,** section **3667.**

(2) Regulations as to Numbers of Bills, Documents, etc.

The statutes limit the printing of documents and reports. Volume **V,** section **7320.**

The statutes provide specifically for the number of public and private bills to be printed when they are introduced, when reported, etc., and the distribution thereof. Volume **V,** section **7318.**

Extra copies of bills may be ordered printed by simple resolution of the House if the cost does not exceed $500, or by concurrent resolution if the cost exceeds that sum. Volume **V,** section **7319.**

The Joint Committee on printing may order printed extra copies of a bill, document, etc., at a cost not to exceed $200 in any one instance. Volume **V,** section **7319.** Volume **VIII,** section **3666.**

The Joint Committee on Printing have power to regulate the printing of documents to the demand, within certain limits. Volume **V,** section **7327.**

The Secretary of the Senate and Clerk of the House have a discretionary power to order the reprinting of bills, resolutions, documents, etc. Volume **V,** section **7319.**

Motions to print additional numbers of a bill, report, resolution, or document shall be referred to the Committee on Printing, and the report thereon must be accompanied by an estimate of cost. Volume **V,** section **7315.**

Resolutions for printing extra copies of bills, documents, etc., are required to be referred to the Committee on Printing to be reported with estimates of cost. Volume **V,** section **7319.**

Self-appropriating orders for printing extra copies of bills, documents, etc., are required to be by joint resolution. Volume **V,** section **7319.**

Limitation on the power of committees to order printing of hearings, etc. Volume **V,** section **7319.**

(3) Documents and Illustrations Therein.

The statutes define the term "public document," and provide for the division of documents among Members and the distribution thereof. Volume **V,** section **7316.**

PRINTING—Continued.

(3) Documents and Illustrations Therein—Continued.

The printing and distribution of documents and reports are specifically regulated by statute. Volume **V,** section **7318.**

The Congressional order to print must expressly authorize the printing of illustrations which are parts of documents or reports. Volume **V,** section **7320.**

Illustrations in documents or reports are printed only on express authorization of the House. Volume **V,** section **7321.**

General provision of the statutes relating to printing of memorial addresses, drawings, maps, etc., and editing of documents. Volume **V,** section **7317.**

Illustrations of the general jurisdiction exercised by the House branch of the Joint Committee on Printing. Volume **VII,** section **209.**

The statute requires that requests for permission to insert illustrations in the Record be submitted to the Joint Committee on Printing through the chairman of the respective House in which the speech desired to be illustrated may be delivered, and motions for the insertion of illustrations are not in order in the House. Volume **VIII,** section **3501.**

(4) Of Record in Election Contest.

Law governing the duty of the Clerk of the House as to the printing of testimony in an election case. Volume **I,** section **705.**

The law governing the filing of contestant's and contestee's briefs in an election case and the printing thereof. Volume **I,** section **705.**

A point of order being raised challenging the validity of a report on a contested-election case presented for filing, the Speaker directed that the report be printed with a reservation of the point of order. Volume **VI,** section **182.**

(5) The Committee on.

The Committee on Rules, Elections, Ways and Means, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing, and Accounts may report at any time on certain matters. Volume **IV,** section **4621.**

The Committee on Rules, Elections, Ways and Means, Appropriations, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing, and Accounts may report at any time on certain matters. Volume **VIII,** section **2251.**

The privilege of the Committee on Printing is confined to printing for the two Houses and of Accounts to expenditures from the contingent fund. Volume **IV,** section **4621.** Volume **VIII,** section **2251.**

A report from the Committee on Printing relating to printing for the use of the two Houses does not require consideration in Committee of the Whole. Volume **VI,** section **4868.**

Construction of the rule granting privilege to the Committee on Printing. Volume **VIII,** section **2294.**

In passing upon the privilege of resolutions reported by the Committee on Printing the number of copies specified cannot be considered in determining the question as to whether such copies are for the use of the House. Volume **VIII,** section **2294.**

While reports from the Committee on Printing pertaining to "printing for the House or two Houses" are privileged, that privilege does not extend to a bill providing for revision of the printing laws. Volume **VIII,** section **2295.**

Privilege conferred on bills reported by the Committee on Printing is confined to provisions for printing for the two Houses, and an appropriation for such purpose destroys the privileged character of the bill. Volume **VIII,** section **2297.**

Reports from the Committee on Printing when on provisions for printing for the use of the Congress are privileged. Volume **VIII,** section **2298.**

Authorization of publications in connection with the service of the House is a subject belonging to the jurisdiction of the Committee on Printing and not the Committee on Accounts. Volume **VIII,** section **2300.**

PRINTING, JOINT COMMITTEE ON.
(1) Creation of.
(2) Legislative jurisdiction of.
(3) Executive duties of.
(4) In general.

(1) Creation of.
The Creation and history of the Joint Committee on Printing. Section 57 of Rule XI. Volume **IV,** section **4347.**
Recent history of the Joint Committee on Printing, section 42 of Rule XI. Volume **VII,** section **2092.**
The Joint Committee on Printing, while recognized by the rules, was created by the statutes. Volume **IV,** section **4347.**
The statutes empower either branch of the Joint Committee on Printing to act in case of the non-existence of the other. Volume **IV,** section **4347.**
The Senate has specially empowered its Committees on Printing, Enrolled Bills, and Library to act in conjunction with similar House committees. Volume **IV,** section **4416.**

(2) Legislative Jurisdiction of.
The rules give to the "Joint Committee on Printing on the part of the House" jurisdiction of "all proposed legislation or orders touching printing." Volume **IV,** section **4347.**
A proposition to make corrections in remarks printed in the Congressional Record was reported by the Committee on Printing. Volume **IV,** section **4349.**
Resolutions for printing extra copies of bills, documents, etc., are required to be referred to the Committee on Printing to be reported with estimates of cost. Volume **V,** section **7319.**
Motions to print additional numbers of a bill, report, resolution, or document shall be referred to the Committee on Printing, and the report thereon must be accompanied by an estimate of cost. Volume **V,** section **7315.**
The Committee on Printing have exercised an infrequent jurisdiction as to the pay of employees at the Government Printing Office. Volume **IV,** section **4348.**
The Joint Committee on Printing has exercised an infrequent jurisdiction as to the pay of employees at the Government Printing Office. Volume **VII,** section **2096.**
It was held in order to refer a matter to a joint committee, although a law directed that such matters be referred to the House members of the said joint committee. Volume **IV,** section **4433.**
Bills proposing permanent law relative to the printing, binding, and distribution of public documents have been reported by the House branch of the Joint Committee on Printing. Volume **VII,** section **2093.**
The printing of reports by the Board of Engineers relating to rivers and harbors is a subject within the jurisdiction of the Joint Committee on Printing and not the Committee on Rivers and Harbors. Volume **VII,** section **2095.**
Neither House may by order or simple resolution infringe upon the prerogatives vested by law in the Joint Committee on Printing. Volume **VII,** section **2097.**

(3) Executive Duties of.
The Joint Committee on Printing has executive duties conferred by statute. Volume **IV,** section **4347.**
The arrangement, style, etc., of the Congressional Record is prescribed by the Joint Committee on Printing. Volume **V,** section **7024.** Volume **VIII,** section **3500.**
The insertion of maps and diagrams in the Congressional Record is within the control of the Joint Committee on Printing. Volume **V,** section **7024.** Volume **VIII,** section **3500.**
The Joint Committee on Printing may order printed extra copies of a bill, document, etc., at a cost not to exceed $200 in any one instance. Volume **V,** section **7319.**

PRINTING, JOINT COMMITTEE ON—Continued.

(3) Executive Duties of—Continued.

The Joint Committee on Printing have power to regulate the printing of documents to the demand within certain limits. Volume **V,** section **7327.**

The Congressional Directory is compiled under direction of the Joint Committee on Printing, Volume **V,** section **7342.**

Discussion of the functions of the Joint Committee on Printing. Volume **VI,** section **371.**

While the Joint Committee on Printing is empowered by law to discharge certain executive duties when Congress is not in session, this committee may not be authorized to perform legislative functions prior to its election in an ensuing Congress. Volume **VII,** section **2098.**

(4) In General.

The privilege of the Committee on Printing is confined to printing for use of the two Houses, and the presence of matter not privileged destroys the privileged character of the report, Volume **IV,** sections **4647–4649.**

A report from the Committee on Printing relating to printing for the use of the two Houses does not require consideration in Committee of the Whole. Volume **IV,** section **4868.**

State memorials and petitions may be printed in full in the Record of the House proceedings only by leave of the House as extension of remarks. Volume **VII,** section **1024.**

A proposition to print Government publications outside the Government Printing Office was held to be a change of law. Volume **VII,** section **1465.**

Provisions for the printing of the Congressional Record is statutory and motions amendatory thereto are not in order. Volume **VIII,** section **3499.**

Formerly authority to requisition printing and binding was granted severally to committees of the House by separate resolutions, but beginning with the Sixty-fifth Congress general leave to order necessary printing and binding has been provided by blanket resolution. Volume **VIII,** section **3659.**

The standing committees and the floor leaders are ordinarily authorized by resolution to order necessary official printing, including printing for party conferences. Volume **VIII,** section **3660.**

The approved form of resolutions authorizing printing begin "Resolved, That there shall be printed." Volume **VIII,** section **3361.**

Reports of communications to Congress from bureaus, boards, delegates to conferences, or heads of departments are printed under the direction of the Speaker and are within his discretion unless otherwise provided by law. Volume **VIII,** section **3662.**

PRIOLEAU.

The South Carolina election cases of Jacobs v. Lever, Myers v. Patterson, and Prioleau vs. Legare in the Fifty-ninth Congress. Volume **II,** section **1135.**

The South Carolina election cases of Dantzler v. Lever, Prioleau v. Legare, and Myers v. Patterson in the Sixtieth Congress. Volume **VI,** section **122.**

The South Carolina election cases of Richardson v. Lever, Prioleau v. Legare, and Myers v. Patterson, in the Sixty-first Congress. Volume **VI,** section **128.**

The South Carolina election case of Prioleau v. Legare in the Sixty-second Congress. Volume **VI,** section **130.**

The South Carolina election case of Prioleau v. Whaley in the Sixty-fourth Congress. Volume **VI,** section **142.**

PRISONER.

A prisoner of the House was taken, by its order and in custody of the Sergeant-at-Arms, to testify in the court of a State. Volume **II,** section **1627.**

Members are not permitted to communicate with a prisoner arraigned at the bar of the House. Volume **II,** section **1626.**

In a contempt case tried at the bar of the House the prisoner and counsel withdrew during deliberations of the House. Volume **II,** section **1602.**

PRISONS.

The management of national penitentiaries and the authorization of buildings therefore are within the jurisdiction of the Committee on the Judiciary. Volume **IV,** section **4070.**

PRIVATE AFFAIRS.

Discussion of the power of investigation possessed by Congress in relation to the individual's right of privacy. Volume **III,** section **1766.**

The general authority of the House to compel testimony and the production of papers in an investigation and the relation of this right to the rights of individuals to privacy in business affairs were discussed in 1837. Volume **III,** section **1733.**

In authorizing an investigation of the Bank of the United States in 1832 a distinction was drawn between the public relations of the banks to the Government and its dealings with private individuals. Volume **III,** section **1731.**

The investigation of the Bank of the United States in 1834 was objected to on the ground that it involved a general search of the affairs of private individuals. Volume **III,** section **1732.**

In 1860 a proposition to arrest a Government official for refusing to produce a paper which he declared to be entirely private in its nature was abandoned after discussion. Volume **III,** section **1683.**

An inquiry as to the integrity of Senators was held to be within the power of the Senate and questions relating thereto were not unreasonable intrusions into the affairs of the citizen. Volume **III,** section **1614.**

In 1858 the House imprisoned John W. Wolcott for contempt in refusing as a witness to answer a question which he contended was inquisitorial but which the House held to be pertinent. Volume **III,** section **1671.**

In 1873 Joseph B. Stewart was imprisoned for contempt of the House in refusing as a witness to answer a question which he claimed related to the relations of attorney and client and therefore was inquisitorial. Volume **III,** section **1689.**

In 1874 the House imprisoned in the common jail a contumacious witness, Richard B. Irwin, who contended that the inquiry proposed by the House committee was unauthorized and exceeded the power of the House. Volume **III,** sections **1690, 1691.**

In 1868 a contumacious witness, Charles W. Woolley, who declined to answer for the alleged reason that the examination was inquisitorial, was imprisoned for contempt. Volume **III,** section **1686.**

Form of subpoena duces tecum used for compelling production of telegrams in 1877, but criticized as too general and verbally defective. Volume **III,** section **1695.**

The case of Harry F. Sinclair, continued. While emphasizing the importance of protecting the individual from unreasonable and arbitrary disclosures of his private affairs, the court holds that either House of Congress is authorized to require testimony in aid of legislation. Volume **VI,** section **338.**

At the suggestion of a committee charged with an investigation its authority to inspect private and secret archives was canceled. Volume **VI,** section **370.**

Discussion of the use of the subpoena duces tecum in procuring books and papers from a private person. Volume **VI,** section **400.**

The House is not bound by private agreement between Members even when entered into on the floor in course of debate. Volume **VII,** section **927.**

PRIVATE BILLS.

(1) As distinguished from public.
(2) May not be made general by amendment.
(3) Relating to claims.
(4) Introduction and reference of.
(5) The Calendar and Committee of the Whole House.

PRIVATE BILLS—Continued.

(1) As Distinguished From Public.

A private bill is a bill for the relief of one or several specified persons, corporations, institutions, etc. and is distinguished from a public bill, which relates to public matters and deals with individuals only by classes. Volume **IV,** section **3285.**

A bill which applies to a class and not to individuals as such as a public bill. Volume **III,** section **2614.**

A bill for the advantage of private individuals, even in connection with a public object, has been treated as a private bill. Volume **IV,** section **3289.**

A bill for the benefit of individuals, but which includes also provisions of general legislation, is classed as a public bill. Volume **IV,** section **3286.**

A bill containing among provisions for the relief of private persons one item to pay a claim of a foreign nation was classed as a public bill. Volume **IV,** section **3287.**

A bill granting American registry to a foreign-built vessel is classed as a private bill. Volume **IV,** section **3292.**

A bill prescribing the form of oath to be taken by a Member-elect of the House was held to be a private bill. Volume **IV,** section **3291.**

A bill authorizing one tribe of Indians to sue another in the Court of Claims was held to be a private bill. Volume **IV,** section **3290.**

A bill to create a corporation in the District of Columbia was held to be a public bill. Volume **IV,** section **3294.**

The Committee of the Whole has decided that a bill to pension a battalion of soldiers should be treated as a private bill. Volume **IV,** section **3293.**

A bill, the beneficiaries of which, though readily ascertainable, were designated as a class, was classed as a private bill. Volume **VII,** section **857.**

A bill for the relief of a tribe of Indians was classed as a private bill. Volume **VII,** section **858.**

A bill for the benefit of an individual, though dealing with Government property, is classed as a private bill. Volume **VII,** section **859.**

A bill transferring title of public lands to a private corporation was classed as a private bill. Volume **VII,** section **861.**

A bill authorizing a credit in the accounts of a Federal official was classed as a private bill. Volume **VII,** section **863.**

Discussion and distinction between public and private bills and method of introduction and reference. Volume **VII,** section **864.**

A bill to refund money to a municipality was classed as a private bill. Volume **VII,** section **867.**

A bill providing for individuals, corporations, or private institutions is classed as a private bill. Volume **VII,** section **869.**

A bill authorizing payment for services rendered a Government bureau by a private agency was held to be a private bill. Volume **VII,** section **869.**

A bill transferring to a water users' association the operation and maintenance of an irrigation project financed by the Government, without relinquishing the lien of the Government for funds expended, was held to be a private bill. Volume **VII,** section **871.**

Bills providing for preliminary surveys of rivers and harbors are classed as private bills. Volume **VII,** section **1027.**

(2) May Not Be Made General by Amendment.

It is not in order to amend a private bill by adding provisions general and public in character. Volume **IV,** section **3292.**

To a bill for the benefit of a single individual or corporation, an amendment embodying general provisions applicable to the class represented by the individual is not germane. Volume **V,** sections **5843–5846.**

A private bill for the relief of one individual may not be amended so as to extend its provisions to another individual even indirectly, through a motion to recommit with instructions. Volume **IV,** section **3296.**

PRIVATE BILLS—Continued.

(2) May Not Be Made General by Amendment—Continued.

It is not in order to move to commit a private bill with instructions that the committee report a general bill relating to subjects of the same class. Volume **IV,** section **3295.**

To a bill for the relief of one individual an amendment providing a similar relief for another individual is not germane. Volume **V,** sections **5826–5829.**

A private bill of the House, returned from the Senate with a substitute amendment of a public nature, was held to be a private bill still. Volume **IV,** section **3288.**

A private bill for the benefit of a collection of individuals, ascertainable by name, may not be amended so as to extend its provisions to a class of individuals not definitely ascertainable. Volume **VII,** section **860.**

An amendment, which adopted would constitute a public bill, is not germane to a private bill. Volume **VII,** section **860.**

(3) Relating to Claims.

A committee having reported a private bill grouping together a series of claims, each belonging to the jurisdiction of the committee, it was held that no point of order would be sustained when the bill came up in Committee of the Whole. Volume **IV,** section **4784.**

The right of a Claims Committee to report with the status of a private bill a resolution providing for sending a series of specified claims to the Court has been affirmed. Volume **IV,** section **3297.**

(4) Introduction and Reference of.

The reference of a private bill is indorsed on it by the Member introducing it, while the reference of a public bill is made by the Speaker. Volume **IV,** section **3364.**

The reference of private bills to committees is indicated by the Member. Volume **VII,** section **1027.**

Members introducing private bills indorse upon them the name of the committee to which referred under the rule. Volume **VII,** section **1032.**

Rules for correction of erroneous reference of private and public bills. Volume **IV,** section **3364.**

The erroneous reference of a private House bill to a committee not entitled to jurisdiction does not confer it, and a point of order is good when the bill comes up for consideration either in the House or in Committee of the Whole. Volume **IV,** sections **4382–4389.** Volume **VII,** section **2132.**

When the House itself refers a private House bill to a committee, the point of order as to jurisdiction does not avail. Volume **IV,** section **4391.** Volume **VII,** section **2131.**

The House having changed the reference of a private Senate bill from one committee to another, a point of order as to the jurisdiction of the latter committee made after the bill was reported was overruled. Volume **IV,** section **4390.**

Appropriations for payment of French spoliation claims being included in a private bill reported by the Committee on War Claims, the Chairman of the Committee of the Whole House ordered them stricken out as belonging to the jurisdiction of the Committee on Claims. Volume **IV,** section **4265.**

The statutes provide specifically for the number of public and private bills to be printed when they are introduced, when reported, etc., and the distribution thereof. Volume **V,** section **7318.**

The erroneous reference of a petition or private bill referred by the Member under the rule does not confer jurisdiction on the committee receiving it. Volume **IV,** section **3364.**

The reference of a bill, or a change in the reference of a bill, by the Speaker, does not preclude the point of order, when called up for consideration, that it has been improperly referred. Volume **VII,** section **863.**

PRIVATE BILLS—Continued.

(5) The Calendar and Committee of the Whole House.

The rule providing for consideration of Senate bills on the Speaker's table applies to private as well as public bills. Volume **IV,** section **3101.**

Description of the House, Union, and Private Calendars. Volume **IV,** section **3115.**

Under the present practice reports from the Court of Claims under the Bowman act, which are also reported by a House committee and sent to the Private Calendar, do not remain on that Calendar during a succeeding Congress. Volume **IV,** sections **3299–3302.**

Distinction between the Committee of the Whole House on the state of the Union and the Committee of the Whole House. Volume **IV,** section **4705.**

PRIVATE BUSINESS.

(1) Friday set apart for.

(2) Motions to go into Committee of the Whole House to consider.

(1) Friday Set Apart for.

Friday of each week is set apart for private business, unless otherwise determined by the House. Volume **IV,** section **3266.**

By a standing order long in force private business from the Committees on Claims and War Claims, alternates on all Fridays devoted to private business, except the second and fourth of each month. Volume **IV,** section **3266.**

A standing order of the House, superseding the existing rule as to Friday evening sessions, provides that the second and fourth Fridays of each month shall be devoted to pension bills and bills removing charges of desertion and political disabilities. Volume **IV,** section **3281.**

A motion to lay aside private business is in order on Friday and may be agreed to by majority vote. Volume **IV,** sections **3270–3272.**

A question has arisen as to the class of business in order when the Friday evening session, provided for by the rules, has been prolonged to the next day by a recess. Volume **V,** section **6668.**

An appeal pending at an adjournment on Friday, but related to public and not private business, does not go over to the next Friday, but comes up on the next legislative day. Volume **V,** section **6945.**

When the House by special order devotes Friday entirely to business other than private business the special rules governing the use of the day are thereby suspended. Volume **IV,** section **3282.**

A special order which provides for the consideration of a bill from day to day until disposed of includes, unless exception be made, a day such as Friday set apart by the rules for a class of business. Volume **IV,** sections **3201, 3202.**

A privileged motion to proceed to the consideration of a general pension bill reported by the Committee on Invalid Pensions is in order on Friday as on other days. Volume **VIII,** section **2292.**

Business in order on Friday and on which the previous question was pending at adjournment on that day comes up as the unfinished business on the next legislative day. Volume **VIII,** section **2694.**

A motion to reconsider the vote by which recommendation of the Committee of the Whole House that the enacting clause of a bill on the Private Calendar to stricken out was agreed to, may be entered on any day on which recognition is had for that purpose, but the motion may be taken up for consideration on private calendar Friday only. Volume **VIII,** section **2786.**

(2) Motions to Go Into Committee of the Whole to consider.

Each Friday, after the unfinished business is disposed of, the motion to go into Committee of the Whole House to consider business on the Private Calendar is in order. Volume **IV,** section **3267.**

PRIVATE BUSINESS—Continued.

(2) Motions to Go Into Committee of the Whole to Consider—Continued.

On a Friday devoted to private business the unfinished private business must be considered before a motion to go into Committee of the Whole House is in order. Volume **IV,** sections **3276–3280.**

The motion to go into Committee of the Whole House to consider business on the Private Calendar being decided in the negative may not be repeated on the same day. Volume **IV,** section **3275.**

If the House on a Friday votes down a motion to go into Committee of the Whole House to consider the Private Calendar, public business is then in order as on other days. Volume **IV,** section **3267.**

On District of Columbia day a motion is in order to go into Committee of the Whole House to consider a private bill reported by the Committee on the District of Columbia. Volume **IV,** section **3310.**

The motion to go into Committee of the Whole House on the state of the Union to consider a bill other than a revenue or general appropriation bill is not privileged on Friday as against private business. Volume **IV,** sections **3273, 3274.**

The motion to go into Committee of the Whole House to consider business on the Private Calendar may not include a designation of the bills to be considered by the committee. Volume **IV,** sections **3268, 3269.**

A motion to go into Committee of the Whole to consider general appropriation bills is in order Friday as on other days. Volume **IV,** section **3081.**

The motion to go into Committee of the Whole to consider general appropriation bills has precedence on a Friday of a motion to go into Committee of the Whole to consider the Private Calendar. Volume **IV,** sections **3082–3085.** Volume **VI,** section **719.**

The motion to go into the Committee of the Whole to consider general appropriation bills on Friday takes precedence of a motion to go into the Committee of the Whole to consider the Private Calendar only when authorized by the committee having jurisdiction. Volume **VI,** section **721.**

PRIVATE CALENDAR.

On a Friday set aside for the consideration of business on the Private Calendar it is in order to call up business privileged under the rule authorizing certain committees to report at any time. Volume **VIII,** section **2291.**

On Saturday of each week it is in order to move to resolve into the Committee of the Whole House to consider business on the Private Calendar. Volume **VII,** section **846.**

The rule providing for consideration of the Private Calendar on Saturdays divides the time for debate between the Member objecting and the chairman of the committee reporting the bill and neither may yield time to another. Volume **VII,** section **847.**

The objection by three Members when a bill is first called on Private Calendar Saturday precludes debates thereon and the bill is referred to the deferred list forthwith. Volume **VII,** section **849.**

Interpretation of a special order providing for consideration of Senate bills on the Private Calendar in the closing days of a session. Volume **VII,** section **796.**

The proceedings observed on the first consideration of the Private Calendar under the new rule. Volume **VII,** section **847.**

At the conclusion of the debate on a bill called up from the Private Calendar, a motion is in order to lay it aside with favorable or adverse recommendation. Volume **VII,** section **847.**

A Member may not yield time allotted under the rule providing for the consideration of the Private Calendar. Volume **VII,** section **848.**

In the absence of an order for the previous question, business undisposed of at adjournment comes up as unfinished business only on the next day when that class of business is again in order and not on the next legislative day. Volume **VII,** section **854.**

PRIVATE CALENDAR—Continued.

When the House resolves into the Committee of the Whole House for the consideration of bills on the Private Calendar, a bill unfinished at adjournment on a previous day takes precedence of other bills on the Private Calendar. Volume **VII,** section **855.**

Bills erroneously referred to calendars are transferred to the proper calendar by direction of the Speaker. Volume **VII,** section **859.**

The point of order that a bill is on the wrong calendar may be raised at any time before consideration begins. Volume **VII,** section **863.**

The motion to take up a bill out of its order in the consideration of business on the Private Calendar is not debatable and may not be amended. Volume **VIII,** section **2333.**

A bill reported by the Committee of the Whole to be improperly on the Private Calendar was thereupon referred by the Speaker without action on the part of the House to the proper calendar as of the date of original reference. Volume **VIII,** section **2373.**

A bill for reimbursement of bank depositors not severally specified was held to refer to a class and not a collection of individuals, and therefore to constitute a public bill and to be improperly on the Private Calendar. Volume **VIII,** section **2573.**

A point of order against the reference of a bill to the Private Calendar is properly made after the bill is read and before consideration begins in the Committee of the Whole. Volume **VIII,** section **2373.**

The vote by which the enacting clause of a bill on the private calendar was stricken out being reconsidered, the question is pending on agreeing to the recommendation of the Committee of the Whole and being decided in the negative, sends the bill back to the private calendar. Volume **VIII,** section **2786.**

PRIVATE CITIZEN.

In the Belknap trial the managers and counsel for respondent agreed that a private citizen, apart from offense in an office, might not be impeached. Volume **VIII,** section **2007.**

PRIVATE CLAIMS.

The rule gives to the Committee on Claims jurisdiction of subjects relating "to private and domestic claims and demands, other than war claims, against the United States." Volume **IV,** section **4262.**

A bill for the payment or adjudication of any private claims against the Government must be referred to one of these committees: Claims, War Claims, Private Land Claims, Pensions, Invalid Pensions, Accounts. Volume **IV,** section **4380.** Volume **VII,** section **2129.**

A bill to provide a commission to settle claims against the Government does not fall within the rule requiring private claims to be referred only to certain specified committees. Volume **IV,** section **4381.**

Reference to the statute providing for taking testimony in private claims pending before a committee. Volume **III,** section **1826.**

An appropriation to reimburse officials for services and expenses, however valid, is an appropriation for a private claim and is not in order on an appropriation bill. Volume **VII,** section **1184.**

Committees having jurisdiction of bills for the payment of private claims may report bills making appropriations within the limits of their jurisdiction. Volume **VII,** section **1992.**

Legislative propositions relating to private claims against the Government are within the exclusive jurisdiction of the Committee on Claims and items in bills reported by the Committee on Appropriations providing for reimbursement for such claims are subject to a point of order. Volume **VII,** section **1994.**

An instance wherein, by unanimous consent, bills relating to private claims were transferred from the Committee on Claims to the Committee on Ways and Means, thereby conferring jurisdiction. Volume **VII,** section **2107.**

Although proposing a direct appropriation, a bill for the adjudication of any private claim against the Government must be referred to the Committee on Claims. Volume **VII,** section **2130.**

PRIVATE LAND CLAIMS, COMMITTEE ON.

The creation and history of the Committee on Private Land Claims. Section 33 of Rule XI. Volume **IV,** section **4273.**

The rule gives to the Committee on Private Land Claims jurisdiction as "to private claims to land." Volume **IV,** section **4273.**

A bill for the payment or adjudication of any private claims against the Government must be referred to one of these committees: Claims, War Claims, Private Land Claims, Pensions, Invalid Pensions, Accounts. Volume **IV,** section **4380.**

The Committee on Private Land Claims has exercised jurisdiction over general as well as special bills relating to the adjudication and settlement of private claims to land. Volume **IV,** section **4275.**

A bill for the establishment of a land court was reported by the Committee on Private Land Claims. Volume **IV,** section **4274.**

PRIVILEGE. See also "Contempts."

(1) Definition of questions of.
(2) Of the House.—Questions relating to organization.
(3) Of the House.—As to membership.—Right of the Member to a seat.
(4) Of the House.—As to membership.—Disposition of contests over seats.
(5) Of the House.—As to membership.—Title to seat as related to status of constitutuency.
(6) Of the House.—As to membership.—Vacancies, etc.
(7) Of the House.—Questions as to conduct of officers and employees.
(8) Of the House.—Relating to admission to the floor.
(9) Of the House.—Comfort and convenience of Members and employees.
(10) Of the House.—Enforcement of orders of House on Members and others.
(11) Of the House.—Prerogatives.—Invasion of, in general.
(12) Of the House.—Invasion of, in respect to revenue legislation.
(13) Of the House.—Invasion of, in respect to revenue treaties.
(14) Of the House.—Invasion of, in respect to appropriation bills.
(15) Of the House.—In relation to demands of the courts for testimony.
(16) Of the House.—In relation to demands of House or Senate for testimony.
(17) Of the House.—General relations to the Senate.
(18) Of the House.—Questions as to the Congressional Record.
(19) Of the House.—Questions as to conduct of representatives of the press.
(20) Of the House.—As to procedure.—In general.
(21) Of the House.—As to procedure.—In relation to bills.
(22) Of the House.—As to procedure.—In relation to committees.
(23) Of the House.—In general.
(24) Of the Member.—Jefferson's summary.
(25) Of the Member.—As to speech or debate. See also "Debate."
(26) Of the Member.—From arrest or interference in going or returning.
(27) Of the Member.—Menace of.
(28) Of the Member.—Offenses within the House and without.
(29) Of the Member.—Charges against.—In general.
(30) Of the Member.—Charges against.—As to offenses prior to the election.
(31) Of the Member.—Charges against.—By one Member against another.
(32) Of the Member.—Charges against.—Newspaper charges held to involve.
(33) Of the Member.—Charges against.—Newspaper charges held not to involve.
(34) Of the Member.—Charges against.—In relation to the Executive.
(35) Of the Member.—Charges against.—Of disloyalty.
(36) Of the Member.—Personal privilege.—Basis for question of.
(37) Of the Member.—Personal privilege.—Limitations of the Member in stating.

PRIVILEGE—Continued.

(38) Constitutional.—General principles.
(39) Constitutional.—Relating to adjournment and recess.
(40) Constitutional.—Vetoed bills.
(41) Constitutional.—Census and apportionment.
(42) Constitutional.—Electoral count.
(43) Constitutional.—Impeachments.—As distinguished from mere investigations.
(44) Constitutional.—Impeachments.—In general.
(45) Raising questions of.—Manner and conditions of.
(46) Raising questions of.—General principles as to precedence.
(47) Raising questions of.—Personal privilege as related to certain conditions.
(48) Raising questions of.—Precedence of one question of privilege over another.
(49) Raising questions of.—Effect of nonprivileged matter.
(50) Raising questions of.—As distinguished from privileged questions.
(51) Raising questions of.—Respective duties of Speaker and House in determining.
(52) Raising questions of.—During proceedings to secure a quorum.
(52) Raising questions of.—In Committee of the Whole.
(54) Consideration of questions of.
(55) Franking.

(1) Definition of Questions of.

Definition and precedence of questions of privilege. Volume **III,** section **2521.**

A definition of questions of privilege. Volume **III,** section **2567.**

Definition of questions of privilege affecting the House. Volume **III,** section **2557.**

Definition of questions of privilege affecting the Member individually. Volume **III,** section **2667.**

The House, in 1795, declined to take action that would seem to imply a definition of its privileges. Volume **II,** section **1603.**

It was found inexpedient to define the offense of contempt of the House by law and provide a punishment. Volume **II,** section **1598.**

Privilege of Parliament takes place by force of election and may not be waived by the member without leave. Volume **III,** section **2669.**

No member may waive the privileges of the House except by express consent thereof. Volume **VII,** section **2164.**

There is a distinction between a question of privilege and a privileged question. Volume **III,** section **2654.**

(2) Of the House.—Questions Relating to Organization.

A resolution that the House proceed to the election of an officer presents a question of privilege. Volume **I,** section **189.**

A proposition to elect a Speaker is in order at any time and presents a question of the highest privilege. Volume **VIII,** section **3383.**

A resolution affecting the organization of the House is privileged, and takes precedence of a motion that the House resolve itself into the Committee of the Whole to consider a revenue bill. Volume **VI,** section **3.**

A motion to proceed to the election of an officer is privileged, but it is not so with a resolution naming a certain person to fill the office. Volume **I,** section **290.**

The election of an officer of the Senate is privileged and unless otherwise ordered by the Senate, balloting continues until a majority is obtained. Volume **VI,** section **281.**

At the organization of the House the motion to proceed to the election of a Speaker is of the highest privilege. Volume **I,** section **212.**

A resolution to proceed to the election of a Speaker presents a question of privilege, and pending the decision another question of privilege may not be presented. Volume **I,** section **214.**

A motion to proceed to the election of Speaker has been held to be of higher privilege than a motion to correct the Clerk's roll. Volume **I,** sections **22–24.**

PRIVILEGE—Continued.

(2) Of the House.—Questions Relating to Organzation—Continued.

The election of the Clerk of the House presents a question of privilege. Volume **I,** section **237.**

Although in earlier years the Chaplain was not strictly an officer of the House, his election was held to constitute a question of privilege. Volume **I,** section **273.**

A question as to whether or not a resolution placing the duties of one officer of the House on another involves a question of privilege (Speaker overruled). Volume **I,** section **263.**

In the earlier practice a motion establishing certain committees was held to be privileged at the time or organization of the House. Volume **IV,** section **4407.**

It was held, in 1881, that the administration of the oath to Delegates was of higher privilege than the adoption of rules. Volume **I,** section **180.**

A resolution assigning a room to a committee presents a question of privilege. Volume **V,** section **7273.**

Pending consideration of a question of contempt the Speaker admitted as privileged a resolution relating to the existence of the committee which suggested the proceedings. Volume **III,** section **1685.**

At the time of the organization of the House the motion relating to the drawing of seats is privileged. Volume **I,** section **120.**

A proposition to amend the rules is not privileged for consideration as against a demand that business proceed in the regular order. Volume **VIII,** section **3376.**

Resolutions providing for election of standing committees are privileged. Volume **VIII,** section **2182.**

Motions and resolutions for the election of standing committees have been presented as privileged. Volume **VIII,** section **2179.**

A resolution providing for the election of a select committee previously authorized is privileged as affecting the organization of the House. Volume **VI,** section **373.**

(3) Of the House.—As to Membership.—Right of a Member to a Seat.

The right of a Member to his seat presents a question of privilege and takes precedence of other business. Volume **III,** sections 2579, 2580.

A resolution determining title to a seat in the Senate raises a question of the highest privilege and takes precedence over any other order. Volume **VI,** section **173.**

The oath having been administered to other members elect, a resolution relating to the election of a Member elect temporarily denied administration of the oath was entertained as a matter of highest privilege. Volume **VI,** section **174.**

The claim of a person to a seat may be presented as a question of privilege, although the Clerk may have enrolled another person as entitled to the seat. Volume **III,** section **2593.**

A resolution providing for an investigation of the election of a Member presents a question of privilege. Volume **III,** section **2586.**

The right of a Member to his seat may come up at any time as a question of privilege, even though the subject may have been referred to a committee. Volume **III,** section **2584.** Volume **VIII,** section **2307.**

The latest ruling estabishes the principle that a proposition relating to the right of a Member to his seat may be acted on at once, without reference to a committee. Volume **III,** sections **2582, 2583.**

A claimant to a seat with papers indicating his election is entitled to have them presented as a question of privilege. Volume **III,** section **2587.**

(4) Of the House.—As to Membership.—Disposition of Contests Over Seats.

Overruling the Speaker, the House, in 1840, decided to receive as a matter of privilege a report in an election case (footnote). Volume **I,** section **794.**

Resolutions to seat a contestant are privileged, even though the case may still be pending in committee. Volume **I,** section **742.**

PRIVILEGE—Continued.

(4) Of the House.—As to Membership.—Disposition of Contests Over Seats—Continued.

A resolution for the investigation of the right of a claimant to a seat presents a question of privilege. Volume **I,** section **328.**

A resolution relating to the prosecution of an election case was held to involve a question of privilege. Volume **II,** section **1018.**

A resolution providing for the prosecution of an election case is presented as a question of privilege. Volume **I,** section **322.**

A resolution for the employment of a handwriting expert in an election case was admitted as privileged. Volume **I,** section **673.**

A resolution granting further time for taking testimony in an election case was admitted as privileged. Volume **II,** section **956.**

Instance wherein a returned Member presented as a question of privilege a proposition to reopen his election case for further testimony. Volume **II,** section **1062.**

An instance wherein the House decided on its own initiative an election case pending before the Committee on Elections. Volume **I,** section **462.**

A motion to discharge a committee from the consideration of a contested election case presented a question of the highest privilege. Volume **III,** section **2585.**

A resolution directing the Elections Committee to report an election case may not have precedence as a question of privilege. Volume **III,** section **2584.**

Before the completion of the organization of the House in 1869 the Clerk refused to entertain a motion referring to a committee a subject relating to the election of a Member. Volume **I,** section **78.**

A paper in the nature of a memorial condemning the decision of the House in an election case was held not to involve a question of privilege. Volume **III,** section **2591.**

A proposition relating to the pay of a contestant for a seat is not a question of privilege. Volume **I,** sections **674–675.**

(5) Of the House.—As to Membership.—Title to Seat as Related to Status of Constituency.

Credentials regular in form have been presented as a matter of privilege, although the status of the constituency was, by reason of civil war, in doubt. Volume **I,** section **361.**

No question of privilege is involved in the claim of a person to a seat in pursuance of the demand of a State for a representation greater than that allowed by law. Volume **III,** section **2592.**

A proposition relating to the admission of a Delegate from an unorganized Territory was held not to be a question of privilege. Volume **I,** section **411.**

A resolution providing compensation for a Territorial agent not having a seat on the floor does not present a question of privilege. Volume **III,** section **2596.**

(6) Of the House.—As to Membership.—Vacancies, etc.

A resolution relating to the status of one borne on the roll of membership of the House was held to be privileged. Volume **II,** section **1207.**

A question relating to the existence of a vacancy in the membership of the House was held to be of privilege. Volume **III,** section **2588.**

The House declined to consider as privileged a resolution that a former Member be permitted to withdraw his letter announcing his resignation and resume his seat. Volume **II,** section **41213.**

A resolution notifying the governor of a State of a vacancy in the representation of a district is presented as a question of privilege. Volume **III,** section **2589.**

A Member having resigned, a question as to his right to his seat was not entertained as a question of privilege. Volume **III,** section **2590.**

A resolution proposing the exclusion of a Delegate from his seat presents a question of privilege. Volume **III,** section **2594.**

A resolution embodying a general declaration as to the qualifications of Delegates was decided by the House not to involve a question of privilege. Volume **III,** section **2595.**

PRIVILEGE—Continued.

(7) Of the House.—Questions as to Conduct of Officers and Employees.

A charge affecting the character of an elected officer of the House was held to involve a question of privilege. Volume **III,** section **2644.**

A matter affecting the character of an officer of the House involves a questions of privilege (footnote). Volume **I,** section **288.**

A proposition to remove an officer of the House is a question of privilege. Volume **I,** sections **284–285.** Volume **IV,** section **35.**

A proposition to investigate the conduct of certain officers of the House while they were officers of the preceding House was presented as a matter of privilege. Volume **III,** section **2647.**

The request of an officer of the House for an investigation of newspaper charges against his administration is presented as a question of privilege. Volume **III,** section **2645.**

A resolution for the investigation of the conduct of an employee of the House may be presented as a matter of privilege. Volume **III,** section **2646.**

Charges being made by a Member against the official conduct of Mr. Speaker Clay he appealed to the House for an investigation, which was granted. Volume **II,** section **1362.**

A newspaper charge that an officer of the House had conspired to influence legislation was considered as a question of privilege. Volume **III,** section **2628.**

The Clerk being arraigned to answer charges, leave was given him to address the House. Volume **I,** section **287.**

The Clerk being arraigned and addressing the House in his defense, the Journal merely records the fact. Volume **I,** section **287.**

For permitting a Member under arrest to escape the Doorkeeper was arraigned at the bar of the House. Volume **I,** section **291.**

An officer of the House being arraigned for neglect of duty it was voted that he might answer orally. Volume **I,** section **291.**

The Journal recorded the substance of the oral answer of an officer of the House arraigned at the bar for neglect of duty. Volume **I,** section **291.**

A resolution relating to the dismissal of an employee was held not to involve a question of privilege. Volume **III,** section **2634.**

A proposition to investigate alleged unnecessary violence of policemen toward citizens on the Capitol grounds was ruled not to present a question of privilege. Volume **III,** section **2643.**

(8) Of the House.—Relating to Admission to the Floor.

An alleged violation of the rule relating to admission to the floor presents a question of privilege. Volume **III,** sections **2624, 2625.**

A resolution relating to an alleged abuse of the privileges of the floor does not present a question of higher privilege than an election case. Volume **III,** section **2626.**

(9) Of the House.—Comfort and Convenience of Members and Employees.

A proposition relating to the comfort or convenience of Members is presented as a question of privilege. Volume **III,** sections **2630, 2631.**

A subject relating to the convenience of Members and comfort of employees presents a question of privilege. Volume **III,** section **2632.**

A resolution from the Committee on Ventilation and Acoustics relating to the comfort of Members in the Hall was received as a question of privilege. Volume **III,** section **2629.**

A resolution reported from the Committee on Ventilation and Acoustics and relating to the sanitary conditions surrounding certain employees was held to be privileged. Volume **III,** section **2633.**

Subjects relating to the convenience of Members are not necessarily entertained as matters of privilege. Volume **III,** section **2635.**

A resolution from the Committee on Accounts relating to management of the House restaurant was not received as a matter of privilege. Volume **III,** section **2636.**

PRIVILEGE—Continued.

(10) Of the House.—Enforcement of Orders of House on Members and Others.

The deputy sergeant-at-arms having attempted, without the mace, to enforce an order of the Speaker on a Member, a question of privilege arose therefrom. Volume **II**, section **1347.**

It was held in 1894 that the act of the Sergeant-at-Arms in pursuance of the law for deductions of Members' salaries for absence might not be reviewed on the floor as a question of privilege. Volume **III**, section **2690.**

A spectator in the gallery having created disturbance, the Speaker ordered his arrest. Volume **II**, section **1605.**

To obviate the necessity of clearing the galleries, the Senate authorized the Sergeant-at-Arms to arrest any person disturbing the proceedings. Volume **V**, section **7311.**

(11) Of the House.—Prerogatives.—Invasion of, in General.

A resolution relating to an alleged invasion of the prerogatives of the House presents a question of privilege. Volume **II**, sections **1487, 1488.**

A proposition relating to the constitutional prerogatives of the House has always been considered a question of privilege. Volume **II**, section **1529.**

A resolution implying that the constitutional rights of the House may have been invaded by the Executive presents a question of privilege. Volume **III**, section **2563.**

A resolution that the rights and dignity of the House have been invaded by the Executive presents a question of privilege. Volume **III**, section **2565.**

An alleged invasion by the Senate of the House's constitutional prerogative of originating revenue legislation has been held in the later practice to present a question of privilege. Volume **III**, sections **2559–2562.**

Alleged infringement by the treaty-making power on the constitutional right of the House to originate revenue measures presents a question of privilege. Volume **III**, section **2564.**

It being alleged that the Senate had invaded the constitutional prerogative of the House to originate appropriation bills, the Speaker entertained the matter as of privilege. Volume **III**, section **2558.**

To justify a question of privilege an invasion of the prerogatives of the House must be alleged to be actual, not prospective. Volume **III**, section **2556.**

The two Houses being at variance over a question of constitutional prerogative, the differences were submitted to a committee on conference. Volume **II**, section **1495.**

(12) Of the House.—Prerogatives.—Invasion of, in Respect to Revenue Legislation.

The House having questioned a Senate amendment providing a tax on incomes on a non-revenue bill the Senate withdrew the amendment. Volume **II**, section **1486.**

The Senate having added a revenue amendment to an appropriation bill, the House returned the bill to the Senate, which reconsidered and struck out the amendment. Volume **II**, section **1493.**

The Senate having insisted on its right to add a revenue amendment to an appropriation bill, the House declined to proceed further with the bill. Volume **II**, section **1485.**

The Senate having added certain revenue amendments to a nonrevenue House bill, the House ordered the bill to be returned to the Senate. Volume **II**, section **1495.**

There being a difference between the two Houses as to the right of the Senate to originate a revenue bill, the subject was committed to a conference. Volume **II**, sections **1487, 1488.**

After a full but inconclusive conference with the Senate the House reaffirmed its own exclusive right to originate revenue measures. Volume **II**, sections **1487, 1488.**

In 1883 the House raised, but did not press, a question as to certain Senate amendments relating to the revenue. Volume **II**, section **1491.**

A bill to abolish a duty was refused consideration in the Senate, one objection being that the Senate had no right to originate such a measure. Volume **II**, section **1483.**

In 1830 a bill affecting the revenue was presented in the Senate and withdrawn after a discussion of the constitutional question. Volume **II**, section **1482.**

PRIVILEGE—Continued.

(12) Of the House.—Prerogatives.—Invasion of, in Respect to Revenue Legislation—Con.

In 1872 the House and Senate, after discussion, disagreed as to limitations of Senate amendments to a revenue bill of the House. Volume **II**, section **1489.**

In 1807 the House refused to agree to Senate amendments enlarging the scope of a revenue bill. Volume **II**, section **1481.**

Discussion of the privilege of the House and Senate, respectively, in relation to revenue bills. Volume **II**, section **1488.**

In 1874 the House declined to take issue with the Senate over an amendment of that body authorizing certain Government obligations. Volume **II**, section **1490.**

Early instances of Senate and House participation in revenue legislation. Volume **II**, section **1484.**

(13) Of the House.—Prerogatives.—Invasion of, in Respect to Revenue Treaties.

After long and careful consideration, the Judiciary Committee of the House decided, in 1887 that the Executive branch of the Government might not conclude a treaty affecting the revenue without the assent of the House. Volume **II**, sections **1528–1530.**

In 1884 and 1886 the Ways and Means Committee assumed that the right of the House to a voice in making treaties affecting the revenue had been conceded. Volume **II**, sections **1526, 1527.**

In 1880 the House declared that the negotiation of a treaty affecting the revenues was an invasion of its prerogatives. Volume **II,** section **1524.**

The House has at times advised the Executive in regard to treaties affecting the revenues, Volume **II**, sections **1520–1522.**

In 1871 the House asserted its right to a voice in carrying into effect treaties on subjects submitted by the Constitution to the power of Congress. Volume **II**, section **1523.**

Reference to discussion in the Senate over right of the House to a voice in making treaties affecting the revenue (footnote). Volume **II**, section **1528.**

In 1881 the House Committee on Foreign Affairs, discussing the treaty-making power, concluded that the House had no share in it. Volume **II**, section **1525.**

(14) Of the House.—Prerogatives.—Invasion of, in Respect to Appropriation Bills.

Discussion by a committee of the House of the constitutional right of the Senate to originate bills appropriating money from the Treasury. Volume **II**, section **1500.**

In 1885 the House, after learned debate, declined to investigate the power of the Senate to originate bills appropriating money. Volume **II**, section **1501.**

(15) Of the House.—In Relation to Demands of the Courts for Testimony.

The House decided that the summons of a court to Members to attend and testify constituted a breach of privilege, and directed them to disregard the mandate. Volume **III**, section **2661.**

The House, after discussion, declined to make a general rule permitting Members to waive their privilege in attending court as witnesses, but gave the permission asked on behalf of a single Member. Volume **III**, section **2660.**

Members having informed the House, as a matter of privilege, that they had been summoned before the grand jury of the District of Columbia, the House authorized them to respond to the summons. Volume **III**, section **2662.**

A Member, being summoned before a Federal grand jury, presented the matter to the House as a question of personal privilege, expressing readiness to respond in event formal permission was granted by the House. Volume **VI**, section **586.**

A Senator being subpoenaed to appear before the grand jury of the District of Columbia announced in the Senate that he would disregard it. Volume **VI**, section **588.**

A Senator declining to heed a summons to appear and testify before a Federal grand jury, the court held that if he failed to obey the subpoena voluntarily the court was without power to compel his attendance. Volume **VI**, section **588.**

PRIVILEGE—Continued.

(15) Of the House.—In Relation to Demands of the Courts for Testimony—Continued.

Suit having been filed against members of a joint committee, the House granted permission to the members on the part of the House to enter appearance in response to judicial process, while the Senate declared it to be an invasion of constitutional privilege and directed the Senate members of the committee to make no appearance in response thereto. Volume **VII,** section **2164.**

The House, in maintenance of its privilege, has refused to permit the Clerk to produce in court, in obedience to a summons, an original paper from the files, but has given the court facilities for making certified copies. Volume **III,** section **2664.**

No officer or employee of the House may produce any paper belonging to the files of the House before a court without permission of the House. Volume **III,** section **2663.**

No officer or employee of the House should furnish, except by authority of the House or a statute, any copy of any paper belonging to the files of the House. Volume **III,** section **2663.**

No officer or employee of the House may produce before a court, either voluntarily or in obedience to a subpoena duces tecum, any paper from the files without permission of the House first obtained. Volume **VI,** section **587.**

The Clerk of the House having been subpoenaed to produce before the Supreme Court of the District of Columbia certain papers from the files, reported to the House, and failing to receive permission disregarded the order of the court. Volume **VI,** section **587.**

A resolution authorizing the Clerk of the House to produce papers requested in a subpoena duces tecum is presented as a matter of privilege. Volume **VI,** section **587.**

Instance wherein permission was given the clerk of a committee and the Clerk of the House, to respond to subpoena or subpoena duces tecum and to make deposition with proviso that they should take with them none of the files. Volume **VI,** section **585.**

(16) Of the House.—In Relation to Demands of House or Senate for Testimony.

The House gives leave to its managers to examine Members as witnesses in an impeachment trial and leave to its Members to attend for that purpose. Volume **III,** section **2033.**

Members have been summoned before committees to testify as to statements made by them in debate, but in one case a Member formally protested that it was an invasion of his constitutional privilege. Volume **III,** sections **1777, 1778.**

A Senator having neglected to accept an invitation or respond to a subpoena requesting him to testify before a House committee, the House, by message, requested that the Senate give him leave to attend. Volume **III,** section **1794.**

The Senate neglected to respond to a request of the House that a Senator be permitted to attend a House committee. Volume **III,** section **1794.**

The Senate has not considered that its privilege forbade the House to summon one of its officers as a witness. Volume **III,** section **1798.**

The Secretary of the Senate being subpoenaed to appear before a committee of the House with certain papers from the files, the Senate, after a discussion as to privilege, empowered him to attend with the papers in his custody. Volume **III,** section **2665.**

The Secretary of the Senate being subpoenaed to produce a paper from the files of the Senate, permission was given him to do so after a discussion as to whether or not he was exempted by privilege from the process. Volume **III,** section **2666.**

(17) Of the House.—General Relations to the Senate.

Neither House may exercise any authority over a Member or officer of the other, but may complain to the other House. Volume **V,** section **5095.**

The Senate did not attempt to exercise any authority over a Member of the House who had committed a breach of the Senate's privilege. Volume **II,** section **1622.**

A Member of the House having assaulted a Senator for words spoken in debate, the Senate examined the breach of privilege and transmitted the report to the House for action. Volume **II,** section **1622.**

PRIVILEGE—Continued.

(17) Of the House.—General Relations to the Senate—Continued.

A proposition relating to an assault on a Senator by a Member was held in order as a question of privilege. Volume **II,** section **1621.**

The Senate having communicated the report of a breach of the Senate's privilege by a Member of the House, the House Journal records the fact but not the report. Volume **II,** section **1622.**

Certain Members of the House having, in a published letter sought to influence the vote of a Senator from their State in an impeachment case, it was held that no question of privilege arose thereby in the House. Volume **III,** section **2657.**

A letter from a Member of the House disclaiming any intention of invading the privileges of the Senate in assaulting a Senator was, after some discussion, read to the Senate. Volume **II,** section **1623.**

One House should not take notice of bills or other matters depending in the other, or votes or speeches, until they be communicated. Volume **III,** section **2656.**

A resolution relating to language reflecting on the Senate was entertained as a question of privilege. Volume **V,** section **5129.**

Language used in the House and published in the Congressional Record reflecting upon the Senate and Senators presents a question of privilege. Volume **V,** section **6980.**

After a speech reflecting on the character of the Senate had appeared in the Record, a resolution proposing an apology to the Senate was treated as a matter of privilege. Volume **V,** section **5129.**

A Senator in debate in the Senate having assailed a Member of the House, the Member was allowed, as a matter of privilege, to explain to the House his own conduct, but not to assail the Senator in his capacity as Senator. Volume **V,** sections **5225, 5126.**

It is not in order in debate to criticize Members of the other body, but such rule does not apply to criticism of statements made by Members of the other body outside the Chamber. Volume **VI,** section **568.**

A Senator in debate in the Senate having assailed the Speaker, a resolution declaring the language of the Senator a breach of the privilege of the House was treated as a matter of privilege. Volume **VI,** section **584.**

While it is in order to discuss proceedings of conference committees, it has been held improper to criticize the conferees of the other House in such a manner as to reflect on them in their official capacity. Volume **VI,** section **568.**

Proceedings in the Senate reflecting on the dignity of the House or affecting the comity between the Houses were held to justify a resolution calling the attention of the Senate to the infringement of the rule. Volume **VI,** section **568.**

A Senator having assailed a Member in debate, the House messaged to the Senate a resolution declaring the language a breach of privilege. Volume **VIII,** section **2516.**

A communication from the Senate designating as "untrue" statements made by a Member of the House in debate and requesting action upon the part of the House relative thereto, was respectfully returned to the Senate with a message characterizing it as a breach of privilege. Volume **VIII,** section **2514.**

(18) Of the House.—Questions as to the Congressional Record.

Since the reporters of debates have become officers of the House, a correction of the Congressional Record has been held to be a question of privilege. Volume **V,** sections **7014–7016.**

A question as to the accuracy or propriety of the report of proceedings as printed in the Record may be submitted to the House as a matter of privilege. Volume **V,** sections **7017, 7018. Volume VIII,** section **3464.**

A question of privilege as to an alleged error in the Record may not be raised until the Record has appeared. Volume **V,** section **7020.**

A resolution to omit from the manuscript copy of the Congressional Record certain remarks declared out of order does not present a question of privilege. Volume **V,** section **7021.**

PRIVILEGE—Continued.

(18) Of the House.—Questions as to the Congressional Record—Continued.

A resolution to correct the Congressional Record is privileged, and such correction is not within control of the Speaker. Volume **V,** section **7019.**

A motion to correct the Congressional Record is entertained as a matter of privilege. Volume **VIII,** sections **3463, 3499.**

A motion to expunge unparliamentary language inserted under leave to print was entertained as privileged. Volume **VIII,** section **3491.**

An abuse of the leave to print in the Congressional Record gives rise to a question of privilege Volume **V,** sections **7005–7008, 7011.** Volume **VIII,** section **3495.**

An inquiry by the House as to an alleged abuse of the leave to print does not necessarily entitle the Member implicated to the floor on a question of personal privilege. Volume **V,** section **7012.**

A resolution to expunge from the Record a speech alleged to be an abuse of the leave to print must be entertained as a matter of privilege. Volume **V,** section **7012.** Volume **VIII,** section **3475.**

A Member having announced his intention to publish in the Record certain extracts, but not having obtained leave of the House, the refusal of the proposed insertion violates no privilege. Volume **III,** section **2623.**

Offensive words having already been stricken from the Congressional Record, a question of privilege may not arise therefrom. Volume **V,** section **7023.**

It has been the practice to allow a Member, with the approval of the Speaker, to revise his remarks in the Record, provided such revision does not affect the remarks of another Member. Volume **V,** section **6971.**

A resolution relating to the distribution of the Congressional Record to persons other than Members was held not to present a question of privilege. Volume **V,** section **7022.**

A resolution providing for the appointment of a committee to consider the propriety of remarks inserted under leave to print was entertained as privileged. Volume **VIII,** section **3493.**

A resolution providing for an investigation of the propriety of remarks, alleged to be an abuse of the leave to print, is entertained as a matter of privilege. Volume **VIII,** section **3495.**

While a motion to correct the Record is privileged, a motion to strike from the Record words in order, actually spoken in debate, is not admissible. Volume **VIII,** section **3498.**

A question of privilege may not be predicated on words which have been stricken from the Record. Volume **VI,** section **596.**

A resolution to expunge from the Record material inserted without authorization is privileged and entitles the proponent to recognition to debate it. Volume **VIII,** section **3479.**

An error in the printing of the Record, attributing to a Member remarks which he did not make , was held to sustain a question of personal privilege. Volume **VI,** section **620.**

(19) Of the House.—Questions as to Conduct of Representatives of the Press.

A resolution as to an alleged false and scandalous report of the proceedings of the House by one of its reporters presented as a matter of privilege. Volume **II,** section **1631.**

Alleged misconduct of an occupant of the press gallery, although occurring during a former Congress, brought before the House as a matter of privilege. Volume **III,** section **2627.**

The House arrested and arraigned at the bar a newspaper reporter for alleged statements reflecting on the integrity of a Member. Volume **II,** section **1635.**

The supposed author of an anonymous newspaper charge against a Member not named was arrested and interrogated at the bar of the House. Volume **II,** section **1633.**

For publications affecting the reputations of Members reporters have been expelled from the House. Volume **II,** sections **1636, 1637.**

For improper conduct in connection with legislation reporters have been expelled from the House. Volume **II,** sections **1638, 1639.**

Expulsion of a reporter from the floor for improper conduct. Volume **II,** section **1634.**

PRIVILEGE—Continued.

(19) Of the House.—Questions as to Conduct of Representatives of the Press—Continued.

One reporter having assaulted another in the presence of the House, punishment for breach of privilege was inflicted. Volume **II,** section **1630.**

A newspaper correspondent who violated the privileges of the House was, by resolution, excluded from that portion of the Capitol under the jurisdiction of the House for a period of 10 days. Volume **VI,** section **553.**

In 1929 a Senate committee recommended the denial of the privilege of the floor to a newspaper reporter charged with publication of proceedings of an executive session. Volume **VI,** section **334.**

(20) Of the House.—As to Procedure.—In General.

A charge by a Member that the Journal of the House had been mutilated by the Speaker was made a question of privilege. Volume **II,** section **1363.**

A proposition to correct an error in a message to the Senate presents a question of privilege. Volume **III,** section **2613.**

The falsification of a House document was made the subject of examination by a select committee. Volume **V,** section **7329.**

A resolution relating to the protection of the records of the House presents a question of privilege. Volume **III,** section **2659.**

The House ordered the investigation as a question of privilege of a newspaper report of certain proceedings of the House. Volume **III,** section **2640.**

A newspaper article making general charges concerning the proceedings of the House was held not to involve a question of privilege. Volume **III,** section **2639.**

The rule requiring words spoken out of order to be taken down at once does not apply to an occurrence of disorder constituting a breach of privilege. Volume **II,** section **1657.**

The demand of a Member that a protest against certain parliamentary practices of the House be placed on the Journal does not present a question of privilege. Volume **IV,** sections **2799, 2800.**

The House having approved the Journal of the preceding day, a resolution to correct an alleged error in a vote of that day, which had been discussed before the vote of approval was held not to be of privilege. Volume **III,** section **2620.**

A mere clerical error in the Calendar does not give rise to a question of privilege. Volume **III,** section **2616.**

A rule giving the Speaker power to hold as dilatory certain motions, a resolution condemning his action thereunder was not admitted as a question of privilege. Volume **III,** section **2621.**

A conference report having been agreed to, it is too late to raise, as a matter of privilege, a question as to whether or not the managers have exceeded their authority. Volume **V,** section **6442.**

An alleged error in the Congressional Director relating to the representation of a district in the next Congress does not present a question of privilege. Volume **III,** section **2619.**

(21) Of the House.—As to Procedure.—In Relation to Bills.

The fraudulent introduction of a bill was held to involve a question of privilege. Volume **IV,** section **3388.**

The printing of an argument with the text of a bill was held to involve a question of privilege, and the House ordered the objectionable portions stricken out. Volume **III,** section **2599.**

Alleged improper alteration of a bill presents a question of privilege. Volume **III,** section **2598.**

The correction of the reference of a public bill was held, at a time when the rules did not provide any other mode of correction, to present a question of privilege. Volume **III,** section **2602.**

PRIVILEGE—Continued.

(21) Of the House.—As to Procedure.—In Relation to Bills—Continued.

A motion to correct an error in referring a bill to the proper Calendar presents a question of privilege. Volume **III,** sections **2614, 2615.**

A protest against the method by which a bill had been passed, no error or infraction of the rules being alleged, was decided by the House not to present a question of privilege. Volume **III,** section **2597.**

The House having been misled in regard to the nature of a bill which it passed, a report on the subject was received as privileged. Volume **IV,** section **3383.**

A Senate bill having been lost in the House, a resolution requesting of the Senate a duplicate copy was entertained as a matter of privilege, although the earlier practice had been otherwise. Volume **IV,** sections **3470–3472.**

A bill which had not in fact passed the House having been sent to the Senate by error, a resolution requesting its return was entertained as a matter of privilege. Volume **IV,** section **3478.**

There having been no unreasonable delay in transmitting an enrolled bill to the President, a resolution relating thereto was decided not to present a question of privilege. Volume **III,** section **2601.**

A resolution for the reenrollment and signing of a bill which the President had declined to sign for constitutional reasons was held to be privileged. Volume **IV,** section **3493.**

A proposition to correct an enrolled bill that has become a law may not be presented as privileged. Volume **III,** section **2600.**

(22) Of the House.—As to Procedure.—In Relation to Committees.

A report having been ordered to be made by a committee, but not being made within a reasonable time, a resolution directing the report to be made was decided to be privileged. Volume **III,** section **2609.**

It is in order to move to discharge a committee from the consideration of a proposition involving a question of privilege. Volume **III,** section **2709.**

A charge that the chairman of an investigating committee had suppressed evidence was presented as a matter privilege. Volume **III,** section **1786.**

A charge of unfair and improper action on the part of a committee has been held to involve a question of privilege. Volume **III,** section **2605.**

The charge that a committee has reported a bill containing items of appropriation not order under the rule does not present a question of privilege. Volume **III,** section **2608.**

A charge that a committee has reported a bill containing items of appropriation not to constitute a question of privilege. Volume **III,** section **2610.**

A minority of a committee, as a question of privilege, having charged the committee with neglect of duty, it was held that the minority, not being competent to make a report, might not thus present a question of privilege. Volume **IV,** section **4619.**

A allegation that a committee had refused either to give hearings or allow petitions to be read before it was held to involve no question of privilege. Volume **III,** section **2607.**

(23) Of the House.—In General.

Subjects relating to the relations of the United States with other nations or peoples do not constitute questions of privilege. Volume **III,** section **2568–2571.**

A resolution relating to the recognition of a foreign State, no invasion of the House's prerogatives being alleged, does not present a question of privilege. Volume **III,** section **2567.**

A resolution recommending the recall of a foreign minister of the United States does not present a question of privilege. Volume **III,** section **2572.**

A proposition that the House cooperate with the Senate in the conduct of the ceremonies of the President's inauguration was held not to present a question of privilege. Volume **III,** section **2622.**

PRIVILEGE—Continued.

(23) Of the House.—In General—Continued.

Lack of authority to convene a committee in the absence of the chairman having prevented the consideration of legislation, a resolution directing the committee to meet at a designated time was held to involve a question of the privilege of the House. Volume **VI,** section **577.**

Charges published as newspaper advertising that "Bad bills pass without reading" and "Steals are attempted" were held so to reflect upon the integrity of the proceeding of the House as to support a question of privilege. Volume **VI,** section **576.**

A resolution alleging that the rights and dignity of the House have been invaded by the Executive presents a question of privilege. Volume **VI,** section **571.**

A resolution condemning an official act of the Speaker was decided by the House not to involve a question of privilege. Volume **VI,** section **565.**

The President having transmitted to the House a message reflecting on the integrity of its membership, the House declared it a breach of privilege and ordered it laid on the table. Volume **VI,** section **330.**

A resolution directing return of a bill to the Senate, with notice of refusal of the House to grant the Senate's request relating thereto, was held not to present a question involving the privilege of the House. Volume **VII,** section **1083.**

The investigation of a breach of the privilege of the House was committed to a select committee appointed by the Speaker. Volume **VI,** section **332.**

On the evidence of Members who in their places gave information of attempts to bribe them the House issued an order for the arrest of the person charged with the offense. Volume **II,** section **1599.**

A resolution proposing an investigation of improper reporting of bills by a committee of the House was entertained as raising a question of privilege. Volume **VI,** section **575.**

A resolution authorizing an investigation of the propriety of introducing bills in the name of more than one Member was held to involve a question of privilege. Volume **VI,** section **574.**

(24) Of the Member.—Jefferson's Summary.

Jefferson's summary of the privileges of members of Parliament. Volume **III,** section **2668.**

(25) Of the Member.—As to Speech or Debate. See also "Debate."

The Constitution guards Members from being questioned outside of the House for speech or debate in the House. Volume **III,** section **2670.**

The constitutional privilege as to "any speech or debate" applies generally to "things done in a session of the House by one of its Members in relation to the business before it." Volume **III,** section **2675.**

Discussion of the offense of questioning a Member "in any other place" for words spoken in debate. Volume **II,** section **1655.**

Privilege as to speech or debate, as in Parliament, is limited by certain conditions. Volume **III,** section **2671.**

For assaulting a Member for words spoken in debate Samuel Houston was censured by the House in 1832. Volume **II,** sections **1616–1619.**

A Member who had in a hostile manner sent to another Member a demand for explanation of words spoken in debate was held by a committee of the House to have violated privilege. Volume **II,** section **1644.**

An assault by one Member on another for words spoken in debate was made the subject of an investigation by a select committee. Volume **II,** section **1655.**

It not being clear that a Member had been insulted by officers of the Military Establishment for words spoken in debate, the House declined to act on his complaint. Volume **III,** section **2680.**

It being doubtful whether or not an assault on a Member had been for words spoken in debate, no action was taken. Volume **II,** section **1620.**

PRIVILEGE—Continued.

(25) Of the Member.—As to Speech or Debate—Continued.

A proposition to investigate as to duels occurring on account of words spoken in debate was admitted as a question of privilege. Volume **III,** section **2679.**

The House, in 1836, neglected to punish by expulsion or censure the surviving principal and his seconds in a duel arising over words spoken in debate. Volume **II,** section **1644.**

An explanation having been demanded of a Member by a person not a Member for a question asked of the latter when a witness before the House, the matter was considered but not pressed as a breach of privilege. Volume **III,** section **2681.**

A communication addressed to the House by an official in an Executive Department calling in question words uttered by a Member in debate was criticized as disrespectful and a breach of privilege and was withdrawn. Volume **III,** section **2684.**

A letter from a person supposed to have been assailed by a Member in debate, asking properly and without menace if the speech was correctly reported, was held to involve no question of personal privilege. Volume **III,** section **2682.**

A pamphlet charging falsehood in connection with statements made in debate was held to support a question of personal privilege. Volume **VI,** section **618.**

Statements charging falsehood in debate involve a question of privilege. Volume **VI,** section **607.**

The making of mere misstatements does not give rise to a question of privilege. Volume **VI,** section **591.**

Structures in debate do not give rise to a question of privilege but are properly contravened by a demand that the words be taken down. Volume **VIII,** section **2537.**

It is the duty of the Chairman of the Committee of the Whole to call to order a Member violating the privileges of debate in criticism of the Senate or its Members. Volume **VIII,** section **2515.**

An inquiry as to whether a Member defended the owners of bonds in a "rotten, obsolete canal" proposed to be sold to the Government was held by the House not be unparliamentary. Volume **VIII,** section **2465.**

A committee having summoned a Member to testify as to statements made by him in debate, he protested that it was an invasion of his constitutional privilege. Volume **VI,** section **537.**

The issue raised by the questioning of a Member for words spoken in debate was referred to the Judiciary Committee. Volume **VI,** section **553.**

A resolution providing for investigation of the propriety of language referring to the President of the United States and said to violate the privileges of debate was considered as privileged. Volume **VIII,** section **2499.**

A select committee appointed to consider the propriety of remarks delivered in the House reported that they contained no language in violation of the privileges of debate, and asked to be discharged. Volume **VIII,** section **2499.**

Statements on the floor reflecting on the conduct of a Member in official capacity, whether made directly or in quotation, involve a question of privilege. Volume **VI,** section **594.**

Expression of opinion reflecting on a Member or his State, however offensive, if not directed against the Member in his representative capacity, do not involve a question of privilege. Volume **VI,** section **593.**

Reference in debate to action of a member in no way connected with his official duties or capacity was considered by the House a breach of the privilege of debate. Volume **VIII,** section **2542.**

Instance wherein references to a colleague in an extension of remarks were held to give rise to a question of privilege. Volume **VIII,** section **3163.**

The reading on the floor of a newspaper interview and a letter written by another Member, the authenticity of which was not denied, was held not to present a question of privilege. Volume **VI,** section **590.**

PRIVILEGE—Continued.

(25) Of the Member.—As to Speech or Debate—Continued.

A statement by a member in debate that he would "need a crooked spine to walk in the crooked paths" in which a colleague would lead him was ruled not to entitle the latter to recognition on a question of privilege. Volume **VI,** section **555.**

The House has declared that a communication from a person not a Member criticizing words spoken in debate by a Member should not be received. Volume **III,** section **2683.**

A member, questioned because of words spoken in debate, rose to a question of privilege and submitted the matter to the House for consideration and disposition. Volume **VI,** section **553.**

(26) Of the Member.—From Arrest or Interference in Going or Returning.

The Constitution grants to Members privilege from arrest under certain conditions. Volume **III,** section **2670.**

Interpretation of word "felony" as related to the privilege of a Member from arrest. Volume **III,** section **2676.**

The words "treason, felony, and breach of the peace" in the constitutional guarantee of privilege have been construed to mean all indictable crimes. Volume **III,** section **2673.**

The words "treason, felony, and breach of the peach," as applied to the parliamentary privilege is construed as understood in England and as excluding from the privilege all arrests and prosecutions for criminal offenses, and confining the privilege alone to arrests in civil cases. Volume **VI,** section **589.**

All criminal offenses are comprehended by the terms "treason, felony, and breach of the peace," as used in the Constitution, excepting these cases from the operation of the privilege from arrest therein conferred upon Senators and Representatives during their attendance at the sessions of thee respective Houses, and in going to and returning from the same. Volume **VI,** section **589.**

On suggestion based on a newspaper report the House investigated the arrest and detention of a Member by authority of a court. Volume **III,** section **2676.**

Jefferson's discussion of the privilege conferred on Members by the Constitution, especially as to arrest, summons, etc. Volume **III,** section **2672.**

Instance wherein the courts discussed and sustained the privilege of the Member in going to and returning from the sessions of the House. Volume **III,** section **2674.**

A Member having been arrested and detained under mesne process in a civil suit, the House liberated him and restored him to his seat by the hands of its own office. Volume **III,** section **2676.**

The House has decided that a Member arrested during vacation was entitled to discharge from arrest and imprisonment on the assembling of Congress. Volume **III,** section **2676.**

A Member having in a letter to the Speaker complained that he had been assaulted on his way to attend the House, the matter was held to be a question of privilege. Volume **II,** section **1626.**

A violation of the personal security of a Member on his way to the House to attend a session was considered by a committee of the House a breach of privilege. Volume **II,** section **1645.**

A person who had assaulted a Member on his way to the House, but at a place distant therefrom, was arrested on warrant of the Speaker and arraigned at the bar. Volume **II,** section **1626.**

For assaulting a Member returning to the House from an absence on leave, Patrick Woods was committed for a term extending beyond the adjournment of the session, but not beyond the term of the existing House. Volume **II,** section **1628.**

An alleged attempt of a Doorkeeper to detain and arrest a Member who was about to leave the Hall was held to involve a question of privilege, no authority having been given the Doorkeeper so to act. Volume **III,** section **2524.**

The constitutional privilege of Members in the matter of arrest has been construed to exempt from subpoena during sessions of Congress. Volume **VI,** section **588.**

PRIVILEGE—Continued.

(26) Of the Member.—From Arrest or Interference in Going or Returning—Continued.

Decision of Federal court maintaining jurisdiction of suit brought against Members in their official capacity. Volume **VII,** section **2164.**

Writ of error has been sustained for arrest of a Member while Congress was not in session. Volume **VI,** section **589.**

Writ of error not dismissed because the Congress of which defendant was a Member has ceased to exist. Volume **VI,** section **589.**

The issuance of legal process against Members of the Congress gives rise to a question of high privilege in their respective Houses. Volume **VII,** section **2164.**

The court in which a Member is challenged was held by the House to be the proper forum in which to plead constitutional exemption and privilege. Volume **VII,** section **2164.**

(27) Of the Member.—Menace of.

A menace to the personal safety of Members involves a question of the highest privilege. Volume **III,** section **2685.**

An appeal of a Member to the President for protection was considered derogatory to the privileges of the House. Volume **III,** section **2680.**

Question as to the right of the House to interfere for the protection of Members who without the Hall get into difficulties disconnected with their official duties (footnote). Volume **III,** section **2678.**

An assault upon a Member within the walls of the Capitol when the House was not in session was deemed a breach of privilege, although it arose from a cause not connected with the Member's representative capacity. Volume **II,** section **1624.**

For attempted intimidation and assault upon a Member, A. P. Field was arrested and censured at the bar of the House for breach of privilege. Volume **II,** section **1625.**

A Member having stated upon the authority of "common rumor" that another Member had been menaced, there was held to be ground for action. Volume **III,** section **2678.**

(28) Of the Member.—Offenses Within the House and Without.

Parliamentary law as to offenses committed by a Member in the House, especially in debate, Volume **II,** section **1244.**

A Member indicted for felony remains a Member of the House until convicted. Volume **II,** section **1260.**

Prior rights of the House when a Member is accused of treason, felony, or breach of the peace. Volume **II,** section **1260.**

A Member being charged with the crime of manslaughter, the House declined to determine whether or not a question of privilege was raised, and did not investigate. Volume **II,** section **1277.**

(29) Of the Member.—Charges Against.—In General.

Propositions to investigate charges against Members have been presented as questions of privilege. Volume **III,** sections **1828–1830.**

Charges alleged to have been made against Members in the report of an agent of a foreign power and presented by a Member was held to involve a question of privilege. Volume **III,** section **2716.**

A Member being charged with a crime entirely disconnected with his representative capacity, the House declined to hold that a question of privilege was involved. Volume **I,** section **466.**

One Member having, in a newspaper article, made charges against another Member in the latter's individual and not his representative capacity, a committee of the House found no question of privilege involved. Volume **III,** section **2691.**

Charges against a Member having developed during examination by a committee, a resolution directing the committee to report them was offered as of privilege and agreed to by the House. Volume **III,** section **1843.**

PRIVILEGE—Continued.

(29) Of the Member.—Charges Against.—In General—Continued.

A general charge of violation of law by Members, although not specifying the offense as within the existing term of service, was held to present a question of privilege. Volume **III,** section **2710.**

Charges against a Member not connected with his representative capacity do not involve a question of privilege. Volume **VI,** section **612.**

Charge that a Member has used his immunity as Representative to circulate libels was held to constitute a question of privilege. Volume **VI,** section **606.**

Charges that a Member serves interests conflicting with his official duties involves a question of privilege. Volume **VI,** section **603.**

Statements in the Record that a Member charged with absenteeism was thereby "defrauding the Government" were held to present a question of privilege. Volume **VI,** section **602.**

A resolution that a Member has violated a promise relating to the transaction of official business presents a question of privilege. Volume **VI,** section **601.**

Intimation of lack of veracity on the part of a Member was held to give rise to a question of privilege. Volume **VI,** section **600.**

Interference that a Member is actuated by ulterior motives in official conduct presents a question of privilege. Volume **VI,** section **598.**

A statement in the Record charging a Member with class discrimination was held to present a question of privilege. Volume **VI,** section **597.**

Charges that a Member has employed unworthy men without intimation that he did no knowingly do not give rise to a question of privilege. Volume **VI,** section **592.**

A Member assailed outside the House may reply outside the House without limitation and may reply from the floor of the House if personalities are avoided. Volume **VI,** section **584.**

Charges that Members do not vote in accordance with their personal views do not present a question of privilege. Volume **VI,** section **583.**

A resolution charging that a Member's action in his representative capacity had been influenced by support received in his election to the House was presented as a question of privilege. Volume **VI,** section **582.**

A resolution reflecting on the official conduct of a Member of the House was expunged from the Record. Volume **VI,** section **582.**

A resolution charging conspiracy to influence Members of Congress improperly was considered as a matter of privilege. Volume **VI,** section **580.**

Mere criticism of a Member, even though in his representative capacity, does not present a question of privilege. Volume **VI,** section **580.**

Charges that Members of a committee were holding secret meetings or excluding other Members from the committee conferences were held not to involve a question of privilege. Volume **VI,** section **578.**

Assertions in a circular letter that a Member has broken faith with his constituents involve a question of privilege. Volume **VI,** section **562.**

The application of epithets which subject a Member to ridicule give rise to a question of privilege. Volume **VI,** section **562.**

Intimation that Members were influenced by mercenary considerations in the exercise of their official duties was held to give rise to a question of privilege. Volume **VIII,** section **3495.**

A charge that a Member has "violated the rules of the House" was held not to give rise to a question of privilege. Volume **VIII,** section **3469.**

Dicta to the effect that a resolution and preamble proposing investigation of charges of corruption against the membership of a committee or a Member of the House is privileged. Volume **VIII,** section **2316.**

A charge that a committee has been inactive in regard to a subject committed to it does not constitute a question of privilege. Volume **VIII,** section **2316.**

PRIVILEGE—Continued.

(29) Of the Member.—Charges Against.—In General—Continued.

The charge that a Member introduced a resolution for the purpose of gratifying revenge was held to present a question of privilege. Volume **VIII,** section **2216.**

Statements in published hearings of a committee attributing unworthy motives to a Member for acts in representative capacity give rise to a question of privilege even though not noted at the time nor reported by the committee. Volume **VIII,** section **2216.**

Statements impugning motives prompting Members in the discharge of their official duties sustain a question of personal privilege. Volume **VI,** section **617.**

A resolution providing for an investigation of charges that Members of the House and Senate had profited in the stock market by the use of official information was held to involve a question of privilege. Volume **VI,** section **394.**

A proposition to investigate charges against Members was presented as a question of privilege. Volume **VI,** section **403.**

(30) Of the Member.—Charges Against.—As to Offenses Prior to the Election.

A Member may not bring before the House as a question of privilege charges of disreputable conduct on his part before he became a Member. Volume **III,** section **2723.**

The Speaker has questioned the right of a Member to discuss as privileged charges relating to his conduct at a period before he became a member. Volume **II,** section **1287.**

A charge made outside the House of disreputable conduct on the part of a Member before he became a Member has been held not to involve a question of privilege. Volume III, section **2691.**

A proposition to investigate the propriety merely a citizen's conduct at a time before he became a Member may not be presented as a question of privilege. Volume **III,** section **2725.**

Review of precedents relating to investigations of charges in regard to conduct of a Member at a time preceding the existing term of service. Volume **III,** section **2725.**

(31) Of the Member.—Charges Against—By One Member Against Another.

A Member on his own responsibility presenting a statement of a charge against another Member, a resolution of investigation was held to be privileged. Volume **III,** section **1827.**

A distinction has been drawn between charges made by one Member against another in a newspaper and the same made in debate on the floor. Volume **III,** section **2691.**

A declaration in a newspaper interview by one Member that another Member had broken a party agreement was held to involve no question of personal privilege. Volume **III,** section **2715.**

A declaration on the floor of the House that a statement made by a Member on his own responsibility is false presents a question of privilege. Volume **III,** section **2717.**

It is an invasion of privilege for a Member in debate to read a letter from a person not a Member calling in question the acts of another Member. Volume **III,** section **2686.**

Charges made through the newspapers by a Member reflecting on the efficiency of another Member in his representative capacity do not support a question of privilege. Volume **VI,** section **605.**

(32) Of the Member.—Charges Against.—Newspaper Charges Held to Involve.

The House has entertained as a question of privilege and ordered the investigation of newspaper charges against a Member in his representative capacity. Volume **III,** sections **2696–2699.**

A Member who had been defamed in his reputation as a Representative by a newspaper article presented the case as one of privilege, and the House ordered an investigation. Volume **III,** section **1832.**

A newspaper article charging certain Members by name with conspiracy to defraud the Government was presented as a matter of privilege. Volume **III,** section **2703.**

PRIVILEGE—Continued.

(32) Of the Member.—Charges Against.—Newspaper Charges Held to Involve— Continued.

A newspaper article charging Members of the House generally with abuse of the franking, privilege was held to involve a question of privilege. Volume **III,** section **2705.**

An accusation in a newspaper that certain Members had received an excess of mileage pay was held to involve a question of privilege. Volume **III,** section **2704.**

A newspaper allegation that a certain number of Representatives, whose names were not given, had entered into a corrupt speculation was held to involve a question of privilege. Volume **III,** section **2709.**

An employee of the House having in a newspaper charged a Member with falsehood in debate, a resolution relating thereto was entertained as a question of privilege. Volume **III,** section **2718.**

A newspaper article charging that an unnamed member of a certain committee of the House was corrupt in his Representative capacity was held to involve a question of privilege. Volume **III,** section **1831.**

A newspaper charge that a Member had been influenced in his action as a Representative by the Speaker was held to involve a question of privilege. Volume **III,** section **2694.**

A telegram reprinted in a newspaper charging that a Member had been influenced in his official acts by unworthy motives was held to involve a question of personal privilege. Volume **VI,** section **576.**

The statement in a telegram, published in a newspaper, that a resolution introduced by a Member was "a tissue of misrepresentation" was held to involve a question of personal privilege. Volume **VI,** section **563.**

A telegram reprinted in a newspaper charging that a Member had been influenced in his official acts by unworthy motives was held to involve a question of personal privilege. Volume **VI,** section **576.**

A newspaper reference to "Rascally Leadership" as attributed to a Member was held to justify recognition on a question of personal privilege. Volume **VI,** section **621.**

A newspaper characterization of a Member as alien in mind and lacking in loyalty to our form of government was held to give rise to a question of personal privilege. Volume **VI,** section **622.**

Reference in a newspaper article to a Member as a "congressional slacker" was held to present a question of personal privilege. Volume **VIII,** section **2479.**

Newspaper charges attributing to a Member dishonorable action in connection with matters not related to his official duties were held to sustain a question of personal privilege. Volume **VI,** section **619.**

Newspaper charges that a Member had used departmental employees while in the service of the Government in a political campaign were held to reflect on him in his representative capacity. Volume **VI,** section **615.**

Newspaper charges impugning the veracity of a Member in statements made on the floor support a question of privilege. Volume **VI,** section **613.**

A Member who had been defamed in his reputation as a Representative by a newspaper article presented the case as one of privilege and the House ordered an investigation. Volume **VI,** section **396.**

It is essential that a newspaper editorial mention a Member's name in order to present a question of privilege and it is sufficient if the reference is accurate enough to identify him. Volume **VI,** section **617.**

Although a newspaper article reflecting on a Member may not mention him by name, yet if from the implication the identity of the Member referred to is unmistakable it is sufficient to warrant recognition on a question of privilege. Volume **VI,** section **616.**

In discussing a question of personal privilege based upon newspaper charges personal letters refuting such charges were admitted as relevant. Volume **VIII,** section **2479.**

A Member may read in full a newspaper article which has been held to sustain a question of privilege. Volume **VI,** section **606.**

PRIVILEGE—Continued.

(33) Of the Member.—Charges Against.—Newspaper Charges Held Not to Involve.

A newspaper article vaguely charging Members of Congress generally with corruption may not be brought before the House as involving a question of privilege. Volume **III,** section **2711.**

It was held that a newspaper report of a Member's speech might not be examined as a matter of privilege. Volume **III,** section **2706.**

A newspaper article in the nature of criticism of a Member's acts in the House does not present a question of personal privilege. Volume **III,** sections **2712, 2713.**

No question of privilege arises from the fact that a newspaper has attributed to a Member certain remarks which he denies having used. Volume **III,** section **2708.**

A newspaper publication stating that a certain Member would unite with others in a certain legitimate course of action was held not to involve a question of personal privilege. Volume **III,** section **2707.**

A newspaper article criticizing Members generally involves no question of privilege. Volume **III,** section **2714.**

A newspaper article criticizing a Member personally and not in his representative capacity does not present a question of privilege. Volume **VI,** section **569.**

Vague charges in newspaper articles have not been entertained as questions of privilege. Volume **VI,** section **570.**

Quotations by newspapers of statements made on the floor may not be made the basis of a question of privilege. Volume **VI,** section **607.**

Wide latitude is allowed the press in the criticism of Members of Congress, and such criticism, unless reflecting on a Member in his representative capacity, does not present a question of privilege. Volume **VI,** section **611.**

Strictures in newspaper articles, however severe, do not present a question of privilege unless directed against a Member in his representative capacity. Volume **VI,** section **566.**

A newspaper statement that a Member obstructed legislation, without implying moral turpitude, does not sustain a question of privilege. Volume **VI,** section **614.**

Newspaper assertions that statements made on the floor are false do not give rise to a question of privilege unless imputing dishonorable motive. Volume **VI,** section **616.**

Newspaper statements that a Member voted for or against certain measures, although false, do not give rise to a question of privilege. Volume **VI,** section **608.**

Newspaper articles misstating or misconstruing the purport or effect of legislative measures supported by a Member do not give rise to a question of privilege. Volume **VI,** section **609.**

Misrepresentations in newspaper reports of remarks in the House do not maintain a question of privilege. Volume **VI,** section **612.**

A newspaper reference to Members as "demagogues" does not warrant the raising of a question of privilege. Volume **VI,** section **566.**

Newspaper statements that Cabinet members regard the official acts of a Member as a nuisance do not present a question of privilege. Volume **VI,** section **562.**

A newspaper statement that remarks of a Member on the floor "were said at the White House" to be inspired by the President's opposition to a measure favored by the Member was held not to give rise to a question of privilege. Volume **VIII,** section **2499.**

One Member having in a newspaper article made charges against another Member in the latter's individual and not his representative capacity, a committee of the House found no question of privilege involved. Volume **III,** section **2691.**

(34) Of the Member.—Charges Against.—In Relation to the Executive.

A newspaper charge that a Member of the House had been influenced by Executive patronage was submitted as privileged, but the House declined to investigate. Volume **III,** section **2701.**

PRIVILEGE—Continued.

(34) Of the Member.—Charges Against.—In Relation to the Executive.—Continued.

A resolution to investigate the charge that a Member had improperly abstracted papers from the files of an Executive Department was entertained as privilege (Speaker overruled). Volume **III,** section **2655.**

An officer of the Army having written a letter, which was read in the House, falsely impugning the honor of a Member, the House condemned the action as a gross violation of privilege. Volume **III,** section **2686.**

The house declined to entertain as a question of privilege a resolution to investigate a charge made by a Cabinet officer that Members of Congress, not named, had made a corrupt proposition to the Executive. Volume **III,** section **2654.**

A resolution to investigate the failure of the Post-Office Department to remove a postmaster charged with an attempt to influence a Member corruptly was held not to present a question of privilege. Volume **III,** section **2688.**

An alleged corrupt combination between Members of the House and the Executive was investigated as a question of privilege. Volume **III,** section **2538.**

A Member being criticized by the President for instituting impeachment proceedings, rose to a question of personal privilege. Volume **VI,** section **525.**

(35) Of the Member.—Charges Against.—Of Disloyalty.

A charge that a Member had been holding intercourse with the foes of the Government was investigated as a question of privilege. Volume **III,** section **2652.**

A resolution directing an inquiry into alleged treasonable conduct on the part of a Member was admitted as a question of privilege. Volume **III,** section **2653.**

Charges implying disloyalty were held to involve a question of privilege. Volume **VI,** section **608.**

Inferences charging treason present a question of privilege. Volume **VI,** section596.

(36) Of the Member.—Personal Privilege.—Basis for Question of.

A Member is not entitled to the floor on a question of personal privilege unless the subject which he proposes to present relates to himself in his representative capacity. Volume **III,** section **2689.**

Language which may be replied to as a matter of personal privilege must reflect on the Member in his representative capacity. Volume **III,** section **2700.**

In order to afford a basis for a question of personal privilege a newspaper charge against a Member should present a specific and serious attack upon his representative character. Volume **III,** sections **2692, 2693.**

A Member is not entitled to raise a question of personal privilege on account of a newspaper charge relating to his conduct while a Member but not as a Member. Volume **III,** section **2724.**

A Member may not present as involving a question of personal privilege a newspaper criticism of his relations with other Members or the Speaker. Volume **III,** section **2695.**

A mere difference between two Members in debate as to matters of fact involves no question of privilege. Volume **III,** section **2720.**

Reference in debate to a Member as a source of information gives the Member no claim to the floor for a question of personal privilege. Volume **III,** section **2722.**

A difference of opinion as to historical facts, a Member not having made a false statement knowingly with intent to deceive the House, does not give rise to a question of personal privilege. Volume **III,** section **2721.**

A controversy between a Member and the officials of one of the Executive Departments as to a question of the administration of the duties of that Department was held to involve no question of personal privilege. Volume **III,** section **2687.**

One Member having charged another with perverting facts in a debate, the Speaker allowed the latter to raise a question of personal privilege. Volume **III,** section **2719.**

PRIVILEGE—Continued.

(36) Of the Member.—Personal Privilege.—Basis for Question of—Continued.

A committee of the House having been charged with improper conduct, a member of the committee was recognized on a question of personal privilege. Volume **III,** section **2606.**

Matters transpiring in committee were held to relate to a Member in his representative capacity. Volume **VI,** section **610.**

Asperations upon a member unnamed may be made the basis of a question of privilege if it is obvious to whom application was intended. Volume **VI,** section **607.**

To come within the rule, a question of privilege must relate to the conduct of Members in their representative capacity. Volume **VI,** section **604.**

An expression of opinion characterizing actions of a Member without reflecting upon him in his representative capacity do not give rise to a question of privilege. Volume **VI,** section **595.**

To sustain a question of privilege it is not necessary that the Member referred to be designated by name. It is sufficient if the description is such as to be generally recognized. Volume **VI,** section **602.**

A Member may present a question of privilege involving words spoken in debate notwithstanding the rule affording another method of procedure under such circumstances. Volume **VI,** section **561.**

A general indictment of the House does not give rise to a question of personal privilege. Volume **VI,** section **621.**

Inadvertent violation of a pair agreement does not give rise to a question of personal privilege. Volume **VIII,** section **3094.**

The pairing of a Member without his authorization gives rise to a question of personal privilege. Volume **VIII,** section **3093.**

A Member may discuss questions arising out of a pair by unanimous consent or by raising a question of personal privilege. Volume **VIII,** section **3088.**

Statments which, if published in a newspaper, would give rise to a question of privilege do not present a question of privilege when read from a private letter. Volume **VI,** section **591.**

A question of privilege relating to the conduct of several Members being before the House, one of them may not claim the floor by asserting a question of personal privilege. Volume **III,** section **2534.**

A motion relating to the introduction of bills without authorization was entertained as a question of privilege. Volume **VI,** section **573.**

(37) Of the Member.—Personal Privilege.—Limitations of the Member in Stating.

A Member making a statement in a matter of personal privilege should confine his remarks to the matter which concerns himself personally. Volume **V,** section **5078.**

In presenting a question of privilege the Member is required to submit the exact language on which he bases the question and not a statement as to its nature or import. Volume **VI,** section **600.**

A Member addressing the House on a question of personal privilege is required to confine himself to the question of privilege. Volume **VI,** section **621.**

In speaking to a question of privilege, a Member is restricted to discussion of those specific charges on which his question is based and may not discuss collateral issues. Volume **VI,** section **608.**

In discussing a question of privilege a Member is confined to charges reflecting on him in his capacity as a Representative and may not digress to charges reflecting on him in a business capacity. Volume **VI,** section **606.**

In debating a question of personal privilege a Member may not discuss extraneous or irrelevant matters. Volume **VI,** section **576.**

A Member in addressing the House on a question of privilege is presumed to confine his remarks to limits within the spirit of the rule and not to use the privilege as a vehicle for discussions otherwise not in order. Volume **VIII,** section **2448.**

PRIVILEGE—Continued.

(37) Of the Member.—Personal Privilege.—Limitations of the Member in Stating—Con.

The hour rule applies to debate on a question of privilege as to debate on other questions. Volume **VIII,** section **2448.**

A Member rising to a question of personal privilege was not permitted to take from the floor another Member who had been recognized for debate. Volume **VIII,** section **2459.**

If the Member digress or otherwise transgress the rules in the discussion of a question of privilege, it is the duty of the Speaker to call him to order. Volume **VIII,** section **2481.**

In presenting a case of personal privilege, arising out of charges made against him, the Member must confine himself to the charges. Volume **V,** seciton **5077.**

While a Member rising to a question of personal privilege may be allowed some latitude in developing the case, yet the rule requiring the Member to confine himself to the subject holds in this as in other cases. Volume **V,** sections **5075, 5076.**

In the presentation of a question of privilege a Member is restricted to a defense of himself and may not attack another. Volume **VI,** section **600.**

In presenting a case of personal privilege arising out of charges made against him, the Member must confined himself to the charges and may not take advantage of the privilege to prefer charges against others. Volume **VIII,** section **2481.**

In addressing himself to a question of personal privilege the Member may not under guise of defending himself against accusations introduce matter attacking another even though relevant to the matter under discussion. Volume **VIII,** section **2482.**

A Member speaking to a question of personal privilege was held out of order in reading a letter germane to the question but reflecting on his calumniator. Volume **VIII,** section **2601.**

A Member recognized to debate a question of personal privilege may not yield to another to propound irrelevant questions or inject extraneous subjects. Volume **VI,** section **617.**

In speaking to a question of personal privilege a Member is required to confine his remarks to the question involved, but is entitled to enter into a discussion of related matters showing motives which prompted the charges giving rise to the question of privilege. Volume **VI,** section **619.**

Instance in which a Member rising to a question of privilege was permitted in refutation of charges made against him to detail happenings in committee not reported to the House. Volume **VIII,** section **2495.**

(38) Constitutional.—General Principles.

The ordinary rights and functions of the House under the Constitution are exercised to accordance with the rules without precedence as matters of privilege. Volume **III,** section **2567.**

A legislative proposition presented in obedience to a mandatory provision of the Constitution was held to involve a question of privilege. Volume **I,** section **2852.**

While the House gives priority to the consideration of business made privilege by constitutional mandate, it determines by its rules the procedure of such consideration. Volume **VI,** section **48.**

In exercising its constitutional privilege to change its rules the House has confined itself within certain limitations. Volume **VIII,** section **3376.**

(39) Constitutional.—Relating to Adjournment and Recess.

A concurrent resolution providing for an adjournment of the two Houses for more than three days is privileged. Volume **V,** section **6701.**

The privilege of a resolution providing for an adjournment of more than three days is limited in its exercise. Volume **V,** section **6704.**

A concurrent resolution extending the time of a recess of Congress already determined on is privileged. Volume **V,** section **6705.**

PRIVILEGE—Continued.

(39) Constitutional.—Relating to Adjournment and Recess—Continued.

A simple resolution providing for an adjournment of the House for more than three days and for asking the consent of the Senate thereto has been ruled to be privileged. Volume **V,** sections **6702, 6703.**

A concurrent resolutions fixing the day for final adjournment may be offered from the floor as privileged, even through a similar resolution may have been offered and considered. Volume **V,** section **6698.**

A concurrent resolution fixing the time of final adjournment is offered as a matter of constitutional privilege. Volume **VIII,** section **3365.**

Adoption of a resolution requesting consent of the Senate to adjournment for more than three days was held not to confer privilege on a motion to adjourn to a certain day. Volume **VIII,** section **3366.**

A motion to take from the Speaker's table a concurrent resolution providing for a recess of more than three days, while privileged, is not debatable. Volume **VIII,** section **3367.**

Priviledge has been given to a resolution providing for a recess of Congress, the length of which might be fixed by the President or the Presiding Officers of two Houses. Volume **V,** section **6706.**

(40) Constitutional.—Vetoed Bills.

A bill returned with the President's objections is privileged, but the same is not true of a bill reported in lieu of it. Volume **IV,** section **3531.**

A bill returned with the President's objections is privileged when reported by the committee to which referred. Volume **VII,** section **1096.**

Dicta relating to the privilege accorded by the Constitution to the consideration of a measure returned with the President's veto. Volume **VI,** section **48.**

Resolutions relating to the disposition of bills passed over the veto of the President have been treated as privileged. Volume **IV,** section **3530.**

A motion to discharge a committee from the consideration of a vetoed bill presents a question of constitutional privilege, and is in order at any time. Volume **IV,** section **3532.**

A vetoed bill, being privileged, may be taken from the table. Volume **V,** section **5439.**

A vetoed bill when laid on the table is still highly privileged and thus justifies a motion to take it from the table and action thereon by majority vote (footnote). Volume **IV,** section **3550.**

A vetoed bill received in the House by way of the Senate is considered as if received directly from the President, and supersedes the regular order of business. Volume **IV,** section **3537.**

It is the usual but not invariable rule that a bill returned with the objections of the President shall be read and considered at once. Volume **IV,** sections **3534–3536.**

A veto message received in the House by way of the Senate is considered as if received directly from the President and supersedes the regular order of business. Volume **VII,** section **1109.**

(41) Constitutional.—Census and Apportionment.

A bill relating to the taking of the census was formerly held to be privileged because of the constitutional requirement. Volume **I,** section **306.** Volume **VI,** section **49.**

A bill making an apportionment of Representatives presents a question of constitutional privilege. Volume **I,** sections **307, 308.** Volume **VI,** section **51.**

Bills relating to the census or apportionment, though privileged, held subject to the rules of the House providing for the consideration of privileged questions. Volume **VI,** section **48.**

(42) Constitutional.—Electoral Count.

A proposition relating to the counting of the electoral vote presents a question of constitutional privilege. Volume **III,** sections **2573–2575.**

A bill related to the constitutional functions of the House in counting the electoral vote was held to be highly privileged. Volume **III,** section **2578.**

PRIVILEGE—Continued.

(42) Constitutional.—Electoral Count—Continued.

A resolution relating to alleged fraud in connection with the electoral count has been presented as a matter of privilege. Volume **III,** section **2577.**

A resolution declaring that the counting of the electoral vote of a certain State by direction of the Presiding Officer of the Senate was an invasion of the privileges of the House was held in order in the House. Volume **III,** section **2576.**

(43) Constitutional—Impeachments.—As Distinguished From Mere Investigations.

A proposition to impeach a civil officer of the United States is presented as a question of constitutional privilege. Volume **III,** section **2045–2048.** Volume **VI,** section **468, 469.**

Dicta relating to the Constitutional privilege of a question of impeachment. Volume **VI,** section **48.**

A proposition to impeach a civil officer of the United States is received in the House as a question of privilege. Volume **III,** section **2398.**

A Member having impeached the President and presented a resolution of investigation, the Speaker admitted it as a question of privilege. Volume **III,** section **2400.**

Mr. Speaker Colfax held that in order to be received as privileged a resolution must positively propose impeachment. Volume **III,** section **2502.**

A resolution directly proposing impeachment is privileged, but the same is not true of one proposing investigation with a view to impeachment. Volume **III,** sections **2501, 2052.**

A mere proposition to investigate the conduct of a civil officer is not presented as a matter of constitutional privilege, even though impeachment may be contemplated as a possibility. Volume **III,** section **2050.**

A mere proposition to investigate, even though impeachment may be a possible consequence, does not involve a question of privilege. Volume **III,** section **2546.**

Discusson distinguishing a case of impeachment from the ordinary investigation for legislative purposes. Volume **III,** section **1700.**

A proposition to investigate the conduct of an officer and prepare articles of impeachment was held to be privileged. Volume **III,** section **2510.**

Impeachment is a question of constitutional privilege which may be presented at any time irrespective of previous action of the House. Volume **III,** section **2053.**

A proposition to impeach President Johnson was held to be privileged, although at this session a similar resolution had been considered and negatived. Volume **III,** section **2408.**

A special committee having been created to investigate charges, a member supplemented the proceedings by rising to a question of privilege in the House and proposing impeachment. Volume **VI,** section **550.**

Propositions relating to impeachment are privileged and a resolution authorizing the taking of testimony and defrayment of expenses of investigations in connection with impeachment proceedings was entertained as privileged. Volume **VI,** section **549.**

A resolution directly proposing impeachment is privileged but the same is not true of one proposing investigation with a view to impeachment. Volume **VI,** section **468.**

(44) Constitutional.—Impeachments.—In General.

A proposition to refer to a committee the papers and testimony is an impeachment of the preceding Congress was admitted as a matter of privilege. Volume **V,** section **7261.**

A motion to refer impeachment charges was entertained as a matter of constitutional privilege. Volume **VI,** section **549.**

Instance wherein a Member rising to a question of privilege, impeached the Attorney General on his responsibility as a Member of the House. Volume **VI,** section **536.**

Questions relating to impeachment while of high privilege must be submitted in the form of a resolution to entitle the proponent to recognition for debate. Volume **VI,** section **470.**

A Member submitting a privileged resolution proposing impeachment is entitled to recognition for one hour in which to debate it. Volume **VI,** section **468.**

PRIVILEGE—Continued.

(44) Constitutional.—Impeachments.—In General—Continued.

A resolution empowering managers of an impeachment to take the testimony of Members was presented as a question of privilege. Volume **III,** section **2034.**

It was held in the Johnson impeachment that the managers or any Member of the House might propose an additional article as a question of privilege. Volume **III,** section **2418.**

A verbal report as to progress made by a committee in an impeachment investigation was offered as privileged. Volume **III,** section **2402.**

A proposition to instruct a committee to investigate new charges in an impeachment case was held to privileged. Volume **III,** section **2402.**

A resolution directing the Judiciary Committee to resume as investigation with a view to an impeachment was held to privileged. Volume **III,** section **2401.**

A resolution providing for the selection of managers of an impeachment was admitted as a matter of privilege. Volume **VI,** section **517.**

A resolution proposing abatement of impeachment proceedings was held to be high privilege. Volume **VI,** section **514.**

A question affecting the integrity of the managers of an impeachment is a matter privilege. Volume **III,** section **2612.**

A resolution for discontinuing impeachment proceedings, but not respectful to the House, was ruled not be privileged. Volume **III,** section **2054.**

It appears that a report impeaching a civil officer was not considered in 1856 privileged to be made at any time (footnote). Volume **III,** section **2496.**

During the Johnson trial the House considered matters pertinent thereto under suspension of the rules. Volume **III,** section **2043.**

(45) Raising Questions of.—Manner and Conditions of.

Whenever it is asserted on the floor that the privileges of the House are invaded the Speaker entertains the question. Volume **III,** section **1501.**

While a question relating to the privilege of the House may be raised by any Member, a question of personal privilege may be raised only by the Member to who it relates. Volume **VI,** section **569.**

In presenting a question of the privilege of the House, a Member is required to submit a resolution and may not proceed in debate until the resolution has been read at the desk. Volume **VI,** sections **86, 568, 569, 578, 580. Volume III,** section **2497.**

In presenting a question of personal privilege the Member is not required in the first instance to make a motion or offer a resolution, but such is not the rule in presenting a case involving the privileges of the House. Volume **III,** sections **2546, 2547.**

In presenting a question of personal privilege a Member is not required to offer a motion or resolution, but must take this preliminary step in rising a question involving the privilege of the House. Volume **VI,** sections **565, 566.**

A paper offered as involving a question of privilege should be read to the House rather than privately by the Speaker before a decision is made regarding its privilege. Volume **III,** section **2546.**

A Member may not, as a matter or right, require the reading of a book or paper on suggesting that it contain matter infringing on the privileges of the House. Volume **V,** section **5258.**

A Member may read as a matter of right a paper which has been held to constitute a question of privilege. Volume **III,** section **2599.**

A resolution presented as a mater of privilege relating to the rights of a Member should show on its face an invasion of those rights. Volume **III,** section **2548.**

An early instance wherein a Member in secret session informed the House of a breach of privilege occurring on the floor between two other Members. Volume **III,** section **1642.**

The statement by a Member that a certain thing "is rumored" is sufficient basis for raising a question of privilege. Volume **III,** section **2538.**

PRIVILEGE—Continued.

(45) Raising Questions of.—Manner and Conditions of—Continued.

A contention that common fame was sufficient basis for the House to entertain a proposition relating to its privileges. Volume **III,** section **2701.**

The complaint of a Member that he had been assaulted for words spoken in debate was made in the form of a letter to the Speaker accompanied by an affidavit. Volume **II,** section **1616.**

A question of privilege may be based on a communication received by telegraph. Volume **III,** section **2539.**

Only one question of privilege may be pending at a time. Volume **III,** section **2533.**

It being alleged that the constitutional prerogatives of the House was invaded by certain Senate amendments to a bill, the question of privilege was raised before the bill came up for consideration. Volume **II,** section **1491.**

(46) Raising Questions of.—General Principles as to Precedence.

Questions of privilege have precedence of all motions except the motion to adjourn. Volume **III,** section **2521.**

A question of privilege supersedes consideration of the original and must first be disposed of. Volume **III,** section **2522. Volume VI,** section **595.**

An early instance in which a question of constitutional privilege was held to supersede the business in order under the rules. Volume **VII,** section **912.**

It has long been the practice of the House to give a question of privilege precedence over all other business. Volume **III,** section **2523.**

The intervention of other business does not prevent the House from taking up and dealing with a breach of privilege (footnote). Volume **II,** section **1647.**

In 1838 the principle that a question of privilege might be introduced at any time was not fully developed (footnote). Volume **II,** section **1644.**

Previous to 1840 the principle that the order of business might be interrupted by a question of privilege was not fully reorganized. Volume **III,** sections **2579, 2580.**

A breach of privilege which occurred during the reading of the Journal was at once disposed of, after which the reading of the Journal was concluded. Volume **II,** section **1630.**

A message from the President is received during consideration of question of privilege, but does not displace the pending business. Volume **V,** sections **6640–6642.**

While a question of privilege is pending the reading of a message of the President is in order only by unanimous consent. Volume **V,** section **6639.**

While the motion to reconsider may be entered at any time during the two days prescribed by the rule, even after the previous question is ordered or when a question of the highest privilege is pending, it may not be considered while another question is before the House. Volume **V,** sections **5673–5676.**

Although the previous question has been ordered on a motion to reconsider, it was held that a question of privilege might be debated. Volume **III,** section **2532.**

It is in order to debate a question of personal privilege after the previous question has been order a pending question. Volume **VIII,** section **2688.**

Although the previous question has been ordered on a pending resolution, it was held that a question of privilege might be debated. Volume **VI,** section **561.**

A question of privilege has precedence at a time set apart by a special order for other business. Volume **III,** sections **2524, 2525.** Volume **VI,** sections **395, 560.**

A matter of constitutional privilege takes precedence of a special order. Volume **III,** section **2554.**

A motion raising a question relating to the privilege of the House was held to take precedence over a special order. Volume **VI,** section **558.**

A question of privilege takes precedence of a report from the Committee on Rules. Volume **VIII,** section **3491.**

PRIVILEGE—Continued.

(46) Raising Questions of.—General Principles as to Precedence—Continued.

A Member proposing a resolution relating to the privilege of the House was recognized in perference to a Member requesting recognition to call up a conference report. Volume **VI,** section **559.**

A resolution relating to the privilege of the House takes precedence over a conference report. Volume **VI,** section **403.**

A Member rising to a question of privilege was recognized in preference to the Member in charge without inquiry as to the purpose for which the latter rose. Volume **VI,** section **556.**

A question of privilege takes precedence of business in order on Calendar Wednesday, Volume **VI,** sections **394, 613.** Volume **VII,** section **908.**

A question of privilege takes precedence over business in order under the rule on "suspension day." Volume **VI,** sections **553, 565.**

A question of high privilege being before the House, the Speaker held that a motion to suspend the rules and pass a bill was not in order. Volume **V,** sections **6825, 6826.**

A question of privilege is in order after the House has voted to resolve into the Committee of the Whole, the Speaker being still in the chair. Volume **VI,** section **554.** Volume **VIII,** section **3465.**

A question of personal privilege takes precedence over matters merely privileged under the rules and is in order following the adoption of a resolution granting privilege to motions to resolve into the Committee of the Whole. Volume **VI,** section **557.**

A question of privilege takes precedence of a motion to resolve into the Committee of the Whole. Volume **VIII,** section **3461.**

A proposition involving a question of constitutional privilege may supersede a pending motion to suspend the rules. Volume **III,** section **2553.**

A question of privilege (as distinguished from a privileged question) does not lose its privilege through informality in the manner of reporting it. Volume **III,** section **2555.**

A question of privilege may not interrupt a roll call. Volume **VI,** sections **554, 564.**

A Member may not be taken from the floor by a question of privilege. Volume **VIII,** section **2528.**

A Member rising to a question of personal privilege was not permitted to take from the floor another Member who had been recognized for debate. Volume **VIII,** section **2459.**

(47) Raising Questions of.—Personal Privilege as Related to Certain Conditions.

A Member rising to a question of personal privilege was not permitted to take from the floor another Member who had been recognized for debate. Volume **V,** section **5002.**

The House having devoted a time to debate only, the Speaker hesitated to recognize a Member for a question of personal privilege. Volume **III,** section **2549.**

After the call of the yeas and nays has begun it may not be interrupted even for a question of personal privilege. Volume **V,** sections **6051, 6052.**.

The roll call may not be interrupted either for a parliamentary inquiry or a question of personal privilege. Volume **V,** sections **6058, 6059.**

A question of personal privilege has been given precedence over privileged Senate amendments remaining to be disposed of after the rejection of a conference report. Volume **III,** section **2531.**

A Member recognized to present a question of privilege based on a telegram was permitted to discuss subjects indirectly referred to in a resolution mentioned in the telegram. Volume **VI,** section **563.**

A Member recognized to discuss a question of privilege may not yield for debate. Volume **VI,** section **563.**

Having presented one question of privilege, a Member, before discussing it, may submit a second question of privilege related to the first and discuss both on one recognition. Volume **VI,** section **562.**

PRIVILEGE—Continued.

(48) Raising Questions of.—Precedence of One Question of Privilege Over Another.

A question of privilege relating to the conduct of several Members being before the House, one of them may not claim the floor by asserting a question of personal privilege. Volume **III,** section **2534.**

In general a question of constitutional privilege may not be displaced by other privileged matters. Volume **III,** section **2552.**

It has been held that an election case may not supersede the consideration of a proposition of impeachment. Volume **III,** section **2581.**

Consideration of a contested-election case presents a question of high privilege which takes precedence of a question involving the privilege of the House generally. Volume **VI,** section, **572.**

(49) Raising Questions of.—Effect of Nonprivileged Matter.

A resolution relating to matters undoubtedly involving privilege, but also relating to other matters not of privilege, may not be entertained as of precedence over the ordinary business in regular order. Volume **III,** section **2551.**

A privileged proposition may not be amended by adding thereto matter not privileged or germane to the original question. Volume **V,** section **5890.**

(50) Raising Questions of.—As Distinguished From Privileged Questions.

Priority of a question of privilege over a merely privileged question. Volume **III,** section **2718.**

A question of privilege takes precedence of a motion merely privileged under the rules. Volume **III,** sections **2526, 2527.**

The latest decision does not admit the soundness of earlier rulings that a matter merely privileged by a rule relating to the order of business may supersede an actual question of privilege. Volume **III,** sections **2528–2530.**

The priority of a question of privilege which relates to the integrity of the House as an agency for action evidently may not be disputed by a question entitled to priority merely by the rules relating to the order of business. Volume **V,** section **6454.**

(51) Raising Questions of.—Respective Duties of Speaker and House in Determining.

While the Speaker should not entertain every motion which may be offered as a matter of privilege, he should submit to the House whatever relates to the privileges of the House of a Member. Volume **III,** sections **2536, 2537.**

The validity of a question of privilege is determined by the Speaker, and newspaper articles upon which the alleged question is based are not necessarily laid before the House. Volume **VI,** section **604.**

The Speakers have been accustomed for many years to give a preliminary determination as to questions presented as involving privilege. Volume **III,** section **2678.**

In 1855 the Speaker held it the right of the Chair to decide whether or not a question alleged to be of privilege should be submitted to the House. Volume **IV,** section **2799.**

In 1842 the Speaker could find no precedent for deciding as to a question offered as of privilege. Volume **III,** section **2654.**

The Speaker may pass on a question presented as of privilege instead of submitting it directly to the House. Volume **III,** section **2641.**

Early instance wherein the Speaker and not the House decided whether or not a question was one of privilege. Volume **III,** section **2642.**

Early instances wherein the Speaker passed on questions presented as of privilege instead of submitting them directly to the House. Volume **III,** sections **2649, 2650.**

It has been decided that it was for the House and not the Speaker to decide whether or not question of privilege was involved. Volume **III,** section **2527.**

Early custom of the Speakers to leave the House to decide whether or not a proposition involved privilege. Volume **III,** section **2718.**

PRIVILEGE—Continued.

(51) Raising Questions of.—Respective Duties of Speaker and House in Determining— Continued.

Instances in which the Speaker submitted to the House the decision as to whether or not a question involved privilege. Volume **III,** sections **2597, 2648, 2709.**

It being claimed that a charge of crime against a Member involved a question of privilege, the Speaker submitted the question to the House. Volume **II,** section **1277.**

It is for the House and not the Speaker to decide whether or not a Senate amendment to a revenue bill violates the privileges the House. Volume **II,** section **1322,**

It is for the House and not the Speaker to decide whether or not the constitutional prerogatives of the House have been invaded. Volume **II,** section **1491.**

It is for the House and not the Speaker to pass on a question relating to the constitutional prerogatives of the House. Volume **II,** section **1490.**

(52) Raising Questions of.—During Proceedings to Secure a Quorum.

During a call of the House, when a quorum is not present, a question of privileged may not be presented unless it be something connected immediately with the proceedings. Volume **III,** section **2545.**

The Sergeant-at-Arms having made no report of his execution of an order of arrest, and no excessive delay appearing, a motion summoning him to report was held not to be of privilege. Volume **III,** section **2618.**

A question as to the constitutionality and propriety of a continuing order of arrest was held not to supersede a motion to discharge the Sergeant-at-Arms from further execution of the order. Volume **III,** section **2617.**

(53) Raising Questions of.—In Committee of the Whole.

While questions of privilege rising in the committee should properly be noted there and reported by the committee to the House, they may subsequently be raised in the House itself if authenticated by official documents or committee publications. Volume **VIII,** section **2216.**

Although a breach of privilege occur in Committee of the Whole, it yet relates to the dignity of the House and is so treated. Volume **II,** section **1657.**

Under the rulings a question of privilege may be raised in Committee of the Whole as to a matter then occurring in that committee. Volume **III,** sections **2540–2544.**

Two Members having created disorder in Committee of the Whole, the Speaker took the chair and restored order, whereupon the committee rose and the House adjourned before taking action on the disorder. Volume **II,** section **1657.**

It is not in order as a question of privilege in the House to propose censure of a Member for disorderly words spoken in Committee of the Whole but not taken down or reported therefrom. Volume **V.** section **5202.**

A matter alleged to have arisen in Committee of the Whole, but not reported by the Chairman, may not be brought to the attention of the House, even on the claim that a question of privilege is involved. Volume **IV,** section **4912.**

A Committee of the Whole has directed its Chairman to report not only the bill under consideration, but a resolution describing the proposing action in relation to an alleged breach of privilege. Volume **V,** section **6986.**

(54) Consideration of Questions of.

Whenever a question of privilege is pending it may be called by any Member, but may be postponed by a vote of the House. Volume **III,** section **2535.**

Time consumed in discussion of incidental points of order is not taken from time allotted for debate under the rule. Volume **VI,** section **606.**

A Member has the right to withdraw a resolution before a decision thereon, and may modify the proposition in the House, but not in the committee. Volume **VI,** section **570.**

The question of consideration may be raised on a question involving the privilege of the House. Volume **VI,** section **560.**

PRIVILEGE—Continued.

(54) Consideration of Questions of—Continued.

The previous question applies to a question of privilege as to any other question. Volume **VIII,** section **2672.**

A resolution presenting a question of privilege may be laid on the table. Volume **VI,** section **560.**

In 1836 the House committed the examination of a breach of privilege to a select committee. Volume **II,** section **1630.**

In 1870 the investigation of a breach of privilege was committed to a standing committee. Volume **II,** section **1627.**

A committee being intrusted with the examination of a question of high privilege, a broad construction was given in favor of the privileged character of its reports. Volume **III,** section **2550.**

The hour rule applies to debate on a question of privilege as well as to debate on other questions. Volume **V,** section **4990.**

The previous question applies to a question a privilege as to any other question. Volume **II,** section **1256.** Volume **V,** section **5460.**

The question of consideration may be demanded against a question of the highest privilege, such as the right of a member to his seat. Volume **V,** section **4941.**

Although the House may vote not to consider a matter of privilege, it may be called up again on the same legislative day and the question of consideration may be damanded again. Volume **V,** section **4942.**

A proposition involving a question of privilege being laid on the table, may be taken up at any time by a vote of the House. Volume **V,** section **5438.**

The Speaker has spoken briefly from the chair on a question of privilege relating to himself. Volume **II,** section **1370.**

(55) Franking.

Conditions under which the franking privilege is exercised by the Member. Volume **II,** section **1163.** Volume **VI,** section **217.**

Subject matter eligible to the franking privilege. Application of the law governing the franking privilege. Volume **VI,** section **222.**

Limit of weight of matter mailed under frank is specified by law. Volume **VI,** section **217.**

There is no statutory provision for the mailing of matter under the frank of a decease. Member. Volume **VI,** section **224.**

There is no provision of law under which the frank may be used for return reply. Volume **VI,** sections **217, 219.**

Instance wherein a Member delegated to another not in the service of the house the use of his frank and occupancy of a room in the Capitol. Volume **VI,** section **397.**

The statute authorizing the addressing of franked matter "on behalf of" a Member does not authorize the extension of such privilege to purchasers of frankable documents. Volume **VI,** section **221.**

Boxes are provided for the mailing of frankable matter. Volume **VI,** section **215.**

While speeches or reports printed in the Congressional Record are frankable, the addition of price lists, indices, or any other matter, written, printed, or stamped, destroys the privilege. Volume **VI,** section **221.**

A Member, having inserted articles from a magazine under leave to extend his own remarks, was given unanimous consent to expunge the unauthorized matter on condition that it not be reprinted by the Public Printer as frankable. Volume **VIII,** section **3475.**

The franking privilege does not extend to air mail, or with certain exceptions to foreign mails unless forwarded by Department of State. Volume **VI,** section **217.**

Ex-Members of Congress are entitled to the franking privilege until the first day of December following expiration of their term of office. Volume **VI,** section **217.**

PRIVILEGE—Continued.

(55) Franking—Continued.

The franking privilege is authorized by statute, and denial or curtailment of the privilege to any particular Member may not be made by simple resolution. Volume **VI,** section **223.**

The franking privilege extends to telegraph service relating to official business. Volume **VI,** section **217.**

The Committee on Accounts reserves the right to limit the franking privilege on telegrams and declines to authorize the franking of cablegrams. Volume **VI,** section **220.**

In conformity with custom, widows of former Presidents of the United States are granted the franking privilege. Volume **VIII,** section **3581.**

PRIVILEGED QUESTIONS.

(1) Distinguished from questions of privilege.
(2) As related to the order of business.
(3) Nonprivileged matter not permitted in.
(4) Special orders. See also "Special Orders."
(5) Motions.—In general. See also "Adjourn," "Committee of the Whole, motions to go in" "Recommit," "Refer," etc.
(6) Motions.—Certain, not privileged.
(7) Reports.—Rule and practice.
(8) Reports.—From the Committee on Rules.
(9) Reports.—Committees on Accounts and Printing.
(11) Reports.—From the Committee on Ways and Means.
(12) Reports.—From the Committee on Appropriations.
(13) Reports.—From the Committee on Public Lands, Invalid Pensions, and Rivers and Habors.
(14) Senate bills and amendments.—General appropriation bills. See also "Appropriations."
(15) Senate bills and amendments.—Senate bills and amendments.—In general.
(16) Senate bills and amendments.—Request for a conference. See also "Conference."
(17) Senate bills and amendments.—Conference reports. See also "Conference."
(18) Resolutions of inquiry. See also "Inquiry."
(19) Resignations, leaves of absence, etc.
(20) Recall of bills.
(21) Adjournments.
(22) In general.

(1) Distinguished from Questions of Privilege.

There is a distinction between a question of privilege and a privileged question. Volume **III,** section **2654.**

Priority of a question of privilege over a merely privileged question. Volume **III,** section **2718.**

A question of privilege takes precedence of a motion merely privileged under the rules. Volume **III,** sections **2526, 2527.**

The latest decision does not admit the soundness of earlier rulings that a matter merely privileged by a rule relating to the order of business may supersede an actual question of privilege. Volume **III,** sections **2528–2530.**

The priority of a question of privilege which relates to the integrity of the House as an agency for action evidently may not be disputed by a question entitled to priority merely by the rules relating to the order of business. Volume **V,** section **6454.**

(2) As Related to the Order of Business.

Privileged questions often interrupt the regular order of business, but when they are disposed of it continues on from the point of interruption. Volume **VI,** section **3071.**

PRIVILEGED QUESTIONS—Continued.

(2) As Related to the Order of Business—Continued.

Business on the Speaker's table and the call of committees, although in order early in the day, may be deferred by privileged questions. Volume **IV,** sections **3070, 3071.**

The call of committees may be interrupted at the end of sixty minutes by a privileged report as well as by a motion to go into the Committee of the Whole. Volume **IV,** sections **3131, 3132.**

A report which is privileged to be reported as be reported at any time is also privileged for consideration at any time, irrespective of the rule for the order of business. Volume **IV,** sections **3131, 3132.**

The right of a committee to report at any time carries with it the right to have the matter reported considered. Volume **IV,** sections **3142–3144.**

A bill reported by a committee under its right to report at any time remains privileged for consideration until disposed of. Volume **IV,** section **3145.**

The House may dispense with business in order under the rule by voting affirmative on a privileged motion to resolve into the Committee of the Whole to consider appropriation or revenue bills. Volume **VII,** section **853.**

Business postponed to a day certain is in order on that day immediately after the approval of the Journal and the disposition of business on the Speaker's table, unless displaced by more highly privileged business. Volume **VIII,** section **2614.**

(3) Nonprivileged Matter Not Permitted in.

A privileged motion loses precedence if other matter be connected therewith. Volume **V,** section **5305.**

The insertion of matter not privileged matter destroys the privileged character of a bill. Volume **IV,** sections **4624, 4633–4636, 4640, 4641, 4643.** Volume **VIII,** section **2289.**

The inclusion of matters not privilege destroys the privileged character of a resolution. Volume **VI,** sections **395, 468.** Volume **VIII,** sections **2299, 2300.**

A privileged proposition may not be amended by adding thereto matter not privileged or germane to the original question. Volume **V,** section **5890.** Volume **VI,** section **723.**

It is not in order to amend a pending proposition by adding a matter not privileged and not germane to the original proposition. Volume **V,** sections **5809, 5810.**

The text of a bill containing nonprivileged matter, privilege may not be created by committee amendment in the nature of a substitute not containing the nonprivileged matter. Volume **IV,** section **4623.**

A point of order may be raised against a substitute reported by committee, although the original resolution may have been privileged. Volume **VI,** section **418.**

Propositions limiting or enlarging the powers and discretion of officers of the House in the discharge of administrative duties are not within the jurisdiction of the Committee on Accounts and nullify the privilege of resolutions reported by that committee even though associated with expenditures from the contingent fund. Volume **VIII,** section **2301.**

Directions to the Postmaster of the House specifying the number of mail deliveries was held to destroy the privilege of a resolution reported by the Committee on Accounts. Volume **VIII,** section **2299.**

Authorization to appoint a clerk is a subject with the jurisdiction of the Committee on Accounts and not the Committee on Rules, and its inclusion by the latter committee in a resolution providing for an order of business renders the resolution ineligible for report under the rule giving that committee the right to report at any time. Volume **VIII,** section **2256.**

(4) Special Orders. See also "Special Orders."

Form of special order conferring a privileged status on a bill. Volume **IV,** section **3264.** Volume **VII,** section **837.**

PRIVILEGED QUESTIONS—Continued.

(4) Special Orders.—Continued.

Form of special order for the consideration, successively, of a number of bills in designated order in the Committee of the Whole and in the House, excepting days set apart by the rules for certain classes of business and providing against interference with other business privileged under the rules. Volume **VII,** section **817.**

Form of special order conferring privileged status on a number of bills not to interfere with the consideration of privileged business. Volume **VII,** section **840.**

Form of special order authorizing a committee to call up a bill for consideration with reservations as to certain privileged business. Volume **VII,** section **842.**

On a District of Columbia day a motion to go into the Committee on the Whole to consider District business and a motion to go into the committee to consider business generally privileged under a special order are of equal privilege, and recognition to move either is within the discretion of the Chair. Volume **VII,** section **877.**

The privilege conferred on a bill by a special rule making in order a motion to resolve into the Committee of the Whole for its consideration is equivalent to that enjoyed by revenue and appropriation bills under clause 9 of Rule XVI. Volume **VIII,** section **2259.**

A special order providing certain business "Shall be in order for consideration" does not preclude consideration of other privileged business which the House may prefer to consider. Volume **VI,** section **413.**

A motion to rescind a special order is not privileged under the rules regulating the order of business. Volume **IV,** sections **3173, 3174.**

(5) Motions.—In General. See also "Adjourn of the Whole, Motions to go in," "Recommit,""Refer," "Committee," etc.

When a question is under debate certain motions only are reserved and their precedence is governed by rule. Volume **V,** section **5301.**

Discussion of the relative privilege of the motions to adjourn, to lay on the table and for the previous question. Volume **VIII,** section **2651.**

The motion to adjourn was held to have precedence of a motion privileged under the Constitution. Volume **VIII,** section **2641.**

The rules of the House gives the motion to adjourn the place of highest privilege when a question is under debate. Volume **V,** section **5359.**

A motion to reconsider takes precedence of all other questions except a conference report or a motion to adjourn. Volume **V,** section **5605.**

A motion for the correction of the Congressional Record may be made properly after the reading and approval of the Journal. Volume **V,** section **7013.**

A motion to suspend the rules may be entertained, although the yeas and nays may have been demanded on a motion highly privileged under the rules. Volume **V,** section **6835.**

When a bill has been made a special order its consideration has precedence over reports made privileged by the rules. Volume **IV,** sections **3175, 3176.**

A motion to refer a presidential message is privileged. Volume **VIII,** section **3348.**

Motion to change the reference of a public bill, to come within the privilege, must be offered immediately after the reading of the Journal, and if the floor is yielded for other business the motion is not again privileged on that day. Volume **VII,** section **2119.**

Motions to change the reference of public bills are privileged only when formally authorized by the committee to which referred or the committee claiming jurisdiction. Volume **VII,** section **2121.**

Motions to change the reference of public bills, when privileged under the rule, take precedence of conference reports. Volume **VII,** section **2124.**

Privileged motions to change the reference of public bills have precedence of motions to go into the Committee of the Whole to consider general appropriation bills. Volume **VII,** section **2124.**

In order to come within the privilege of the rule, motions to change the reference of public bills must apply to a single bill and not a class of bills. Volume **VII,** section **2125.**

PRIVILEGED QUESTIONS—Continued.

(5) Motions.—In General—Continued.

The motion for a change of reference of a public bill is not privileged under the rule when the original reference was not erroneous. Volume **VII,** section **2125.**

When the Committee of the Whole finds itself without a quorum, the motion to rise is privileged. Volume **VI,** section **671.**

A motion to fill vacancies on standing committees was offered as privileged. Volume **VIII,** section **2172.**

Contrary to the procedure of the House, the motion to adjourn from day to day is of high privilege in the committees. Volume **VIII,** section **2215.**

Motions to discharge committees from consideration of questions privileged under the Constitution, as the right of a Member to his seat or the right to consider a vetoed bill, frequently have been held in order. Volume **VIII,** section **2316.**

The reading of papers in debate is subject to the authority of the House, but a motion that a Member having the floor be permitted to read such papers as a part of his remarks is privileged. Volume **VIII,** section **2604.**

A motion that a Member having the floor be permitted to read a paper objected to in debate is privileged. Volume **VIII,** section **2605.**

During the last six days of a session motions to instruct or discharge are privileged if conferees fail to report within 36 hours after appointment. Volume **VIII,** section **3225.**

Conferees failing to report within 20 calendar days after appointment may be instructed or discharged, and motions to instruct, or to discharge and appoint successors, are of the highest privilege. Volume **VIII,** section **3225.**

With some exceptions an amendment may attach itself to secondary and privileged motions. Volume **V,** section **5754.**

A motion which was by the rules more highly privileged than the motion to adjourn was not entertained after an affirmative vote on a motion to adjoun. Volume **IV,** section **2954.**

A motion fixing the hour as well as the day to which the House shall adjourn was held not privileged when the simple motion to fix the day was privileged. Volume **V,** section **5388.**

By special order the motion for a recess has been given temporary privilege. Volume **IV,** section **3250.**

(6) Motions.—Certain, Not Privileged.

The motion for a recess is not, under the present rules, privileged as against a demand that business proceed in the regular order. Volume **V,** section **6663.**

The motions to fix the day to which the House shall adjourn and for a recess are no longer in the list of privileged motions. Volume **V,** section **5301.**

A motion for a recess is without privilege under the rules. Volume **VIII,** section **3354.**

The motion for a recess has been given temporary privilege by a resolution reported from the Committee on Rules. Volume **VIII,** section **3359.**

While the motion to recess is not privileged against a demand for the regular order, it is frequently entertained by consent. Volume **VIII,** section **3356.**

The motion to fix the day to which the House shall adjourn is not privileged against a demand for the regular order, but if no objection is made may be entertained and agreed to by the House. Volume **VIII,** section **2611.**

No question being under debate and a motion to adjourn having been made, motions for a recess and to fix the day to which the House should adjourn were not entertained. Volume **V,** section **5302.**

The rule making the motions to adjourn, to fix the day to which the House shall adjourn, and for a recess in order at any time was dropped to prevent the continued use of those motions for purposes of obstruction. Volume **V,** section **6740.**

The motion to rescind is not privileged and may be entertained only by unanimous consent. Volume **IV,** section **3383.**

PRIVILEGED QUESTIONS—Continued.

(6) Motions.—Certain, Not Privileged—Continued.

A motion to rescind a special order was decided by the House not to be privileged under the rules. Volume **V,** section **5323.**

The House has declined to give privilege to a motion to discharge a committee from the consideration of an ordinary matter of legislation. Volume **IV,** sections **3533, 4693.**

The ordinary motion to discharge a committee from the consideration of an unprivileged legislative proposition is not privileged. Volume **VIII,** section **2316.**

A motion to discharge the Committee of the Whole from the consideration of a matter committed to it is not privileged as against a demand for the regular order. Volume **IV,** section **4917.**

The motion to discharge a Committee of the Whole was frequently in use until the necessary adherence to an order of business destroyed its privileged character. Volume **IV,** sections **4918–4921.**

The motion to return to a portion of a bill passed in reading for amendment is not privileged and a paragraph or section so passed may be again taken up by unanimous consent only, Volume **VIII,** section **2930.**

The motion that a vote be recapitulated is not privileged. Volume **VIII,** section **3126.**

A proposition to amend the rules is not privileged for immediate consideration. Volume **VIII,** section **3378.**

A motion to strike from the Record remarks made in order is not privileged. Volume **VI,** section **583.**

The motion to print, even when applied to a privileged report, is not privileged. Volume **VIII,** section **2610.**

(7) Reports.—Rule and Practice.

The Committee on Rules, Elections, Ways and Means, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing, and Accounts may report at any time on certain matters. Volume **IV,** section **4621.**

The Committees on Rules, Elections, Ways and Means, Appropriations, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing, and Accounts may report at any time on certain matters. Volume **VIII,** section **2251.**

Revenue and general appropriation bills, river and harbor bills, certain bills relating to the public lands, for the admission of new States, and general pension bills may be reported at any time. Volume **VIII,** section **2251.**

Ordinarily the House proceeds to the consideration of a privileged question only on motion authorized by the Committee reporting thereon. Volume **VIII,** section **2310.**

A report when presented is not debatable unless privileged for immediate consideration. Volume **VIII,** section **2312.**

On a motion to commit with instructions the instructions may not authorize a committee to report at any time, as such authorization would constitute a change of the rules. Volume **V,** sections **5543, 5544.**

The report of a select committee appointed to "examine and report" on a certain subject is not privileged. Volume **IV, section 3147.**

The report of a committee authorized to report "during the present session" is privileged. Volume **VI,** section **370.**

The report of a committee of investigation, as such, is without privilege. Volume **VI,** section **385.**

The House may empower a committee of investigation to examine witnesses, but may not give it leave to report at any time except by a special order changing the rules. Volume **III,** section **1770.**

Bills from the committee having leave to report at any time must be reported from the floor of the House, and not by filing them with the Clerk. Volume **IV,** section **3146.**

Privileged reports may not be submitted by filing with the Clerk through the basket but must be presented from the floor. Volume **VIII,** section **2230.**

PRIVILEGED QUESTIONS—Continued.

(7) Reports.—Rule and Practice—Continued.

A privileged resolution is reported from the floor and not by filing with the Clerk. Volume **VI,** section **404.**

The privilege of a bill is not affected by the method by which reported and delivery of a privileged bill to the Clerk does not thereby destroy its privilege so as to render it eligible for consideration under call of committees on Wednesday. Volume **VII,** section **936.**

While a privileged bill reported by delivery to the Clerk through the basket thereby forfeita its privilege, it may be at any time reported from the floor and is then privileged for immediate consideration. Volume **VIII,** section **2233.**

The privilege of a question is not affected by the nature of the report thereon and a resolution privileged under the rule occupies the same status when reported adversely as when reported favorably. Volume **VIII,** section **2310.**

A privileged resolution should be reported from the floor and, if reported through the basket, loses its privilege, but if ruled out of order on that ground may be immediately submitted from the floor without loss of privilege. Volume **VI,** section **419.**

Although a privileged matter may lose its privilege by an informal manner of making the report, the injury may be repaired by a new report. Volume **IV,** section **3146.**

In exercising the right to report at any time committees may not include matters not specified by the rule as within the privilege. Volume **IV,** section **4622.**

Privileged reports are sometimes printed and recommitted. Volume **IV,** section **4651.**

The Speaker has declined to allow the call of committees to be interrupted by a privileged report. Volume **IV,** section **3132.**

A Member presenting a privileged report and Members submitting minority views are entitled to recognition to read in full the report or views respectively although no question may be pending. Volume **VI,** section **379.**

Upon the presentation of a privileged report embodying no recommendations, any Member offering a motion for its disposition is entitled to recognition for one hour's debate thereon. Volume **VI,** section **379.**

In passing upon the privilege of a bill for report at any time the Speaker does not take into consideration his personal knowledge and estimate of the probable effects of the passage of the bill. Volume **VIII,** section **2280.**

Leave having been given to file a report while the House is not in session a point of order that the bill so reported is not privileged is properly raised when the motion is made to go into Committee of the Whole for its consideration. Volume **VIII,** section **2252.**

(8) Reports.—From the Committee on Rules.

A report from the Committee on Rules has a special and high privilege, and one motion to adjourn, but no other dilatory motion, may be entertained during its consideration. Volume **IV,** section **4621. Volume VIII,** section **2260.**

A report by the Committee on Rules on matters within its jurisdiction is in order at any time. Volume **VIII,** section **2253.**

A resolution which does not relate to rules, joint rules, or order of business is not privileged when reported by the Committee on Rules. Volume **VII,** section **1044. Volume VIII,** sections **2255, 2256, 2257.**

The right of the Committee on Rules to report at any time is confined strictly to reports pertaining to the rules, joint rules, and order of business. Volume **VIII,** section **2254.**

A report from the Committee on Rules, though highly privileged, is not in order after the House has voted to go into Committee of the Whole. Volume **V,** section **6781.**

Subjects relating to the rules are referred to the Committee on Rules, which has high privilege for its reports. Volume **V,** section **6770.**

A special order fixing a day for particular business has been held to be so far in the nature of a change of rules as to permit the Committee on Rules to report it under its leave to report it at any time. Volume **V,** section **6774.**

PRIVILEGED QUESTIONS—Continued.

(8) Reports.—From the Committee on Rules.—Continued.

In 1841 it was held that, as the House had given the Committee on Rules leave to report at all times, it might report in part at different times. Volume **V,** section **6780.**

In the early practice the privilege of the Committee on Rules was specially given for each Congress. Volume **IV,** section **4650.**

A resolution authorizing the offering of an amendment otherwise not in order during consideration of a bill pending in Committee of the Whole was held to be privileged when reported by the Committee on Rules. Volume **VIII,** section **2258.**

A rule requires the presentation of privileged reports from the Committee on Rules within three legislative days from the time ordered to be reported by the committee. Volume **VIII,** section **2269.**

A division of the question may be demanded on a privileged report from the Committee on Rules containing more than one substantive proposition. Volume **VIII,** section **2271.**

A division of the question was denied on a privileged resolution reported by the Committee on Rules wherein the structural relation of the clauses containing several propositions was such as to render them interdependent and indivisible. Volume **VIII,** section **2275.**

(9) Reports.—Committee on Accounts and Printing.

The privilege of the Committee on Printing is confined to printing for the two Houses, and of Accounts to expenditures from the contingent fund. Volume **IV,** section **4621.**

The privilege of the Committee on Printing is confined to printing for the two Houses, and of the Committee on Accounts to expenditures from the contingent fund. Volume **VIII,** section **2251.**

Construction of the rule granting privilege to the Committee on Printing. Volume **VIII,** section **2294.**

Reports from the Committee on Printing when on provisions for printing for the use of the Congress are privileged. Volume **VIII,** section **2298.**

In passing upon the privilege of resolutions reported by the Committee on Printing the number of copies specified can not be considered in determining the question as to whether such copies are for the use of the House. Volume **VIII,** section **2294.**

While reports from the Committee on Printing pertaining to "printing for the House or two Houses" are privileged, that privilege does not extend to a bill providing for revision of the printing laws. Volume **VIII,** section **2295.**

The printing of hearings before a committee of the House was held to be "printing for the use of the House," and a resolution authorizing such printing was construed to come within the privilege of the Committee on Printing to report at any time. Volume **VIII,** section **2296.**

Privilege conferred on bills reported by the Committee on Printing is confined to provisions for printing for the two Houses, and an appropriation for such purpose destroys the privileged character of the bill. Volume **VIII,** section **2297.**

A resolution from the Committee on Accounts providing for payment from the contingent fund is privileged, although the House on the merits may decline to approve the expenditure. Volume **IV,** section **4644.**

The privilege of the Committee on Accounts is confined to resolutions making expenditures from the contingent fund. Volume **IV,** sections **4640–4643.** Volume **VIII,** section **2299.**

The fact that a resolution reported by the Committee on Accounts authorizes an expenditure from the contingent fund does not necessarily render it privileged. Volume **VIII,** section **2300.**

Propositions relating to the convenience of Members of the House, as the installation of elevators, were held to belong to the jurisdiction of the Committee on Accounts, and privileged for report at any time in connection with disbursements from the contingent fund. Volume **VIII,** section **2301.**

PRIVILEGED QUESTIONS—Continued.

(9) Reports.—Committees on Accounts and Printing—Continued.

A resolution providing for the employment of a designated individual at a stated salary to be paid out of the contingent fund was held to be privileged when reported by the Committee on Accounts. Volume **VIII,** section **2303.**

A resolution providing additional compensation for employees of the House to be paid from the contingent fund, when reported by the Committee on Accounts, was held to come within the privilege given that committee to report at any time. Volume **VIII,** section **2305.**

The jurisdiction of the Committee on Accounts does not extend to the contingent fund of the Senate and a resolution providing for joint payment from the contingent funds of the two Houses was held not to be privileged for report at any time. Volume **VIII,** section **2306.**

A resolution enlarging the powers and increasing the duties of a standing committee through the employment of a clerk to be paid from the contingent fund was held not to be within the privilege given the Committee on Accounts to report at any time. Volume **VIII,** section **2304.**

A resolution fixing salaries of House employees was held not privileged when reported by the Committee on Accounts. Volume **VIII,** section **2302.**

Legislative propositions related to subjects within the jurisdiction of other committees are not privileged when reported by the Committee on Accounts because involving disbursements from the contingent fund. Volume **VIII,** section **2300.**

A resolution from the Committee on Accounts to authorize an appropriation for extra compensation to an employee is not privileged. Volume **IV,** section **4645.**

The privilege of the Committee on Printing is confined to printing for use of the two Houses, and the presence of matter not privileged destroys the privileged character of the report. Volume **IV,** sections **4647–4649.**

(10) Reports.—From the Committee on Enrolled Bills.

The privilege of the Committee on Enrolled Bills to report at any time has been long confined to the reporting of enrolled bills. Volume **IV,** section **4646.**

(11) Reports.—From the Committee on Ways and Means.

The right to report at any time a bill raising revenue belongs only to the Ways and Means Committee. Volume **IV,** section **4628.**

To come within the privilege given the Committee on Ways and means to report at any time a bill must show on its face that it relates to the raising of revenue. Volume **VIII,** section **2280.**

Where the major feature of a bill relates to the raising of revenue, lesser provisions incidental thereto but not strictly revenue producing do not destroy its privilege when reported by the Committee on Ways and Means. Volume **VIII,** section **2280.**

A bill relating to the method of packing dutiable tobacco for parcel-post shipment was held not to be a revenue bill within the meaning of the rule giving such bills privilege. Volume **VIII,** section **2280.**

A bill reported by the Committee on Ways and Means exempting profits on Treasury bills from taxation was held to be privileged. Volume **VIII,** section **2281.**

A bill relating to the number of internal-revenue collectors and collection districts was held to be a revenue bill within the meaning of the rule giving such bills privilege. Volume **VIII,** section **2233.**

A bill merely affecting the revenue incidentally does not come within the privilege of the Ways and Means Committee to report at any time. Volume **VIII,** section **2279.**

The words "raising revenue" in the rule giving privilege to the Ways and Means Committee are broadly construed to cover bills relating to the revenue. Volume **IV,** sections **3076, 4624.**

PRIVILEGED QUESTIONS—Continued.

(11) Reports.—From the Committee on Ways and Means—Continued.

Under later decisions the words "raiding revenue" in the rule giving privilege to the Ways and Means Committee is broadly construed to cover bills relating to the revenue. Volume **IV,** section **4625.**

A bill providing for a tariff commission was held not to be a revenue bill within the meaning of the rule giving such bills privilege. Volume **IV,** section **4626.**

A declaratory resolution of a subject relating to the revenue is not within the privilege given the Ways and Means Committee to report at any time. Volume **IV,** section **4627.**

(12) Reports.—From the Committee on Appropriations.

The right of the Committee on Appropriations to report at any time is confined strictly to the general appropriation bills. Volume **IV,** sections **4629–4632.** Volume **VIII,** section **2282.**

The privilege of the Committee on Appropriations to report general appropriation bills at any time does not include resolutions extending appropriations. Volume **VIII,** section **2282.**

Bills providing special appropriations for specific purposes are not general appropriation bills and therefore not privileged. Volume **VIII,** section **2285.**

(13) Reports.—From the Committees on Public Lands, Invalid Pensions, and Rivers and Harbors.

Construction of the rule giving privilege to the Committee on Public Lands. Volume **IV,** section **4633.**

The rule giving privilege to reports from the Committee on Public Lands permits the including of matters necessary to accomplishment of the purposes for which privilege is given. Volume **IV,** sections **4637–4639.**

Discussion of the privilege of the Committee on Public Lands to report at any time. Volume **VIII,** section **2290.**

Historical statement that the privilege of the Committee on Public Lands to report at any time has been seldom exercised. Volume **VIII,** section **2289.**

A bill authorizing those failing to perfect a prior entry to make a second entry under the homestead law does not involve such a "reservation of the public lands" as to come within the privilege of the Committee on Public Lands to report at any time. Volume **VIII,** section **2288.**

A bill providing for agricultural entries of coal lands in Alaska was held to be privileged as a reservation of the public lands for actual settlers. Volume **VIII,** section **2290.**

General pension bills reported by the Committee on Invalid Pensions are privileged for consideration at any time. Volume **VIII,** section **2291.**

A bill authorizing monthly payment of pensions in lieu of quarterly payments was classified as a general pension bill and held to be within the privilege accorded the Committee on Invalid Pensions to report at any time. Volume **VIII,** section **2291.**

A bill to extend the provisions of pension law to State militia was held to be a general pension bill and privileged when reported by the Committee on Invalid Pensions. Volume **VIII,** section **2292.**

While the Committee on Invalid Pensions is privileged to report at any time on general pension bills, this right does not extend to the Committee on Pensions. Volume **VIII,** section **2293.**

The privilege of the Committee on Rivers and Harbors to report at any time is confined to legislative propositions for the improvement of rivers and harbors and does not extend to provisions for the improvement of canals or artificial waterways. Volume **VIII,** section **2287.**

(14) General Appropriation Bills. See also "Appropriations."

The highly privileged character of general appropriation bills continues at all stages, including the period after they are returned with Senate amendments. Volume **IV,** section **3148.**

PRIVILEGED QUESTIONS—Continued.

(14) General Appropriation Bills—Continued.

Former method of securing precedence of revenue, general appropriation, and river and harbor bills in Committee of the Whole. Volume **IV,** section **4729.**

Enumeration of the appropriation bills considered "general" (footnote). Volume **IV,** section **4629.**

Motions to go into Committee of the Whole to consider the various general appropriation bills are of equal privilege and will be put in the order in which recognition is secured. Volume **VI,** section **722.**

General appropriation bills with Senate amendments reported back to the House from the Committee on Appropriations are privileged and are subject to motions authorized by the Committee. Volume **VIII,** section **3187.**

(15) Senate Bills and Amendments.—In General.

A bill with amendments of the other House is privileged after the stage of disagreement has been reached. Volume **IV,** sections **3149, 3150.**

Instance wherein, after managers of a conference had reported their inability to agree, a resolution insisting on the House's disagreement to Senate amendments and asking a further conference was admitted as privileged. Volume **V,** section **6272.**

A bill of the House returned from the Senate amended and with a request for a conference before there has been a disagreement is not privileged in the House. Volume **V,** sections **6301, 6302.**

A request for a conference before there has been actual disagreement between the Houses confers no privilege on the bill affected. Volume **IV,** section **3090.**

A bill with amendments of the other House is privileged after the stage of disagreement has been reached. Volume **VI,** section **756.** Volume **VIII,** section **3194.**

House bills with Senate amendments which do not require consideration in a Committee of the Whole are privileged and may be called up from the Speaker's table for immediate consideration. Volume **VI,** section **728.**

The fact that a House bill substantially the same as a Senate bill on the Speaker's table has passed the House and gone to the Senate does not detract from the privilege of the Senate bill under the rule. Volume **VI,** section **734.**

In order to acquire privilege under the rule a Senate bill must have been messaged to the House after the House bill of similar tenor has been reported and it is not sufficient that the Senate bill was referred from the Speaker's table after the House bill was reported. Volume **VI,** section **727.**

A Senate bill received in the House after a House bill substantially the same has been reported and placed on the House Calendar is privileged and may be called up from the Speaker's table for consideration by the committee having jurisdiction of the House bill. Volume **VI,** section **727.**

In order to render them privileged, action in calling up Senate bills from the Speaker's table for direct action by the House must be authorized by the standing committee having jurisdiction. Volume **VI,** section **739.**

A Senate bill privileged because of similarity to a bill on the House Calendar may not be called up on Wednesday. Volume **VII,** section **906.**

(16) Senate Bills and Amendments.—Request for a Conference. See also "Conference."

Where a conference results in disagreement a motion for a new conference is privileged. Volume **V,** section **6586.**

(17) Senate Bills and Amendments.—Conference Reports. See also "Conference."

The presentation of a conference report is always in order, except when the Journal is being read, when the roll is being called, or when the House is dividing. Volume **V,** section **6443.**

The rule giving high privilege to conference reports is an affirmation of the former practice of the House. Volume **V,** sections **6444–6446.**

PRIVILEGED QUESTIONS—Continued.

(17) Senate Bills and Amendments.—Conference Reports—Continued.

A conference report may be presented for consideration while a Member is occupying the floor in debate. Volume **V,** section **6451.**

The presentation of a conference report may interrupt the reading of a bill. Volume **V,** section **6448.**

While the presentation of a conference report has precedence of a motion to adjourn, yet the motion to adjourn may be put and decided pending consideration thereof. Volume **V,** sections **6451–6453.**

When the motion to fix the day to which the House should adjourn had the highest privilege the consideration of a conference report was held to displace it. Volume **V,** section **6451.**

A conference report has precedence of a report from the Committee on Rules on which the yeas and nays and the previous question have been ordered. Volume **V,** section **6449.**

A special order merely providing that the House should consider a certain bill "until the same is disposed of," it was held that the consideration of a conference report might intervene. Volume **V,** section **6454.**

A conference report may be presented during a call of the House if a quorum be present. Volume **V,** section **6456.**

A conference report being presented for printing merely, and the original papers being in "possession of the other House," a motion to discharge the conferees was held not to be privileged. Volume **V,** section **6528.**

(18) Resolutions of Inquiry. See also "Inquiry."

A resolution of inquiry is not privileged until it has been referred to a committee and then only under conditions prescribed by the rules. Volume **III,** section **1857.**

Committees are required to report resolutions of inquiry back to the House within one week of the reference. Volume **III,** section **1856.**

The week's time required to make a resolution of inquiry privileged is seven days, exclusive of either the first or last day. Volume **III,** sections **1858, 1859.**

Resolutions of inquiry are privileged for report and consideration at any time after their reference. Volume **III,** section **1870.**

A resolution of inquiry not being reported back within one week, a motion to discharge the committee from the consideration of it presents a privileged question. Volume **III,** sections **1866–1870.**

At the expiration of a week a motion to discharge a committee from the consideration of a resolution of inquiry is privileged, although the resolution may have been delayed in reaching the committee. Volume **III,** section **1871.**

Only resolutions of inquiry addressed to the heads of Executive Departments are privileged. Volume **III,** sections **1861–1863.**

The privilege of resolutions of inquiry applies to those addressed to the President of the United States. Volume **III,** section **1864.**

A resolution authorizing a committee to request information has been treated as a resolution of inquiry. Volume **III,** section **1860.**

A resolution of inquiry, to enjoy its privilege, should call for facts rather than opinions and should not require an investigation. Volume **III,** sections **1872–1874.**

The privilege of a resolution of inquiry may be destroyed by a preamble, although the matter therein recited may be germane to the subject of inquiry. Volume **III,** sections **1877–1878.**

(19) Resignations, Leaves of Absence, etc.

In recent as well as early practice a Member frequently informs the House by letter that his resignation has been sent to the State executive, such letter being presented as a privileged question. Volume **II,** sections **1167–1176.**

Under a former rule a request for a leave of absence has been entertained as a privileged question. Volume **II,** sections **1146, 1147.**

PRIVILEGED QUESTIONS—Continued.

(19) Resignations, Leaves of Absence, etc.—Continued.

The request of a Member that he be excused from committee service has generally been treated as privileged, but as debatable to a very limited extent only. Volume **IV,** sections **4508–4510.**

(20) Recall of Bills.

The mere request for the other House to return a bill, no error or impropriety being involved, has not been regarded as a privileged matter. Volume **IV,** section **3477.**

A request of the Senate for the return of a bill is treated as privileged in the House. Volume **IV,** section **3481.**

The Senate having requested the return of a bill which, with amendments, had reached the stage of disagreement, a motion to discharge the House committee and return the bill was treated as privileged. Volume **IV,** section **3475.**

A resolution for the reenrollment and signing of a bill which the President had declined to sign for constitutional reasons was held to be privileged. Volume **IV,** section **3493.**

The return of a bill which has gone to the President of the United States is requested by concurrent resolution, and such resolution when received from the Senate is treated as privileged. Volume **VII,** section **1090.**

(21) Adjournments.

A concurrent resolution providing for an adjournment of the two Houses for more than three days is privileged. Volume **V,** section **6701.**

The privilege of a resolution providing for an adjournment of more than three days is limited in its exercise. Volume **V,** section **6704.**

A resolution providing for the holiday recess adjournment and not reported by the committee on rules on without privilege. Volume **VIII,** section **3361.**

A concurrent resolution extending the time of a recess of Congress already determined on is privileged. Volume **V,** section **6705.**

A simple resolution providing for an adjournment of the House for more than three days and for asking the consent of the Senate thereto has been ruled to be privileged. Volume **V,** sections **6702, 6703.**

Privilege has been given to a resolution providing for a recess of congress, the length of which might be fixed by the President or the Presiding Officers of the two Houses. Volume **V,** section **6706.**

The privilege of a resolution fixing the time of final adjournment has been held to extend to a proposition to recall such a resolution from the Senate. Volume **V,** section **6699.**

A concurrent resolution fixing the day for final adjournment may be offered from the floor as privileged, even through a similar resolution may have been offered and considered. Volume **V,** section **6698.**

(22) In General.

The resolution of thanks to the Speaker at the end of his term of service is presented as privileged. Volume **V,** sections **7050, 7051.**

A question as to the privilege of resolutions directing the Speaker in regard to the appointment of committees in a certain way or for certain purposes. Volume **IV,** sections **4461, 4462.**

A question of privilege (as distinguished from a privileged question) does not lose its privilege through informality in the manner of reporting it. Volume **III,** section **2555.**

Although a proposition may be privileged for consideration under the rules yet a motion to lay it on the table is in order, such action being one form of consideration. Volume **V,** section **5397.**

The failure of a quorum necessitates the suspension of even the most highly privileged business. Volume **IV,** section **2934.**

Messages of the President are regularly laid before the House only at the time prescribed by the order of business. Volume **V,** sections **6635–6638.**

PRIVILEGED QUESTIONS—Continued.

(22) In General—Continued.

A Member recognized to present a privileged resolution may not be taken from the floor by a motion to refer. Volume **VI,** section **468.**

A resolution declaring vacant the office of Speaker is presented as a matter of high constitutional privilege. Volume **VI,** section **35.**

Resolutions relating to the administration of the oath are of high privilege. Volume **VI,** section **14.**

A concurrent resolution providing for a point session to receive the President's message was held to be of the highest privilege. Volume **VIII,** section **3335.**

When the House is proceeding under general parliamentary law the Speaker is constrained to recognize any Member presenting a privileged motion. Volume **VIII,** section **3383.**

A Member having the floor may not exclude a privileged motion by offering a motion of lower privilege and demanding the previous question thereon. Volume **VIII,** section **2609.**

A motion for disposition of a resolution is not admissible while a point of order against the privilege of its consideration is pending. Volume **VIII,** section **2316.**

A concurrent resolution to send to the President for approval bills which had passed both Houses in the previous session of the same Congress but which for want of time failed to reach him was treated as privileged. Volume **VII,** section **1086.**

A resolution to procure testimony in a contested election case is privileged when reported by a committee on elections, and is in order on Calendar Wednesday. Volume **VIII,** section **2276.**

The date on which bills are referred to the calendar is immaterial in determining their relative privilege. Volume **VI,** section **722.**

A resolution relating to the installation of accessories proposed to improve the acoustics of the Hall of the House was entertained as privileged. Volume **VIII,** section **3633.**

A Member may not by offering a motion of higher privilege than the pending motion deprive the member of the committee in charge of the bill of the floor. Volume **VI,** section **297.**

PRIVILEGES OF THE FLOOR.

(1) Persons entitled to.
(2) Rule as to, not to be suspended.
(3) Duties of Doorkeeper as to.
(4) Abuse of.
(5) Earlier practice as to claimants for seats.
(6) In general.

(1) Persons Entitled to.

The rules limits strictly the classes of persons having the privileges of the floor during sessions of the House. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

With certain exceptions all persons not entitled to the privileges of the floor during a session are excluded from the floor of the House at all times. Volume **V,** section **7346.**

Members of Congress, Members-elect, and under certain conditions ex-Members of the House and contestants in election cases have the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

The Secretary and Sergeant-at-Arms of the Senate, Superintendent of the Capitol, the Librarian of Congress and his assistant in the law library have the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

The President and Vice-President of the United States and their secretaries have the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

"Heads of Departments," meaning members of the President's Cabinet, have the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

The judges of the Supreme Court have the privileges of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

The resident commissioner to the United States from Porto Rico has the privilege of the floor. Volume **V,** section **7283.**

PRIVILEGES OF THE FLOOR—Continued.

(1) Person Entitled to—Continued.

The Resident Commissioners to the United States from Porto Rico and the Philippine Islands have the privilege of the floor. Volume **VIII,** section **3634.**

The privileges of the floor with the right to debate were extended to Resident Commissioners in the Sixtieth Congress. Volume **VI,** section **244.**

Persons who have by name received the thanks of Congress have the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

The privileges of the floor do not extend to departmental employees assisting committee in the preparation of bills. Volume **VI,** section **579.**

Ministers from foreign governments and governors of States (but not of Territories) have the privilege of the floor. Volume **V,** section **7283.**

Representatives of certain specified news associations are admitted to the floor of the House under regulations prescribed by the Speaker. Volume **V,** section **7304.**

Clerks of committees other than the clerk of the committee in charge of the bill under consideration are not entitled to the privileges of the floor. Volume **VIII,** section **3636.**

The privileges of the floor incident to receiving the thanks of Congress are limited to those who have been designated by name. Volume **VIII,** section **3638.**

Accredited members of the press having seats in the gallery and employees of the House may go upon the floor of the House until within fifteen minutes of the hour of meeting. Volume **V,** section **7346.**

A question of order being raised against the presence of unauthorized persons on the floor of the Senate, the Vice President directed the Sergeant at Arms to remove all persons not entitled to the privileges of the floor. Volume **VIII,** section **3639.**

(2) Rule as to, Not to be Suspended.

The Speaker is forbidden to entertain a request for the suspension of the rule relating to the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

The rule forbidding the Speaker to entertain requests for the suspension of the rule relating to admission to the floor is held to apply also to the Chairman of the Committee of the Whole. Volume **V,** section **7285.**

Rigid enforcement of the rule forbidding requests for extension of the privileges of the floor. Volume **V,** section **7284.**

(3) Duties of Doorkeeper as to.

The Doorkeeper is required to clear the floor fifteen minutes before the hour of meeting of all persons not privileged to remain and keep it cleared until ten minutes after adjournment. Volume **V,** section **7295.**

The Doorkeeper is required to enforce strictly the rules relating to the privileges of the Hall and is responsible for the official conduct of his employees. Volume **I,** section **260.**

(4) Abuse of.

While former Members of Congress are entitled to the privilege of the floor they may not manifest approval or disapproval of the proceedings. Volume **VIII,** section **3635.**

A resolution relating to an alleged abuse of the privileges of the floor does not present a question of higher privilege than an election case. Volume **III,** section **2626.**

An alleged abuse of the privilege of the floor by an ex-Member was inquired into by a special committee. Volume **V,** section **7287.**

An ex-Member who was abusing the privileges of the floor was excluded by direction of the Speaker. Volume **V,** section **7288.**

In a former Congress exclusion from the privileges of the floor was made a penalty for attempting to corrupt Members of Congress. Volume **V,** section **7294.**

An alleged violation of the rule relating to admission to the floor presents a question of privilege. Volume **VI,** section **579.**

PRIVLEGES OF THE FLOOR—Continued.

(5) Earlier Practice as to Claimants for Seats.

The House in early years gave the privileges of the floor to contestants during discussion of the reports on their cases, with leave to speak on the merits. Volume **I,** sections **663–665.**

A contestant having the privilege of the floor with leave to speak "to the merits of said contest and the report thereon" was permitted to speak on a preliminary question. Volume **I,** section **668.**

The House in one case included the right to speak to the merits with a general permission to contestants to enjoy the privileges of the floor. Volume **I,** section **669.**

Instance wherein the House denied the privileges of the floor to a claimant for a seat. Volume **I,** section **315.**

In 1859 the Senate declined to admit claimants of seats to the privileges of the floor. Volume **I,** section **546.**

The right of a Speaker elect to take the oath having been denied pending an investigation, the Senate by resolution conferred on him the privilege of appearing on the floor in his own behalf. Volume **VI,** section **180.**

(6) In General.

A special admission to the privileges of the floor is a rare honor. Volume **V,** section **7293.**

The House formally extended the privileges of the floor to the widow of President Madison. Volume **V,** section **7081.**

A register of persons other than Members who are entitled to the privileges of the floor was authorized in 1853. Volume **V,** section **7291.**

The rule relating to admission to the floor is constructed broadly on the occasion of ceremonies. Volume **V,** section **7290.**

The meaning of the rule relating to admission to the floor has been interpreted by a committee. Volume **V,** section **7289.**

Judge Peck, threatened with impeachment, was permitted to make to the House a written or oral argument. Volume **III,** section **2366.**

A motion instructing the Sergeant at Arms to exclude all persons not entitled to the privileges of the floor was entertained as privileged. Volume **VIII,** section **3637.**

PROBABLE CAUSE.

In the Watrous case that House discussed whether or not ascertainment of probable cause justified proceeding in impeachment. Volume **III,** section **2498.**

PROCEDURE.

The Speaker, of his own initiative, has submitted to the House for decision a question as to procedure. Volume **II,** sections **1315, 1316.**

The object of a parliamentary body is action, not stoppage of action; and the methods of procedure may not be used to stop legislation. Volume **V,** section **5713.**

Instance of a conference on a subject of procedure in an impeachment. Volume **III,** section **2304.**

PROCESSES.

(1) Of the House.—Directed to the Sergeant-at-Arms.
(2) Of the House.—To secure the attendance of witnesses.
(3)For compelling testimony before commissions.

(1) Of the House.—Directed to the Sergeant-at-Arms.

The Sergeant-at-Arms executes the commands of the House and all of its processes directed to him by the Speaker. Volume **I,** section **257.**

(2) Of the House.—To Secure the Attendance of Witnesses.

Witnesses are summoned in pursuance and by virtue of the authority conferred on a committee to send for persons and papers. Volume **III,** section **1750.**

PROCESSES—Continued.

(2) Of the House.—To Secure the Attendance of Witnesses—Continued.

Instance wherein the House empowered the Ways and Means Committee to send for persons and papers in any matter arising out of business referred to the committee. Volume **III,** section **1813.**

Forms of subpoena and compulsory process issued by House committee to produce persons and papers for the Blount impeachment. Volume **III,** sections **2038, 2039.**

A Senate committee with authority to take testimony in the recess between two sessions of the same Congress was yet unable to compel testimony from a recalcitrant witness. Volume **III,** section **1837.**

The statutes provide that a person summoned as a witness who fails to appear or refuses to testify shall be punished by fine or imprisonment. Volume **III,** section **1769.**

Each House of Congress has power through its own process to summon a private individual before one of its committees to give testimony which will enable it the more efficiently to exercise its constitutional legislative function. Volume **VI,** section **342.**

A witness in custody for refusing to testify may invoke the action of the courts only on a clear showing of arbitrary and improvident use of the power amounting to a denial of due process of law. Volume **VI,** section **349.**

(6) For Compelling Testimony Before Commissions.

Decision of the Supreme Court that a law of Congress empowering the Federal courts to compel testimony before the Interstate Commerce Commission was constitutional. Volume **III,** section **1766.**

A decision that the Federal Courts may not be made by act of Congress an agency for compelling testimony before a commission. Volume **III,** section **1767.**

PROCESSIONS.

The Speaker and President of the Senate have discretion as to the use of the Capitol grounds for processions, assemblies, music, and speeches on occasions of national interest. Volume **V,** section **7312.**

PROCLAMATIONS.

In the later practice a proclamation of the President convening Congress appears in full in the Journal. Volume **IV,** section **2878–2882.**

PRODUCERS OF AGRICULTURAL PRODUCTS.

Bills authorizing associations of producers of agricultural products and limiting the effect of the Clayton Antitrust Act with reference to agricultural associations have been reported by the Judiciary Committee. Volume **VII,** section **1765.**

PRO FORMA AMENDMENT.

Pro Forma amendments were in use in five minutes' debate as early as 1868. Volume **V,** section **5778.**

A Member who has occupied five minutes on a pro forma amendment may not by making another pro forma amendment lengthen his time. Volume **V,** section **5222.** Volume **VIII,** section **2560.**

By offering a pro forma amendment in Committee of the Whole a Member does not lose the right to insist on his pending point of order. Volume **V,** section **6874.**

In debate under the five-minute rule the Member must confine himself to the subject, even on pro forma amendments. Volume **VIII,** section **2591.**

While the motion to strike out the enacting clause is pending in the Committee of the Whole the pro forma amendment to strike out the last word is not entertained. Volume **VIII,** section **2627.**

Debate having been exhausted in Committee of the Whole on a proposed recommendation to strike out the enacting clause, a motion to strike out the last word of the motion is not in order, and additional time for debate may not be secured by offering a pro forma amendment. Volume **VIII,** section **2629.**

PRO FORMA AMENDMENT—Continued.

A pro forma amendment must be voted on unless withdrawn. Volume **VIII,** section **2874.**

A point of order may not be raised against a proposition after an amendment is offered and even a pro forma amendment precludes a question of order. Volume **VIII,** section **3445.**

PROHIBITION LAWS.

Enforcement and administration of national prohibition laws is a subject under the jurisdiction of the Judiciary Committee. Volume **VII,** section **1773.**

PROOF.

(1) Burden of.—To show law authorizing an appropriation.

(2) In general.

(1) Burden of.—To Show Law Authorizing an Appropriation.

Those upholding an item in an appropriation should have the burden of showing the law authorizing it. Volume **IV,** section **3597.**

(2) In General.

Affidavits filed with a request for time to take additional testimony in an election case must state the names of the witnesses and the particular facts to be proven by them. Volume **I,** section **602.**

Ex parte proof, while not admitted as competent proof of the facts therein recited, was given weight as raising a suspicion of frauds justifying an investigation. Volume **I,** section **625.**

The failure of an officer to certify properly a return does not prevent the admission of secondary evidence to prove the actual state of the vote. Volume **I,** section **640.**

As to the extent to which hearsay testimony is admissible to prove that a person recorded as voting was not within the precinct on election day. Volume **II,** section **1130.**

Where canvassing officers reject returns transmitted unsealed when the law requires them to be sealed, what evidence should the House require to overrule the canvassers? Volume **II,** section **1057.**

PROPERTY.

(1) Of the House.

(2) As related to consideration in Committee of the Whole.

(1) Of the House.

The Postmaster accounts for the Government property in his possession. Volume **I,** section **271.**

The Doorkeeper is required at stated times to return inventories of the Government property in his possession. Volume **I,** section **262.**

At the commencement and close of each session of Congress the Doorkeeper is required to make and submit to the House for examination by the Committee on Accounts an inventory of furniture, books, etc. Volume **I,** section **261.**

The Doorkeeper has the custody of all the furniture, books, and public property in the committee and other rooms under his charge. Volume **I,** section **261.**

(2) As Related to Consideration in Committee of the Whole.

All appropriations of public moneys or property and propositions to release any liability to the United States or refer any claim to the Court of Claims are considered in Committee of the Whole. Volume **IV,** section **4792.**

A proposition to dispose of funds held as a trust under control of the Government, but not the property of the Government, is not considered in Committee of the Whole. Volume **IV,** section **4853.**

Indian lands have not been considered "property" of the Government within the meaning of the rule requiring consideration in Committee of the Whole. Volume **IV,** sections **4844, 4845.** Volume **VIII,** section **2413.**

The burden of proof of the germaneness of an amendment rests upon its proponents. Volume **VIII,** section **2995.**

PROPERTY—Continued.

(2) As Related to Consideration in Committee of the Whole—Continued.

A bill leasing Government property falls within the class of bills requiring consideration in Committee of the Whole. Volume **VIII,** section **2399.**

A bill authorizing officials in certain contingencies to alienate Government property was held to require consideration in the Committee of the Whole. Volume **VIII,** section **2399.**

A concurrent resolution is not used in conveying title to Government property. Volume **VII,** section **1045.**

Disposition of Government property is effected by bill or joint resolution only, and a simple resolution is inadequate for that purpose. Volume **VII,** section **1039.**

The acquisition of property for Federal building purposes and the relinquishment of such property belonging to the United States are subjects within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **VII,** section **1963.**

PROPOSER.

No member may speak more than once to the same question unless he be the mover or proposer, in which case he may speak in reply after all choosing to speak have spoken. Volume **V,** section **4491.**

The right of the "mover, proposer, or introducer of the matter pending" to close debate does not belong to a Member who has merely moved to reconsider the vote on a bill which he did not report. Volume **V,** section **4995.**

PROPOSITION.

The word "proposition" in the rule providing as to debate after the previous question is ordered means the main question and does not refer to incidental motions. Volume **V,** sections **5497, 5498.**

PROSECTION.

In the case of Kilbourn *v.* Thompson the court affirmed the immunity of Members of the House from prosecution on account of their action in a case of alleged contempt. Volume **III,** section **2675.**

PROTECTION OF CITIZENS.

Questions relating to the protection of American citizens abroad and expatriation belong to the jurisdiction of the Committee on Foreign Affairs. Volume **IV,** section **4169.** Volume **VII,** section **1883.**

Treaty stipulations providing for protection of the Panama Canal and enactments in conformity therewith were held to authorize appropriations for canal fortifications. Volume **VII,** section **1137.**

A provision in a general appropriation bill authorizing the expenditure of money therein appropriated for the protection of the naval petroleum reserve was held to be authorized by the holding statute. Volume **VII,** section **1246.**

The protection of trade and commerce against unlawful restraints and monopolies is a subject within the jurisdiction of the Committee on the Judiciary. Volume **VII,** section **1748.**

Bills providing protection for the uniform of friendly nations are under the jurisdiction of the Committee on the Judiciary. Volume **VII,** section **1774.**

Jurisdiction over bills relating to the protection of seals and other fur-bearing animals of Alaska, formerly exercised by the Committee on Ways and Means, has now been transferred to the Committee on the Merchant Marine and Fisheries. Volume **VII,** section **1851.**

PROTESTS.

(1) Entry of, in the Journal.—In general.

(2) Entry of, in the Journal.—Not a question of privilege.

(3) Entry of, in the Journal.—Instances of.

(4) Entry of, in the Journal.—Of a committee.

(5) By the President.

PROTESTS—Continued.

(1) Entry of, in the Journal.—In General.

A Member may not, as a matter of right, enter a protest in the Journal. Volume **IV,** section **2798.**

Practice of House and Senate as to admitting protests to the Journal (footnote). Volume **IV,** section **2805.**

The House having declined to permit protests to be entered on the Journal, the Speakers have declined to entertain motions to amend the Journal which would have effected the purpose indirectly. Volume **IV,** section **2805.**

In 1843 the House finally decided that a protest which had been refused admission to the Journal might not appear there indirectly. Volume **IV,** section **2804.**

In the earlier practice protests which the House refused to allow in the Journal appeared there indirectly as part of the rejected motion. Volume **IV,** sections **2801–2803.**

(2) Entry of, in the Journal.—Not a Question of Privilege.

The demand of a Member that a protest against certain parliamentary practices of the House be placed on the Journal does not present a question of privilege. Volume **IV,** sections **2799, 2800.**

A protest against the method by which a bill had been passed, no error or infraction of the rules being alleged, was decided by the House not to present a question of privilege. Volume **III,** section **2597.**

The Speaker held that a protest by Members should be read before any decision as to whether or not it might be offered as a question of privilege. Volume **III,** section **2597.**

The Clerk, presiding at the organization, has declined to entertain a protest, although it related to the organization. Volume **I,** section **80.**

(3) Entry of, in the Journal.—Instances of.

Summary of precedents relating to the placing of protests on the Journal. Volume **III,** section **2597.**

In 1826 the House authorized the Representatives from the State of Georgia to enter a protest in the Journal. Volume **IV,** section **2806.**

In 1868 a protest was entered in the Journal by unanimous consent. Volume **IV,** section **2807.**

The written protest of a Member against his proposed expulsion does not go into the Journal except by order of the House. Volume **II,** section **1275.**

The House once allowed a Member to insert in the Journal a declaration of his reasons for a vote. Volume **IV,** section **2825.**

The declaration of a Delegate on a public question being presented for insertion in the Journal and read was recorded in the Journal, whereupon the House declined to expunge it. Volume **IV,** section **2808.**

The House ordered spread on its Journal a paper in which Samuel Houston protested against the right of the House to punish him for contempt. Volume **II,** section **1619.**

(4) Entry of, in the Journal.—Of a Committee.

A committee controls its journal and sometimes grants leave to Members to incorporate in it signed statements of their views. Volume **IV,** section **4579.**

It is not the right of a Member to enter on the journal of a committee his reasons for objecting to certain procedure. Volume **IV,** section **4576.**

(5) By the President.

A formal protest by the President against certain proceedings of the House was declared a breach of privilege. Volume **II,** section **1590.**

President Jackson having sent to the Senate a protest against its censure of his acts, the Senate declared the protest a breach of privilege and refused it entry on the Journal. Volume **II,** section **1591.**

PUBLIC BILLS.
(1) Distinghished from private bills.
(2) In general.

(1) Distinguished From Private Bills.
Discussion and distinction between public and private bills and method of introduction and reference. Volume **VIII,** section **864.**
A bill dealing with classes is a public bill as distinguished from a private bill for the benefit of individuals. Volume **VIII,** section **856.**
A bill which applies to a class and not to individuals as such is a public bill. Volume **III,** section **2614.** Volume **VII,** section **869.**
A private bill is a bill for the relief of one or several specified persons, corporations, institutions, etc., and is distinguished from a public bill, which relates to public matters and deals with individuals only by classes. Volume **IV,** section **3285.**
A bill for the benefit of individuals, but which includes also provisions of general legislation, is classed as a public bill. Volume **IV,** section **3286.**
A bill containing among provisions for the relief of private persons one item to pay a claim of a foreign nation was classed as a public bill. Volume **IV,** section **3287.**
A bill to create a corporation in the District of Columbia was held to be a public bill. Volume **IV,** section **3294.**
A bill for the advantage of private individuals, even in connection with a public object, has been treated as a private bill. Volume **IV,** section **3289.**
A bill authorizing one tribe of Indians to sue another in the Court of Claims was held to be a private bill. Volume **IV,** section **3290.**
A bill prescribing the form of oath to be taken by a Member-elect of the House was held to be a private bill. Volume **IV,** section **3291.**
A bill authorizing an exchange of Government-owned land was held to be a public bill. Volume **VII,** section **862.**
A bill granting an easement over public lands was held to be a public bill. Volume **VII,** section **864.**
A bill to indemnify a foreign government for injury to its nationals was held to be a public bill. Volume **VII,** section **865.**
A bill legalizing conveyance of real estate previously made was held to be a public bill. Volume **VII,** section **868.**
A bill conferring jurisdiction on the Court of Claims to hear and report on claims of Indian tribes against the United States was classed as a public bill. Volume **VII,** section **870.**
A bill relating to a nation of Indians and not to Indians as individuals was held to be a public bill. Volume **VII,** section **870.**
The term "general pension bills" is construed to refer to bills or legislation general in character as distinguished from bills or legislation of a private character or bills restricted in their purpose or effect. Volume **VIII,** section **2291.**

(2) In General.
Rules for correction of erroneous reference of private and public bills. Volume **IV,** section **3364.**
A private bill of the House, returned from the Senate with a substitute amendment of a public nature, was held to be a private bill still. Volume **IV,** section **3288.**
The statues provide specifically for the number of public and private bills to be printed when they are introduced, when reported, etc., and the distribution thereof. Volume **V,** section **7318.**
Bills erroneously referred to calendars are transferred to the proper calendar by direction of the Speaker. Volume **VII,** section **859.**
Reference of public bills is by the Speaker through the clerk at the Speaker's table. Volume **VII,** section **1031.**

PUBLIC BILLS—Continued.

(2) In General—Continued.

Motions to change the reference of public bills are not in order on Calendar Wednesday. Volume **VII,** section **2117.**

Motion to change the reference of a public bill, to come within the privilege, must be offered immediately after the reading of the Journal, and if the floor is yielded for other business the motion is not again privileged on that day. Volume **VII,** section **2119.**

Motions to change the reference of public bills are privileged only when formally authorized by the committee to which referred or the committee claiming jurisdiction. Volume **VII,** section **2121.**

Privileged motions to change the reference of public bills have precedence of motions to go into Committee of the Whole to consider general appropriation bills. Volume **VII,** section **2124.**

Motions to change the reference of public bills, when privileged under the rule, take precedence of conference reports. Volume **VII,** section **2124.**

A motion to change the reference of a public bill identical with one already reported is not in order. Volume **VII,** section **2125.**

The motion for a change of reference of a public bill is not privileged under the rule when the original reference was not erroneous. Volume **VII,** section **2125.**

In order to come within the privilege of the rule, motions to change reference of public bills must apply to a single bill and not to a class of bills. Volume **VII,** section **2125.**

Motions to change the reference of public bills are not debatable. Volume **VII,** section **2126, 2127, 2128.**

A motion for a change in the reference of a public bill may be amended but the amendment, like the original motion, is subject to the requirement that it be authorized by the proper committee. Volume **VII,** section **2127.**

A motion to change the reference of a public bill when made immediately after the reading of the Journal is in order on Friday, as on other days. Volume **VII,** section **2128.**

PUBLIC BUILDINGS AND GROUNDS.

(1) Authorization of appropriations for.
(2) Committee on.—Creation and history.
(3) Committee on.—Jurisdiction of.
(4) In general.

(1) Authorization of Appropriations for.

While appropriations for new buildings at existing Government institutions have sometimes been admitted, as in continuance of a public work, they are not regarded as establishing a principle. Volume **V,** section **3741.**

An appropriation for officers' quarters at a navy-yard is not in order on the naval appropriation bill as in continuance of a public work. Volume **IV,** section **3758.**

It is not in order on the naval appropriation bill to appropriate for a new foundry not previously authorized by law at a navy-yard. Volume **IV,** section **3761.**

Appropriations for repairs to public buildings are admitted in general appropriation bills as in continuation of a public work. Volume **IV,** section **3778.**

A proposition to pave city streets adjacent to a public building was held to be without authority of law. Volume **IV,** sections **3779–3781.**

It is not in order on a general appropriation bill to establish a limit of cost on a public building. Volume **IV,** section **3761.**

The mere appropriation of a sum "to complete" a work does not fix the limit of cost to exclude future appropriations for a public building on a general appropriation bill. Volume **IV,** section **3761.**

An appropriation for a public building in excess of the limit of cost fixed by law is not in order on an appropriation bill. Volume **VII,** section **1133.**

PUBLIC BUILDINGS AND GROUNDS—Continued.

(1) Authorization of Appropriations for.—Continued.

A statute changes in the limit of cost of public buildings in accordance with estimates submitted by the Bureau of the Budget. Volume **VII,** section **1450.**

A proposition to repair a public building is in order as a continuation of work in progress if such repairs are for the use and purpose for which the building was originally provided, but not otherwise. Volume **VII,** section **1370.**

While alteration and adaption of public buildings belonging to the Government is held to be continuation of a work in progress within the meaning of the rule, the alteration and adaptation of a building not the property of the Government, even though under its control, was held not to be such a work in progress and subject to a point of order. Volume **VII,** section **1339.**

An appropriation for repairs and other expenses for the care, preservation, and improvement of the public buildings and grounds of the Weather Bureau was held not to be in order on an appropriation bill. Volume **VII,** section **1367.**

While a proposition to enlarge an existing public building is in order as continuation of a public work, an appropriation for the "extension" of a building is not in order if it is in fact a proposition for a new building. Volume **VII,** section **1355.**

(2) Committee on.—Creation and History.

The creation and history of the Committee on Public Buildings and Grounds Section 22, of Rule **XI.** Volume **IV,** section **4231.**

Recent history of the Committee on Public Buildings and Grounds, section 20 of Rule **XI.** Volume **VII,** section **1962.**

(3) Committee on.—Jurisdiction.

The rule gives to the Committee on Public Buildings and Grounds jurisdiction of subjects relating "to the public buildings and occupied or improved grounds of the United States, other than appropriations therefor." Volume **IV,** section **4231.**

The Committee on Public Buildings and Grounds has jurisdiction of bills authorizing the purchase of sites and construction of post-offices, custom-houses, and Federal court-houses in various portions of the country. Volume **VI,** section **4232.**

Government buildings within the District of Columbia are within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV,** section **4233.**

The bill for the purchase of the house in which Abraham Lincoln died was reported by the Committee on Public Buildings and Grounds. Volume **VI,** section **4234.**

The bill authorizing the acquisition of a site and erection of the Government Printing Office was placed within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV,** section **4233.**

Legislation relating to the office of the Supervising Architect of the Treasury is within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV,** section **4232.**

Subjects relating to public reservations and parks within the District of Columbia, including Rock Creek Park, are within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV,** section **4236.**

Subjects relating to the Zoological Park, in the District of Columbia, have been within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV,** section **4235.**

Subjects relating generally to the Capitol building, especially the House wing, have been reported by the Committee on Public Buildings and Grounds. Volume **IV,** section **4238.**

Subjects relating to the House restaurant and kitchen have been within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV,** section **4237.**

The acquisition of property for Federal building purposes and the relinquishment of such property belonging to the United States are subjects within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **VII,** section **1963.**

PUBLIC BUILDINGS AND GROUNDS—Continued.

(3) Committee on.—Jurisdiction—Continued.

Legislative provisions for the construction of Federal buildings in the Territories have been reported by the Committee on Public Buildings and Grounds. Volume **VII,** section **1964.**

The Committee on Public Buildings and Grounds has reported legislative propositions relating to the buildings and grounds of the Botanic Garden, the Capitol and the Bureau of Standards. Volume **VII,** section **1965.**

Bills providing for the purchase of post-office sites and the erection of buildings thereon are within the jurisdiction of the Committee on Public Buildings and Grounds rather than that of the Committee on the Post Office and Post Roads. Volume **VII,** section **1966.**

The construction of a memorial bridge across the Potomac River is a subject which has been considered by the Committee on Public Buildings and Grounds. Volume **VII,** section **1968.**

The House has decided that legislative propositions to provide housing in time of emergencies is within the jurisdiction of the Committee on Public Buildings and Grounds and not the Committee on Labor. Volume **VII,** section **1970.**

Authorization for designs of Library and Museum buildings within the District of Columbia and the erection of buildings on the grounds of the Smithsonian Institution are within the jurisdiction of the Committee on Public Buildings and Grounds and not the Committee on the Library. Volume **VII,** section **1971.**

Authorization for construction of buildings for the customs service on military reservations is a subject within the jurisdiction of the Committee on Public Buildings and Grounds and not the Committee on Military Affairs. Volume **VII,** section **1972.**

A bill to provide housing for Government employees in the District of Columbia was held by the House to belong to the jurisdiction of the Committee on Public Buildings and Grounds and not the Committee on Labor. Volume **VII,** section **2127.**

(4) In General.

The general affairs of the consular service and the acquisition of land and buildings for legislations in foreign capitals are within the jurisdiction of the Committee on Foreign Affairs. Volume **IV,** section **4163.**

Authorizations for sites and buildings for immigrant stations are within the jurisdiction of the Committee on Immigration and Naturalization. Volume **IV,** section **4312.**

Bills authorizing the construction and providing for the care of the Library Building and the management of the Library itself have been reported by the House branch of the Joint Committee on the Library. Volume **IV,** section **4339.**

The management of national penitentiaries and the authorization of buildings therefor are within the jurisdiction of the Committee on the Judiciary. Volume **IV,** section **4070.**

The subjects of patent law, jurisdiction of courts in patent cases, the Patent Office, including a building therefor, have been considered by the Committee on Patents. Volume **IV,** section **4255.**

Bills authorizing the construction of marine hospitals and the acquisition of sites therefor are reported by the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4110.**

The general subjects of quarantine and the establishment of quarantine stations are within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4109.**

Bills relating to the restoration of noted estates and historic buildings on military reservations are within the jurisdiction of the Committee on Military Affairs rather than the Committee on Public Buildings and Grounds. Volume **VII,** section **1893.**

Subjects relating to the House restaurant and kitchen, formerly within the jurisdiction of the Committee on Public Buildings and Grounds, have been transferred by the House to the jurisdiction of the Committee on Accounts. Volume **VII,** section **2054.**

PUBLIC CEREMONIES.

The House sometimes appoints committees to represent it at public ceremonies. Volume **VIII,** section **3527.**

The House sometimes accepts invitations to attend public exercises, but does not go as an organized body. Volume **VIII,** section **3528.**

PUBLIC CREDIT.

The strengthening of public credit, issues of notes, and taxation, redemption, etc., thereof, and authorization of bond issues in connection therewith have been considered by the Committee on Banking and Currency. Volume **IV,** section **4084.**

PUBLIC DEFENSE.

The rules give to the Committee on Military Affairs jurisdiction of subjects relating "to the military establishment and the public defense." Volume **IV,** section **4179.**

Appropriations for the military establishment and the public defense, including the Military Academy, are by rule placed within the jurisdiction of the Committee on Military Affairs. Volume **IV,** section **4179.**

PUBLIC DOCUMENTS.

The statutes define the term "public documents" and provide for the division of documents among Members and the distribution thereof. Volume **V,** section **7316.**

Public documents are distributed to Members in trust for the benefit of the people. Volume **V,** section **7330.**

The falsification of a House document was made the subject of examination by a select committee. Volume **V,** section **7329.**

The House declined to admit as evidence in an election case the decision of a State impeachment court on a related subject. Volume **I,** section **709.**

Bills proposing permanent law relative to the printing, binding, and distribution of public documents have been reported by the House branch of the Joint Committee on Printing. Volume **VII,** section **2093.**

PUBLIC DOMAIN.

The rule gives the Committee on Public Lands jurisdiction of subjects relating to the lands of the United States. Volume **IV,** section **4194.**

The Committee on Public Lands exercised a preliminary jurisdiction over the subject of irrigation. Volume **IV,** section **4195.**

PUBLIC ENEMIES.

Bills regulating commerce with public enemies have been reported by the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1823.**

PUBLIC HEALTH.

Bills relating to quarantine and the duties of the Marine Hospital Service and otherwise providing for the Public Health Service, formerly reported by the Committee on Interstate and Foreign Commerce, are now considered by the Committee on Merchant Marine and Fisheries. Volume **VII,** section **1816.**

PUBLIC INTEREST.

The President declined to submit to the Senate in response to its request certain papers touching the London Naval Treaty of 1930 on the ground that such compliance would be incompatible with the public interest. Volume **VI,** section **433.**

A resolution addressed to the President requesting the transmission of papers having been offered, the Senate modified it by incorporation of the clause "if not incompatible with the public interest." Volume **VI,** section **433.**

A member of the Cabinet declining on his own responsibility to transmit data requested by the House was criticized for failure to communicate such refusal though the President as incompatible with public interest. Volume **VI,** section **402.**

PUBLIC INTEREST—Continued.

In response to a request for information "not incompatible with the public interest," the head of a department replied that it would be incompatible with the public interest to submit the information requested. Volume **VI,** section **414.**

Instance wherein the Secretary of War declined to respond to an inquiry of the House on grounds of incompatibility with the public interest. Volume **VI,** section **434.**

PUBLIC LANDS.

(1) Privilege of bills relating to.
(2) Consideration of bills relating to, in Committee of the Whole.
(3) Committee on.—History of.
(4) Committee on.—Jurisdiction of.

(1) Privilege of Bills Relating to.

Historical statement that the privilege of the Committee on Public Lands to report at any time has been seldom exercised. Volume **VIII,** section **2289.**

The right of the Committee on Public Lands to report at any time is confined strictly to the subjects enumerated in the rule. Volume **VIII,** section **2289.**

Discussion of the privilege of the Committee on Public Lands to report at any time. Volume **VIII,** section **2290.**

The Committees on Rules, Elections, Ways and Means, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing, and Accounts may report at any time on certain matters. Volume **IV,** section **4621.**

The Committees on Rules, Elections, Ways and Means, Appropriations, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing, and Accounts may report at any time on certain matters. Volume **VIII,** section **2251.**

The rule giving privilege to reports from the Committee on Public Lands permits the including of matters necessary to accomplishment of the purposes for which privilege is given. Volume **IV,** sections **4637–4639.**

Construction of the rule giving privilege to the Committee on Public Lands. Volume **IV,** section **4633.**

Revenue and general appropriation bills, river and harbor bills, certain bills relating to the public lands, for the admission of new States, and general pension bills may be reported at any time. Volume **VIII,** section **2251.**

A bill authorizing those failing to perfect a prior entry to make a second entry under the homestead law does not involve such a "reservation of the public lands" as to come within the privilege of the Committee on Public Lands to report at any time. Volume **VIII,** section **2288.**

A bill providing preference for a class in the administration of the homestead laws is not such a "reservation of the public lands" as to come within the purview of the rule authorizing the Committee on Public Lands to report at any time. Volume **VIII,** section **2289.**

A bill providing for agricultural entries of coal lands in Alaska was held to be privileged as a reservation of the public lands for actual settlers. Volume **VIII,** section **2290.**

(2) Consideration of Bills Relating to, in Committee of the Whole.

The dedication of public land to be forever used as a public park was held to be such an appropriation of public property as would require consideration in Committee of the Whole. Volume **IV,** sections **4837–4838.**

The grant to a railroad of easement on public lands or in streets belonging to the United States is a subject requiring consideration in Committee of the Whole. Volume **IV,** sections **4840–4842.**

A bill incorporating land from the public domain in a Federal forest reserve was held to require consideration in Committee of the Whole. Volume **VIII,** section **2407.**

(3) Committee on.—History of.

The creation and history of the Committee on Public Lands. Section 15 of Rule XI. Volume **IV,** section **4194.**

PUBLIC LANDS—Continued.

(3) Committee on.—History of—Continued.

Recent history of the Committee on the Public Lands, section 15 of Rule XL. Volume **VII,** section **1923.**

(4) Committee on.—Jurisdiction of.

The rule gives the Committee on Public Lands jurisdiction of subjects relating to the lands of the United States. Volume **IV,** section **4194.**

The forfeiture of land grants and alien ownership of land have been considered by the Public Lands Committee, although the Judiciary Committee has also participated in the jurisdiction of certain land questions. Volume **IV,** section **4201.**

The Committee on Public Lands has exercised a general but not exclusive jurisdiction over public lands in relation to the minerals contained therein and has reported bills to establish schools of mines. Volume **IV,** section **4202.**

The Committee on the Public Lands has exercised jurisdiction over subjects relating to mineral lands of the public domain and the entry of such lands for homestead and agricultural purposes. Volume **VII,** section **1926.**

The Committee on Public Lands has reported projects of general legislation relating to various classes of land claims as related both to States and individuals. Volume **IV,** section **4203.**

The Committee on Public Lands has exercised jurisdiction over the public lands of Alaska, including grants to public-service corporations. Volume **IV,** section **4196.**

The Committee on Public Lands has jurisdiction over subjects relating to those national parks created out of the public domain. Volume **IV,** section **4198.** Volume **VII,** section **1925.**

The Committee on Public Lands exercises jurisdiction as to such forest reserves as are created out of the public domain. Volume **IV,** section **4197.**

Bills relating to the preservation of prehistoric ruins and national objects of interest on the public lands have been reported by the Committee on Public Lands. Volume **IV,** section **4199.**

Subjects relating to Arkansas Hot Springs Reservation are within the jurisdiction of the Committee on Public Lands. Volume **IV,** section **4200.**

The public domain, conservation thereof, and the granting of forfeiture of lands therefrom, or easements thereon, are subjects within the jurisdiction of the Committee on the Public Lands. Volume **VII,** section **1924.**

Subjects pertaining to the school lands of a State or Territory have been held to be within the jurisdiction of the Committee on the Public Lands. Volume **VII,** section **1928.**

Bills authorizing punishments and penalties when provided for offenses relating to the administration of the lands of the public domain have been reported by the Committee on the Public Lands. Volume **VII,** section **1929.**

Bills providing for the appraisal, sale, lease, and conveyance of public lands and for the disposition of such lands when abandoned are within the jurisdiction of the Committee on the Public Lands. Volume **VII,** section **1930.**

Legislative propositions relating to the care of waters on arid public lands belong to the jurisdiction of the Committee on the Public Lands and not the Committee on Irrigation and Reclamation. Volume **VII,** section **1931.**

Legislation providing for the application of mining laws to public lands, the location of mineral claims on such lands, and the exploration and acquisition of mines on land claims is considered by the Committee on the Public Lands rather than the Committee on Mines and Mining. Volume **VII,** section **1932.**

A bill providing relief for loss of property resulting from flood due to failure of an irrigation dam erected under authorization of legislation reported by the Committee on Public Lands was transferred from that committee to the Committee on Claims. Volume **VII,** section **2000.**

PUBLIC LANDS—Continued.

(4) Committee on.—Jurisdiction of—Continued.

Private bills and joint resolutions, and amendments thereto, carrying appropriations within the limits of the jurisdiction of the Committees on Invalid Pensions, Pensions, Claims War Claims, Public Lands and Accounts, do not fall within the rule forbidding consideration of items proposing appropriations in connection with bills reported by nonappropriating committees. Volume **VII,** section **2134.**

A bill granting public lands for the establishment of a military park and cemetery was referred to the Committee on Military Affairs. Volume **VII,** section **1905.**

Bills regulating the mining of radium ores, withdrawing public lands containing such ores, and conserving the radium supply of the United States, are within the jurisdiction of the Committee on Mines and Mining. Volume **VII,** section **1958.**

PUBLIC MONEYS.

The Committee on Ways and Means has jurisdiction of subjects relating to the Treasury of the United States and the deposit of the public moneys. Volume **IV,** section **4028.**

The examination of the accounts of the Departments, proper application of public moneys, enforcement of payment of money due the Government, and economy and retrenchment generally are within the jurisdiction of the several committees on expenditures. Volume **IV,** section **4315.**

The examination of the accounts of the departments, independent establishments, and commissions of the Government, proper application of public moneys, enforcement of payment of money due the Government, and economy and retrenchment generally are within the jurisdiction of the Committee on Expenditures in the Executive Departments. Volume **VII,** section **2041.**

The Committee on Banking and Currency has reported on the designation of depositories of public moneys. Volume **VII,** section **1794.**

PUBLIC OFFICE.

Discussion as to what constitutes "public office." Volume **VI,** section **60.**

PUBLIC OFFICERS.

The Committee on the Judiciary has reported bills prohibiting the desecration of the national flag and dealing with refusal of public officers to execute acts of Congress. Volume **IV,** section **4055.**

PUBLIC ORDER.

Bills for preserving public order, etc., within the District at times of inaugurations have been reported by the Committee on the District of Columbia. Volume **IV,** section **4292.**

PUBLIC PRINTER.

Statutes authorize the sale of stationery for official use and the binding of official documents for Members by the Public Printer at cost. Volume **VI,** section **214.**

Criticism of a Senator by a Member in debate was held by the House to be in violation of its rules and the Public Printer was directed to exclude it from the permanent Record. Volume **VIII,** section **2514.**

A Member, having inserted articles from a magazine under leave to extend his own remarks, was given unanimous consent to expunge the unauthorized matter on condition that it not be reprinted by the Public Printer as frankable. Volume **VIII,** section **3475.**

PUBLIC RESOLUTIONS.

The rule requiring reports to show proposed changes in existing law by typographical device applies to bills amending statutory law only and is not applicable to bills amending public resolutions. Volume **VIII,** section **2239.**

PUBLIC SCHOOLS.

Authorization of law for use of public-school buildings as social and recreational centers does not warrant appropriations for such purposes. Volume **VII,** section **1188.**

PUBLIC SERVICE.

Bills relating to the efficiency and integrity of the public service have been considered by the several committees on expenditures. Volume **IV,** section **4320.**

A proposition to regulate the public service by transferring funds and activities from one department to another is not in order in an appropriation bill. Volume **VII,** section **1469.**

The thanks of Congress are bestowed in recognition of public services. Volume **VIII,** section **3670.**

PUBLIC WORK.

The preservation of public works for the benefit of navigation and the use of water power on improved streams have been within the jurisdiction of the Committee on Rivers and Harbors. Volume **IV,** section **4125.**

A bill making supplemental appropriation for emergency construction on public works is not a general appropriation bill. Volume **VII,** section **1122.**

The recent tendency is to narrow the range of projects to which the rule admitting appropriations in extension of public works is applicable. Volume **VII,** section **1150.**

An appropriation in violation of existing law is not in order for the continuance of a public work. Volume **VII,** section **1332.**

A limit of cost on a public work may not be made or changed in an appropriation bill. Volume **VII,** section **1472.**

PURCHASE. See also "Appropriations."

Purchase through the stationery room of articles other than stationery and necessary office supplies is restricted by law. Volume **VI,** section **213.**

A bill creating a commission to assist in the purchase, sale, and distribution of newsprint paper was considered by the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1826.**

The Committee on Agriculture has reported bills providing for the purchase of land to be used for quarantine stations, experiment stations, forest reserves, and watersheds. Volume **VII,** section **1864.**

The Committee on Agriculture exercises jurisdiction over bills relating to the purchase, protection, and reforestation of watersheds of navigation streams and cooperation between the States or on the part of the Federal Government with the States for such purposes. Volume **VII,** section **1876.**

PURVIANCE.

The North Carolina election case of a McFarland v. Purviance in the Eighth Congress. Volume **I,** section **320.**

PUTTING THE QUESTION. See "Question."

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QUARANTINE.

The general subjects of quarantine and the establishment of quarantine stations are within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4109.**

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QUARANTINE.

The general subjects of quarantine and the establishment of quarantine stations are within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4109.**

QUARANTINE—Continued.

Subjects relating to the health of the District, sanitary and quarantine regulations, etc., have been within the jurisdiction of the Committee for the District of Columbia. Volume **IV,** section **4284.** Volume **VII,** section **2008.**

An appropriation for improvement of a quarantine station, including the building of wharves was held to be in continuation of a public work. Volume **VII,** section **1372.**

To a bill containing two items appropriating for quarantine stations an amendment proposing an appropriation for another quarantine station was held to be germane. Volume **VII,** section **1372.**

Bills relating to quarantine and the duties of the Marine Hospital Service and otherwise providing for the Public Health Service, formerly reported by the Committee on Interstate and Foreign Commerce, and now considered by the Committee on Merchant Marine and Fisheries. Volume **VII,** section **1816.**

The Committee on Agriculture has reported as to the regulation of importation and inspection of livestock and dairy products, and the establishment and maintenance of quarantine stations for that purpose. Volume **VII,** section **1862.**

The importation and interstate transportation of trees, shrubs, and other nursery stock, quarantine regulations against insect pests and plant diseases, and the establishment of a national arboretum are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII,** section **1863.**

The Committee on Agriculture has reported bills providing for the purchase of land to be used for quarantine stations, experiment stations, forest reserves, and watersheds. Volume **VII,** section **1864.**

QUESTION.

(1) Putting of.—General principles as to.
(2) Putting of.—When regarded as pending.
(3) Putting of.—Forms of, for various motions.
(4) Putting of.—During the electoral count.

(1) Putting of.—General Principles to.

The question, if in order, must be put. Volume **II,** section **1312.**

The rules prescribe the form in which the Speaker shall put the question. Volume **V,** section **5927.**

Rule as to form in which the Speaker shall put the question and method of determining the result. Volume **II,** section **1311.**

Debate should not begin until the question has been stated by the Speaker. Volume **V,** section **4982.**

A Member must submit his proposition and it must be stated by the Chair before it is in order for debate to proceed. Volume **V,** section **4937.**

The question is put first on the affirmative and then on the negative side. Volume **V,** section **5925.**

Debate may continue, the previous question not having been ordered, until the Speaker has put the negative side of the question. Volume **V,** section **5925.**

Rule governing the Member debate forbidding personalities and requiring him to confine himself to the question. Volume **V,** section **4979.**

(2) Putting of.—When Regarded as Pending.

The recommendation of the Committee of the Whole being before the House, the motion is considered as pending without being offered from the floor. Volume **IV,** section **4896.**

A conference report being presented, the question on agreeing to it is regarded as pending. Volume **V,** section **6517.**

When petitions were presented in open House it was held that the question of reception was at once pending. Volume **IV,** section **3350.**

QUESTION—Continued.

(3) Putting of.—Forms of, for Various Motions.

Form prescribed by the rules for putting questions in general. Volume **II,** section **1311.**

The old and the present form of putting the previous question. Volume **V,** section **5443.**

The present form of putting the question on appeal (footnote). Volume **V,** section **6957.**

Illustration of the old form of putting the question on appeal. Volume **V,** section **5523.**

Form of putting the question on the passage of a bill returned with the objections of the President (footnote). Volume **IV,** section **3534.**

(4) Putting of.—During the Electoral Count.

In the joint meeting for the count of the electoral vote no debate is allowed and no question is put by the Presiding Officer, except to either House on a motion to withdraw. Volume **III,** section **1921.**

QUESTION OF CONSIDERATION. See "Points of Order."

(1) Practice and rule.
(2) General limitations on the use of.
(3) Its relation to special orders.
(4) Its relation to the previous question.
(5) Its relation to various motions.
(6) Its relation to points of order.
(7) Effect of adjournment on.
(8) On Calendar Wednesday.

(1) Practice and Rule.

The question of consideration has been established by long practice as a means by which the House may protect itself against business which it does not wish to consider. Volume **V,** section **4936.**

A Member may demand the question of consideration; although the Member in charge may demand the floor for debate. Volume **VI,** section **404.**

The question of consideration is not debatable. Volume **VIII,** section **2447.**

The rule provides that the question of consideration shall not be put unless demanded by a Member. Volume **V,** section **4936.**

After a Member has offered a motion the House has the right, before debate begins, to determine whether it will consider it or not. Volume **V,** section **4986.**

The refusal of the House to consider a bill does not amount to its rejection and does not prevent its being brought before the House again. Volume **V,** section **4940.**

Although the House may vote not to consider a matter of privilege, it may be called up again on the same legislative day and the question of consideration may be demanded again. Volume **V,** section **4942.**

The question of consideration may be raised on a question involving the privilege of the House. Volume **VI,** section **560.**

Although the question of consideration has been once decided in the affirmative it may nevertheless be raised on a subsequent day when the bill is again called up as unfinished business. Volume **VIII,** section **2438.**

A privileged resolution of inquiry, on which the question of consideration has been raised and decided adversely, is placed on the calendar although under section 2 of Rule XIII it is not otherwise eligible for reference to the calendar. Volume **VI,** section **404.**

(2) General Limitations on the Use of.

The question of consideration may be damanded against a question of the highest privilege, such as the right of a Member to his seat. Volume **V,** section **4941.**

The question of consideration may not be demanded against a bill returned with the objections of the President. Volume **V,** sections **4969, 4970.**

QUESTION OF CONSIDERATION—Continued.

(2) General Limitations on the Use of.—Continued.

A Member may demand the question of consideration, although the Member in charge of the bill may claim the floor for debate, but the previous question may not be demanded in a similar way. Volume **V,** sections **4944, 4945.**

The question of consideration may not be demanded as to a proposition after debate has begun. Volume **V,** sections **4937–4939.**

The question of consideration may be raised after a motion to lay on the table has been made. Volume **V,** section **4943.**

The proper method of rejecting a petition is by refusal to refer rather than by use of the question of consideration. Volume **V,** section **4964.**

The question of consideration may not be raised against a proposition before the House for reference merely. Volume **V,** section **4964.**

It is not in order to raise the question of consideration against a bill until the bill has been read. Volume **VIII,** section **4436.**

The question of consideration may not be raised against a report from the Committee on Rules relating to the order of considering individual bills. Volume **VIII,** section **2440.**

The question of consideration may not be demanded on a resolution of impeachment until the reading of the resolution has been concluded. Volume **VI,** section **541.**

Under certain circumstances the motions to reconsider and adjourn and the question of consideration have been held dilatory. Volume **V,** sections **5731–5733.**

The question of consideration may not be demanded against District of Columbia business generally, but may be demanded against each bill as it is presented. Volume **IV,** sections **3308, 3309.**

(3) Its Relation to Special Orders.

The question of consideration may be raised against a bill which has been made a special order. Volume **IV,** section **3175.**

The question of consideration may not be demanded against a class of business in order under a special order or a rule, but may be demanded against each bill individually as it is brought up. Volume **V,** sections **4958, 4959.**

Where a special order provides that immediately upon its adoption a certain bill shall be considered the question of consideration may not be raised against that bill. Volume **V,** section **4960.**

Although a bill may come up by reason of being individually specified in a special order, yet the question of consideration may be raised against it. Volume **V,** sections **4953–4957.**

When two special orders provide for the consideration of two bills at one time the order first made has priority, but by raising the question of consideration against either bill the House may determine the order. Volume **IV,** sections **3193–3196.**

By refusing to go into Committee of the Whole to consider a bill which has been made a special order for consideration therein the House may then consider business prescribed by the regular order. Volume **IV,** section **3088.**

In the later but not in the earlier practice it has been held that the question of consideration may not be raised against a report from the Committee on Rules relating to the order for considering individual bills. Volume **V,** sections **4961–4963.**

(4) Its Relation to the Previous Question.

The demand for the question of consideration may not be prevented by a motion for the previous question. Volume **V,** section **5478.**

The question of consideration may not be raised against a bill on which the previous question has been ordered. Volume **V,** sections **4965, 4966.**

The question of consideration has been admitted where other business has intervened between the ordering and execution of the previous question, but not after an adjournment merely. Volume **V,** sections **4967, 4968.**

QUESTION OF CONSIDERATION—Continued.

(5) Its Relation to Various Motions.

The question of consideration may not be raised on a motion relating to the order of business. Volume **V,** sections **4971–4976.** Volume **VIII,** section **2442.**

The question of consideration may be demanded against the motion to reconsider. Volume **VIII,** section **2437.**

The question of consideration may not be demanded against a motion to discharge a committee. Volume **V,** section **4977.**

A motion to go into the Committee of the Whole to consider a bill being made, the House expresses its wish as to consideration by this motion and not by raising the question of consideration. Volume **V,** sections **4973–4976.** Volume **VI,** section **51.** Volume **VIII,** section **2442.**

The question of consideration being pending, a motion to refer is not in order. Volume **V,** section **5554.**

It is not in order to reconsider the vote whereby the House refuses to consider a bill. Volume **V,** sections **5626, 5627.**

The question of consideration may not be raised on a motion to take from the Speaker's table Senate bills substantially the same as House bills already favorably reported and on the House Calendar. Volume **VIII,** section **2443.**

(6) Its Relation to Points of Order.

The House having voted to consider a matter a point of order against it comes too late. Volume **V,** sections **6912–6914.**

A point of order relating to a proposition against which the question of consideration had been demanded was held in abeyance until the House had decided the question of consideration. Volume **VIII,** section **2439.**

The House having voted to consider a report it is too late to question whether or not the report has been made properly. Volume **IV,** section **4598.**

The House having given unanimous consent for the consideration of a bill with a proposed committee amendment this action was held to be in effect an affirmative decision of the question of consideration, thus precluding a point of order against the amendment. Volume **V,** section **4952.**

A point of order which, if sustained, might prevent the consideration of a bill should be made and decided before the question of consideration is put. Volume **V,** sections **4950, 4951.**

A point of order relating merely to the manner of considering a bill should be passed on after the House has decided the question of consideration. Volume **V,** section **4950.**

(7) Effect of Adjournment on.

The intervention of an adjournment does not destroy an existing right to raise the question of consideration. Volume **V,** section **4946.**

When the question of consideration is undisposed of at an adjournment it does not recur as unfinished business on a succeeding day. Volume **V,** sections **4947, 4948.**

A vote by yeas and nays having been without result because of the failure of a quorum, it was held that the question of consideration might not intervene on a succeeding day before the second call of the yeas and nays. Volume **V,** section **4949.**

(8) On Calendar Wednesday.

The question of consideration may be demanded against a bill called up under the rule on Wednesday. Volume **VII,** section **947.**

It is in order on Calendar Wednesday to raise the question of consideration against a Union Calendar bill when called up for consideration in the House and before resolving into the Committee of the Whole. Volume **VIII,** section **2446.**

The modern practice is to raise the question of consideration on Calendar Wednesday in the House, as on other days, and if decided in the affirmative the House resolves automatically into the Committee of the Whole. Volume **VII,** section **952.**

QUESTION OF CONSIDERATION—Continued.

(8) On Calendar Wednesday—Continued.

The question of consideration against a bill being decided in the affirmative on Calendar Wednesday, the House automatically resolves into the Committee of the Whole, and no intervening business, as the motion to adjourn or questions of privilege, are in order. Volume **VIII,** section **2446.**

On Calendar Wednesday the House resolves into the Committee of the Whole automatically for the consideration of bills called up by committees, and the question of consideration is properly raised in the committee and not in the House. Volume **VI,** section **748.**

Under the later practice it has been held that the question of consideration may be raised against a Union Calendar bill in the House on Calendar Wednesday. Volume **VIII,** section **2445.**

The question of consideration is admitted in the Committee of the Whole on Calendar Wednesday. Volume **VIII,** section **2444.**

The question of consideration is in order in Committee of the Whole on Wednesday only, but if reported to the House, the recommendation of the committee is then subject to approval or rejection, and, if rejected, the House automatically resolves into the committee for further consideration of the measure. Volume **VII,** section **951.**

The question of consideration may be raised against unfinished business on the House Calendar in order under the Calendar Wednesday rule. Volume **VIII,** section **2447.**

QUESTIONS OF ORDER. See "Points of Order."

QUORUM.

(1) By what constituted.—In the House.
(2) By what constituted.—In Committee of the Whole and in "House as in Committee of the Whole."
(3) By what constituted.—In the House sitting for the election of a President.
(4) By what constituted.—In the Senate sitting for an impeachment trial.
(5) Ascertainment of.—Mr. Speaker Reed's count.—Rule when yeas and nays are taken.
(6) Ascertainment of.—In General.
(7) Ascertainment of.—Making the point of "no quorum."
(8) Point of no quorum may be held dilatory.
(9) Requirement of.—For business, including debate.
(10) Requirement of.—As related to the reading of the Journal.
(11) Requirement of.—As related to the reception of messages.
(12) Requirement of.—As related to certain motions.
(13) Requirement of.—In relation to motions and orders for a recess.
(14) Requirement of.—In relation to adjournment.
(15) Requirement of.—In relation to motions to suspend the rules.
(16) Requirement of.—In relation to the vote by tellers.
(17) Requirement of.—In relation to the yeas and nays.
(18) Requirement of.—In Committee of the Whole.
(19) Procedure in procuring.—Provisions of Constitution and rule for.
(20) Procedure in procuring.—The old and new rules for call of the House.
(21) Procedure in procuring.—Motions in order during.
(22) Procedure in procuring.—The call of the roll.
(23) Procedure in procuring.—Revoking leaves of absence.
(24) Procedure in procuring.—Excuses.
(25) Procedure in procuring.—Arrest of Members under the new rule.
(26) Procedure in procuring.—Arrest of Members under the old rule.
(27) Procedure in procuring.—Continuing orders of arrest.
(28) Procedure in procuring.—Fines and deductions.
(29) Procedure in procuring.—Dispensing with call.

QUORUM—Continued.

(30) Procedure in procuring—In Committee of the Whole.
(31) As related to organization.—Oath, messages, etc.
(32) As related to organization.—For election of officers.
(33) In relation to the electoral count.
(34) In the Senate sitting for an impeachment trial.
(35) In relation to procedure of committees.
(36) Of a legislature for election of a Senator.

(1) By What Constituted.—In the House.

A majority of the House constitutes a quorum to do business. Volume **IV,** sections **2884, 2980.**

Out of conditions arising between 1861 and 1891 the rule was established that a majority of the Members chosen and living constitutes the quorum required by the Constitution. Volume **IV,** sections **2885–2888.**

While once ruled that a quorum consists of one more than a majority, it is now held that after the House is organized the quorum consists of a majority of those Members chosen, sworn, and living, whose membership has not been terminated by resignation or by action of the House. Volume **VI,** section **638.**

After the House is once organized the quorum consists of a majority of those Members chosen, sworn, and living whose membership has not been terminated by resignation or by the action of the House. Volume **IV,** sections **2889, 2890.**

After long discussion the Senate finally decided that a quorum consisted of a majority of Senators duly chosen and sworn. Volume **IV,** sections **2891–2894.**

Elaborate discussion by Senate committee of effect of the constitutional provision that "a majority of each House shall constitute a quorum." Volume **I, section 630.**

(2) By What Constituted.—In Committee of the Whole and in "House as in Committee of the Whole."

The quorum of the Committee of the Whole is one hundred. Volume **IV,** section **2966.**

The quorum required in the "House as in Committee of the Whole" is a quorum of the House and not a quorum of the Committee of the Whole. Volume **VI,** section **639.**

(3) By What Constituted.—In the House Sitting for the Election of a President.

When the House elects a President of the United States a quorum consists of a Member or Members from two-thirds of the States. Volume **III,** section **1981.**

(4) By What Constituted.—In the Senate Sitting for an Impeachment Trial.

A quorum of the Senate sitting for an impeachment trial is a quorum of the Senate itself and not merely a quorum of the Senators sworn for the trial. Volume **III,** section **2063.**

(5) Ascertainment of.—Mr. Speaker Reed's Count.—Rule When Yeas and Nays Are Taken.

In 1890 Mr. Speaker Reed directed the Clerk to enter on the Journal as part of the record of a yea-and-nay vote names of Members present but not voting, thereby establishing a quorum of record. Volume **IV,** section **2895.**

Decisions overruled by Mr. Speaker Reed when he caused Members not voting to be noted present in 1890. Volume **IV,** sections **2896, 2897.**

The decision of Mr. Speaker Reed in counting as part of the quorum Members not voting was sustained by the Supreme Court. Volume **IV,** section **2904.**

The rule for counting Members not voting in determining the presence of a quorum. Volume **IV,** section **2905.**

Construction of the rule providing for counting a quorum. Volume **IV,** section **2906**

A Member noted as present under section 3 of Rule XV may be permitted to vote after the calling of the roll is concluded. Volume **IV,** section **2907.**

The point of order being made that a Member noted as present under section 3 of Rule **XV** was actually absent, his name was erased from the list before the announcement of the result. Volume **IV,** section **2908.**

QUORM—Continued.

(5) Ascertainment of.—Mr. Speaker Reed's Count.—Rule When Yeas and Nays Are Taken.—Continued.

Instance wherein the House declined to permit a change in the Journal record of persons noted as present and not voting, on the statement of certain ones, not numerous enough to change the result, that they had been improperly noted. Volume **III,** section **2620.**

An instance wherein the Senate endorsed the principle that a legislator whose presence was forcibly obtained and who refused to vote might to counted as part of a quorum. Volume **I,** section **356.**

The practice of Members refusing to vote in order to brake the quorum had been established many years in the House when discontinued in 1890 (footnote). Volume **IV,** section **2895.**

Instance wherein the minority party in the course of obstruction left the Hall in a body. Volume **II** section **1034.**

Instance wherein, under the former practice, business was halted because a quorum did not vote, although the Speaker declared that there was no doubt of the actual presence of a quorum. Volume **V,** section **5744.**

Early instance of obstruction caused by Members refusing to vote in order to break a quorum. Volume **IV,** section **2977.**

Instance wherein the former theory that the quorum was to be determined by those voting set forth in 1840. Volume **IV,** section **4722.**

Illustrations of the former practices of obstructions by breaking a quorum and by dilatory motions. Volume **IV,** sections **2898–2903.**

Review of practice and proceedings in the Senate as to Senators present and not voting when quorum fails. Volume **IV,** sections **2910–2915.**

Discussion as to the size of a valid vote when a quorum is present (footnote). Volume **I,** section **216.**

It is not incumbent upon the Chair to announce the names of Members present and not voting but counted to make a quorum. Volume **VI,** section **642.**

Although a Member may not come within the rule permitting him to vote on roll call, the Speaker may count him as present to make a quorum. Volume **VII,** section **3157.**

(6) Ascertainment of.—In General.

Construction of the rule providing for counting a quorum. Volume **VI,** section **640.**

It is the duty of the Speaker to announce the absence of a quorum without unnecessary delay. Volume **VI,** section **652.**

Mr. Speaker Reed in 1890 revived the count by the Chair as a method of determining the presence of a quorum at times when no record vote is ordered. Volume **IV,** section **2909.**

Mr. Speaker Reed held in 1890 that it was the function of the Speaker to determine in such manner as he should deem accurate and suitable the presence of a quorum. Volume **IV,** section **2932.**

The Speaker's count of a quorum is not subject to verification by tellers. Volume **IV,** section **2916.** Volume **VI,** section **647.**

The Chairman's count of a quorum is not subject to verification by tellers. Volume **VIII,** sections **2369, 2436.**

Instance where the Speaker permitted his count of the House to be verified by tellers, but did not concede it a right of the House to have tellers under such circumstances. Volume **IV,** section **2888.**

In counting to ascertain the presence of a quorum the Chair counts all Members in sight, whether in the cloak rooms or within the bar. Volume **IV,** section **2970.**

In counting to ascertain the presence of a quorm or whether a sufficient number have voted to order yeas and nays, the Chair counts all Members visible, including those in lobbies and cloak rooms. Volume **VIII,** section **3120.**

QUORUM—Continued.

(6) Ascertainment of.—In General—Continued.

In ascertaining the presence of a quorum on a vote by tellers in Committee of the Whole the Chairman notes those present and not voting. Volume **VI,** section **641.**

In ascertaining the presence of a quorum in the Committee of the Whole the Chairman counts members in the Chamber failing to vote on an incidental motion to rise. Volume **VI,** section **671.**

Under a former rule the Chair, in counting the House, might not count Members without the bar (footnote). Volume **IV,** section **2977.**

Illustration of former method of ascertaining presence of a quorum. Volume **IV,** section **2733.**

In 1836 it seems to have been customary for the Chairman of the Committee of the Whole to count the committee to ascertain as to the presence of a quorum. Volume **II,** section **1653.**

It having been erroneously announced that a quorum had voted when the roll later disclosed the absence of a quorum on the vote, the Speaker declared subsequent proceedings in connection therewith vacated, and the Journal was amended accordingly. Volume **VIII,** section **3161.**

While the practice in the Senate has varied, the weight of precedent seems to warrant the counting of those present and not voting in ascertaining the presence of a quorum. Volume **VI,** section **645.**

(7) Ascertainment of.—Making the Point of "No Quorum."

The point of order must be that no quorum is present, not that no quorum has voted. Volume **IV,** section **2917.**

It is not the duty of the Speaker to take cognizance of the absence of a quorum unless disclosed by a yea-and-nay vote or questioned by a point of order. Volume **VI,** section **624.**

A quorum is always presumed to be present unless otherwise disclosed. Volume **VI,** section **624.**

A quorum is presumed to be present unless it is otherwise determined and it is not necessarily the function of the Speaker to ascertain the presence of a quorum unless the point is raised. Volume **VI,** section **565.**

If a quorum be present and subsequently Members leave temporarily or otherwise a quorum is presumed to be present until and unless the question of no quorum is raised. Volume **VI,** section **345.**

A point of no quorum may be made at any time, even though another Member have the floor. Volume **VI,** section **653.**

A Member who has risen and was demanding recognition is not precluded from making the point of no quorum by the fact that the Speaker had in the meantime declared the result and recognized him for a parliamentary inquiry. Volume **VI,** section **698.**

While a Member called to order for words spoken in debate is required to relinquish the floor he may not be deprived of his constitutional right to demand a quorum. Volume **VIII,** section **2547.**

A point of no quorum is always in order and may be made when the Committee of the Whole rises and before the report of the Chairman has been received. Volume **VI,** section **666.**

The point of no quorum may not be withdrawn after the absence of a quorum has been ascertained and announced by the Chair. Volume **IV,** sections **2928–2931.** Volume **VI,** section **657.**

The point of no quorum may be withdrawn prior to ascertainment and announcement by the Chair. Volume **VI,** section **656.**

While the precedents are not uniform, the practice of the Senate is to permit the withdrawal of suggestions that a quorum is not present prior to ascertainment and announcement by the Chair. Volume **VI,** section **644.**

The Journal having been read and approved, it is too late to make the point of order that a quorum was not present when it was done. Volume **IV,** section **2927.**

QUORUM—Continued.

(7) Ascertainment of.—Making the Point of "No Quorum"—Continued.

An action having been completed, it is too late to make the point of order that a quorum was not present when it was taken. Volume **VI,** section **655.**

A line of rulings made under the old theory as to the quorum and since disregarded held that the point of no quorum might not be made after the House had declined to verify a division by tellers or the yeas and nays. Volume **IV,** sections **2918–2926.**

(8) Point of No Quorum May Be Held Dilatory.

The Chair being satisfied that a quorum was present and that a point of no quorum was made for dilatory purposes declined to entertain it. Volume **V,** sections **5724, 2725.** Volume **VIII,** section **2808.**

The Chair will not hold a point or no quorum dilatory unless repeated when apparent beyond question that a quorum is present. Volume **V,** sections **5726–5730.** Volume **VIII,** section **2801.**

When convinced that a point of no quorum is made for purposes of obstruction the Speaker has declined to entertain it even after the intervention of business. Volume **VIII,** section **2811.**

In the absence of intervening business, the Speaker declined to entertain a point of no quorum made immediately following a yea-and-nay vote on which a quorum voted. Volume **VIII,** section **2810.**

The point of no quorum has been ruled out as dilatory immediately following a roll call or count by the Chair disclosing the presence of a quorum, but the Chair will not so rule unless the presence of a quorum is patent. Volume **VIII,** section **2807.**

The question of dilatoriness is not necessarily determined by the length of time which has elapsed since the ascertainment of the presence of a quorum, or the character of business intervening, but by the opinion of the Speaker as to whether under the circumstances the motion is made with intent to delay the business of the House. Volume **VIII,** section **2804.**

The House having divided following the ascertainment of the presence of a quorum, the Speaker considered that a sufficient transaction of business to warrant the entertainment of a point of no quorum. Volume **VIII,** section **2804.**

An instance in which brief debate was held by the Speaker to be an intervention of business warranting the raising of a second point of no quorum. Volume **VIII,** section **2805.**

A roll call on a motion to recommit having disclosed the presence of a quorum, a point of no quorum raised for the purpose of securing a roll call on the passage of the bill was held to be dilatory. Volume **VIII,** section **2812.**

The point of no quorum may not be held dilatory when well taken, and regardless of the fact that a roll call has just disclosed the presence of a quorum, the Speaker will entertain a point of no quorum when manifestly justified. Volume **VIII,** section **2806.**

(9) Requirement of.—For Business, Including Debate.

The Congress is not assembled until both House and Senate are in session with a quorum present. Volume **VI,** section **5.**

When a count of the House on division discloses a lack of a quorum the pending business is suspended. Volume **IV,** section **2933.**

The failure of a quorum necessitates the suspension of even the most highly privileged business. Volume **IV,** section **2934.**

No business, however highly privileged, may be transacted in the absence of a quorum. Volume **VI,** section **662.**

According to the earlier and later practice of the House the presence of a quorum is necessary during the debate and other business. Volume **IV,** section **2935–2949.**

The absence of a quorum being ascertained, debate is not in order. Volume **VI,** section **659.**

In the absence of a quorum no business may be transacted, even by unanimous consent. Volume **VI,** section **660.**

QUORUM—Continued.

(9) Requirement of.—For Business, Including Debate—Continued.

The Speaker declines to entertain unanimous consent requests in the absence of a quorum. Volume **VI,** sections **680, 686, 689.**

The absence of a quorum having been disclosed, there must be a quorum of record before the House may proceed to business. Volume **VI,** sections **2952, 2953.**

Ascertainment of the absence of a quorum invalidates proceeding on which the point of no quorum was raised. Volume **VI,** section **675.**

Where a quorum fails on a division the matter continues in the exact state it was before the division. Volume **V,** section **5926.**

It is necessary that a quorum be present in order for business to be transacted, but when the quorum is present a vote is valid, although those participating are less than a quorum. Volume **IV,** section **2932.**

The previous question having been ordered on a bill by unanimous consent in the absence of a quorum, the Speaker on the next day ruled that the action was null and void. Volume **IV,** section **2964.**

The absence of a quorum should appear from the Journal if a legislative act is to be vacated for such reason. Volume **IV,** section **2962.**

The assumption that a quorum was present when the House acted being uncontradicted by the Journal, it may not be overthrown by expressions of opinion by Members individually. Volume **IV,** section **2961.**

An instance where the failure of a quorum prevented action in the closing hours of a Congress. Volume **V,** section **6309.**

Prayer by the Chaplain at the opening of the daily session is not business requiring the presence of a quorum, and the Speaker declines to entertain a point of no quorum before prayer is offered. Volume **VI,** section **663.**

Debate on a pending proposition is closed when the question is put on both the affirmative and negative, and the voidance of this vote through lack of a quorum does not open the question to debate when again under consideration. Volume **VIII,** section **3097.**

Following a motion to resolve into Committee of the Whole and pending a request for unanimous consent to fix control of time for debate, a point of no quorum may be raised and business is in order until the presence of a quorum is ascertained. Volume **VI,** section **665.**

In the Senate the presence of a quorum was held to be necessary during debate. Volume **VI,** section **643.**

(10) Requirement of.—As Related to the Reading of the Journal.

The Journal may neither be read nor approved until a quorum has appeared. Volume **IV,** section **2732.**

The point of no quorum may be made while the Journal is being read. Volume **VI,** section **624.**

The Journal may not be approved until a quorum has appeared. Volume **VI,** section **629.**

If a question as to a quorum is raised before the reading of the Journal, a quorum should be ascertained to be present before the reading should begin. Volume **IV,** section **2733.** Volume **VI,** section **625.**

(11) Requirement of.—As Related to the Reception of Messages.

An opinion that a message may be received during a call of the House. Volume **V,** section **6600.**

The reception of a message from the President or the other House is not the transaction of business and does not require the presence of a quorum. Volume **VIII,** section **3339.**

The receiption of a message when the Committee of the Whole rises informally for that purpose is not such business as to admit the point of order that a quorum of the House is not present. Volume **VIII,** section **3340.**

Instance wherein the Senate received a message, although a quorum was not present. Volume **V,** section **6650.**

QUORUM—Continued.

(11) Requirement of.—As Related to the Reception of Messages—Continued.

A veto message of the President may not be read in the absence of a quorum, even though the House be about to adjourn sine die. Volume **IV,** section **3522.**

While it is the rule that a bill returned with the objections of the President shall be read and considered at once, it may not be laid before the House in the absence of a quorum. Volume **VII,** section **1094.**

A vetoed bill not acted on before adjournment sine die because of the failure of a quorum was acted on at the next session of the same Congress. Volume **IV,** section **3522.**

(12) Requirement of.—As Related to Certain Motions.

A quorum not being present, no motion is in order but for a call of the House or to adjourn. Volume **IV,** section **2950.** Volume **VI,** section **680.**

The absence of a quorum having been disclosesd, the only proceedings in order are the motions to adjourn or for a call of the House, and not even by unanimous consent may business proceed. Volume **IV,** section **2951.**

The absence of a quorum being disclosed, a motion to fix the day to which the House shall adjourn may not be entertained. Volume **IV,** section **2954.**

In the absence of a quorum it is not in order to move to reconsider a vote on which a quorum is required. Volume **V,** section **5606.**

Following a motion to resolve into Committee of the Whole and pending a request for unanimous consent to fix control of time for debate, a point of no quorum may be raised and no business is in order until the presence of a quorum is ascertained. Volume **VI,** section **665.**

With the exception of the motion to adjourn, no motion is in order in the absence of a quorum except in furtherance of the effort to secure a quorum, and since a motion to withhold pay of absentees would not contribute to this result, such motion can not be entertained. Volume **VI,** section **682.**

A motion to dispense with further proceedings under a call of the House was not entertained in the absence of a quorum. Volume **VI,** section **689.**

A quorum is not required on motions incidental to a call of the House. Volume **IV,** section **3029.** Volume **VI,** section **681.**

(13) Requirement of.—In Relation to Motions and Orders for a Recess.

When less than a quorum is present a motion for a recess is not in order. Volume **IV,** sections **2955–2957.**

Less than a quorum may not determine to take a recess, even by unanimous consent. Volume **IV,** sections **2958–2960.**

A conference report may be presented during a call of the House if a quorum be present. Volume **V,** section **6456.**

The hour fixed by the rules or special order for a recess having arrived, the Speaker declares the House in recess, although less than a quorum may be present. Volume **IV,** section **2965.** Volume **VI,** section **664.**

When the hour previously fixed for a recess arrives the Chair declares the House in recess, even in the midst of a division (but not of a roll call) or when a quorum is not present. Volume **V,** sections **6665, 6666.**

The House having recessed after finding itself without a quorum, at the expiration of the recess the Speaker announced the absence of a quorum and entertained a motion for a call of the House. Volume **VI,** section **664.**

(14) Requriement of.—In Relation to Adjournment.

A motion to adjourn is in order when a quorum fails, notwithstanding any terms of an existing special order of the House. Volume **V,** section **5365.**

During proceedings incident to the lack of a quorum the motion to adjourn is in order while the House is dividing. Volume **VIII,** section **2644.**

In the absence of a quorum the motion to adjourn has precedence over the motion for a call of the House. Volume **VIII,** section **2642.**

QUORUM—Continued.

(14) Requirement of.—In Relation to Adjournment—Continued.

While a quorum is not required to adjourn, a point of no quorum on a negative vote on adjournment, if sustained, precipitates a call of the House under the rule. Volume **VI,** section **700.**

The hour fixed for adjournment sine die having arrived, the Speaker delivered his valedictory and declared the House adjourned, although no quorum was present. Volume **V,** section **6721.**

The two Houses may by concurrent resolution provide for an adjournment to a certain day, with a provision that if there be no quorum present on that day the session shall terminate. Volume **V,** section **6686.**

The two Houses have the power to provide that their Presiding Officers shall declare an adjournment sine die in case that after a recess a quorum shall be lacking in either House. Volume **V,** section **6686.**

(15) Requirement of.—In Relation to Motions to Suspend the Rules.

A motion to suspend the rules having been entertained and one motion to adjourn having been voted on, another motion to adjourn may not be made unless the failure of a quorum be demonstrated. Volume **V,** section **5744.**

When a quorum fails on a vote to second a motion to suspend the rules a second motion to adjourn is not considered a dilatory motion within the prohibition of the rule. Volume **V,** sections **5745, 5746.**

There being no doubt of the presence of a quorum a motion for a call of the House was held to be such dilatory motion as the rule forbids pending consideration of a motion to suspend the rules. Volume **V,** section **5747.**

(16) Requirement of.—In Relation to the Vote by Tellers.

If a quorum be present, it is not necessary that a quorum actually participate in a vote by tellers on seconding a motion to suspend the rules. Volume **IV,** section **2932.**

The right to demand tellers as a further evidence of the vote is not waived by the fact that a question has been raised as to the presence of a quorum on the division and the Chair has counted the House. Volume **V,** sections **5999, 6000.**

When in the House a vote by tellers fails for lack of a quorum and motions relating to a call of the House interrupt, the vote by tellers is taken anew rather than by a count additional to the first vote. Volume **V,** section **5990.**

On the failure of a quorum in a vote by tellers on seconding the old motion to discharge a committee the Chair directed a call of the House under the rule. Volume **VI,** section **707.**

Where a quorum fails on a vote by tellers on seconding a motion to suspend the rules and a count by the Speaker discloses the presence of a quorum, the second is ordered. Volume **VIII,** section **3412.**

A vote on an amendment taken by tellers in the Committee of the Whole having disclosed the lack of a quorum and objection being made for that reason, the vote by tellers is taken anew upon the appearance of a quorum. Volume **VIII,** section **3097.**

The right to demand tellers is not prejudiced by the fact that a point of no quorum has been made against a division of the question on which tellers are requested. Volume **VIII,** section **3104.**

(17) Requirement of.—In Relation to the Yeas and Nays.

When a vote by yeas and nays shows no quorum the House must take cognizance of the fact. Volume **IV,** section **2988.**

When a vote taken by yeas and nays shows that no quorum has voted it is the duty of the Chair to take notice of that fact. Volume **IV,** sections **2953, 2963.**

The rule whereby a quorum is obtained and the vote taken on the pending proposition by one roll call. Volume **VI,** section **690.**

Interpretation and discussion of the rule providing for an automatic call of the House on the failure of a quorum to vote. Volume **VI,** section **703.**

QUORUM—Continued.

(17) Requirement of.—In Relation to the Yeas and Nays—Continued.

When a vote by yeas and nays shows no quorum the Chair takes cognizance of the fact, and, unless the House adjourns, orders a call under the rule without suggestion from the floor. Volume **VI,** sections **678, 679, 691.**

The Speaker may, without suggestion from the floor, take note of the failure of a quorum to vote on the pending question, and on his own initiative direct a call of the House under the rule. Volume **VI,** section **699.**

The rule providing for an automatic call of the House does not apply unless the House is dividing and, if the point of no quorum is made before the question is put, may not be revoked. Volume **VI,** section **692.**

A quorum has not failed to vote until both the yeas and nays have been taken, and a call of the House is not ordered until this stage is reached. Volume **VI,** section **694.**

In order to invoke the rule for an automatic call of the House, the absence of a quorum must be demonstrated. Volume **VI,** section **695.**

Lack of a quorum developing while a demand for the yeas and nays was pending, the demand for yeas and nays is disregarded and the vote is taken under the rule. Volume **VI,** section **696.**

A roll call recurs under the rule on failure of a quorum on a viva voce vote. Volume **VI,** section **697.**

The rule providing an automatic roll call on the failure of a quorum to vote applies to votes by yeas and nays as well as to those taken by tellers, division, or viva voce, but not on motions incidental to lack of a quorum. Volume **VI,** section **703.**

If a quorum fails to vote on the pending question and objection is made, an automatic roll call is still required after a motion to adjourn has been offered and rejected by a quorum vote. Volume **VI,** section **701.**

In the earlier practice of the House it was held that less than a quorum might not order the yeas and nays, but for many years the decisions have been uniformly the other way. Volume **V,** section **6016–6028.**

A quorum is not necessary on a motion to reconsider the vote whereby the yeas and nays were ordered. Volume **V,** section **5693.**

When a yea-and-nay vote on a bill fails for lack of a quorum the order for the yeas and nays remains effective whenever the bill again comes before the House. Volume **V,** sections **6014, 6015.**

A vote by yeas and nays having been without result because of the failure of a quorum, it was held that the question of consideration might not intervene on a succeeding day before the second call of the yeas and nays. Volume **V,** section **4949.**

The right to demand the yeas and nays is not waived by the fact that the Member demanding them has just made the point of no quorum and caused the Chair to count the House. Volume **V,** section **6044.**

During proceedings to secure a quorum it was held that the yeas and nays might not be demanded on a motion to lay on the table a motion to reconsider the vote whereby the yeas and nays were ordered. Volume **V,** section **6037.**

After the roll call is completed the Speaker is forbidden to entertain a request to record a vote, unless in a case wherein a Member's presence has been noted in ascertaining a quorum . Volume **V,** section **6046.**

It was held in the Senate that when the yeas and nays were ordered and taken and a quorum failed to respond debate was not in order when a quorum appeared. Volume **V,** section **6100.**

(18) Requirement of.—In Committee of the Whole.

No quorum being present when a vote is taken in Committee of the Whole, that vote is not made valid by the fact that the roll call prescribed by rule when a quorum fails in committee discloses a quorum present. Volume **IV,** section **2974.**

QUORUM—Continued.

(18) Requirement of.—In Committee of the Whole—Continued.

The presence of a quorum is not necessary for a motion that the Committee of the Whole rise. Volume **IV,** sections **2975, 2976.**

A quorum is not required on a motion that the Committee of the Whole rise. Volume **IV,** section **4914.**

A Committee of the Whole rising without a quorum may not report the bills it has acted on. Volume **IV,** sections **2972, 2973.**

The Committee of the Whole having risen because a quorum had failed, the bills that had been laid aside to be reported remained in the committee until the next occasion when the committee rose without question as to a quorum. Volume **IV,** section **4913.**

The passage of a bill by the House is not invalidated by the fact that the Committee of the Whole reported it on an erroneous supposition that a record vote had disclosed a quorum. Volume **IV,** section **2972.**

The Committee of the Whole having voted to rise after a point of no quorum had been made, but before the Chair had ascertained, the bills which the committee had acted on were reported to the House. Volume **IV,** section **2974.**

The fact that the vote whereby the Committee of the Whole rose did not show a quorum was held not sufficient to prevent the reception of the report of the committee by the House. Volume **IV,** section **4914.**

A Committee of the Whole rising for lack of a quorum has reported bills acted on before the quorum failed (footnote). Volume **IV,** section **4913.**

(19) Procedure in Procuring.—Provisions of Constitution and Rule for.

A smaller number than a quorum may adjourn from day to day and compel the attendance of absent Members. Volume **IV,** section **2980.**

It is always in order, the failure of a quorum being shown, to proceed to secure the attendance of absent Members. Volume **IV,** section **2988.**

The constitutional power of the House to compel the attendance of absent Members is not confined to cases wherein there is a lack of a quorum. Volume **IV,** sections **2985–2987.**

In the absence of a quorum 15 Members, including the Speaker, if there be one, are authorized to compel the attendance of absent Members. Volume **IV,** section **2982.**

Under the rule of the House a call of the House may not be ordered by less than 15 Members. Volume **IV,** section **2983.**

The call of the House must be ordered by a majority vote, and may not be ordered by a minority of 15 or more. Volume **IV,** section **2984.**

Reference to proceedings in the Senate to compel attendance of absentees (footnote). Volume **IV,** section **2980.**

A call of the House is in order both under the general parliamentary law and the Constitution. Volume **IV,** section **2981.**

There may be a call of the House with a Speaker pro tempore in the chair. Volume **IV,** section **2989.**

(20) Procedure in Procuring.—The Old and New Rules for Call of the House.

The old rule providing for a call of the House. Volume **IV,** section **2982.**

The rule whereby a quorum is obtained and the vote taken on the pending proposition by one roll call. Volume **IV,** section **3041.**

The new rule for a call of the House applies only to cases where a quorum is required on the vote, and hence not to motions to adjourn. Volume **IV,** section **3042.**

A call of the House ordered when no question is pending is taken in the old form. Volume **IV,** section **2990.**

On seconding by tellers a motion to suspend the rules a quorum failed, whereupon the Speaker ordered the doors closed and the roll called. Volume **IV,** section **3053–3055.**

A motion to adjourn may be made before the call of the roll under section 4 of Rule XV. Volume **IV,** section **3050.**

QUORUM—Continued.

(21) Procedure in Procuring.—Motions in Order During.

The lack of a quorum being disclosed, two motions only are in order—for a call of the House or to adjourn. Volume **IV,** section **2988.**

A call of the House is not in order after the previous question is ordered unless it appears on an actual count by the Speaker that a quorum is not present. Volume **V,** section **5447.**

A quorum is not required on motions incidental to a call of the House. Volume **IV,** section **2994.**

Less than a quorum may order the previous question on a motion incident to a call of the House. Volume **V,** section **5458.**

The yeas and nays may be ordered during a call of the House. Volume **IV,** section **3010.**

Under the old rule for a call of the House a motion to adjourn is in order in the midst of a call of the roll for excuses. Volume **IV,** section **2998.**

A motion for a recess is not in order during a call of the House. Volume **IV,** section **2995, 2996.**

A quorum not being present, a resolution directing the enforcement of the statute relating to deductions from the pay of Members is not in order as a measure to compel the attendance of absentees. Volume **IV,** section **3011.**

Less than a quorum engaged in a call of the House to compel attendance of absentees may not order the record of any of the procedure to be omitted from the Journal. Volume **IV,** section **3009.**

During a call of the House a resolution construing the rule relating to the call or making a new rule is not in order. Volume **IV,** section **3008.**

On votes incident to a call of the House the motion to reconsider may be entertained and laid on the table, although a quorum may not be present. Volume **V,** section **5607.**

During proceedings to secure a quorum the Chair ruled out of order a motion to reconsider the vote whereby an appeal had been laid on the table. Volume **IV,** sections **3037, 5068.**

An appeal from a decision of the Chair is in order during a call of the House. Volume **IV,** section **3010.**

An appeal from a decision of the Chair may be entertained during proceedings to secure the attendance of a quorum. Volume **IV,** section **3037.**

During a call of the House, when a quorum is not present, a question of privilege may not be present unless it be something connected immediately with the proceedings. Volume **III,** section **2545.**

(22) Procedure in Procuring.—The Call of the Roll.

Under the new rule for a call of the House the roll is called over twice and those appearing after their names are called may vote. Volume **IV,** section **3052.**

On a call of the House the roll call may not be interrupted by a motion to dispense with further proceedings under the call. Volume **IV,** section **2992.**

During proceedings under a call of the House the roll call may be repeated on order of those present. Volume **IV,** section **2991.**

As to the propriety of calling the roll a second time during a call of the House to ascertain who have absented themselves since the first call. Volume **IV,** section **3012.**

There is no rule or practice requiring a recapitulation of the names of those who appear on a call of the House after their names have been called. Volume **IV,** section **2993.**

(23) Procedure in Procuring.—Revoking Leaves of Absence.

A resolution revoking leaves of absence, being a proceeding to compel the attendance of absent Members, does not require a quorum for its adoption. Volume **IV,** sections **3003, 3004.**

A resolution revoking leaves of absence and directing the Sergeant-at-Arms to telegraph for absent Members is in order pending a call of the House, although a quorum may have been disclosed. Volume **IV,** section **3005.**

QUORUM—Continued.

(23) Procedure in Procuring.—Revoking Leaves of Absence—Continued.

A resolution revoking leaves of absence, directing absentees to attend, and dispensing with proceedings under an existing call was held to have precedence of a simple motion to dispense with the call. Volume **IV,** section **3006.**

(24) Procedure in Procuring.—Excuses.

After the roll has been called for excuses and the House has ordered the arrest of those who are unexcused a motion to excuse an absentee is in order when he is brought to the bar. Volume **IV,** section **3012.**

During a call of the House less than a quorum may excuse a Member from attendance. Volume **IV,** sections **3000, 3001.**

Under the old rule for a call of the House motions to excuse Members are in order while the roll is being called for excuses. Volume **IV,** section **2997.**

On a motion for a call of the House a motion to excuse a Member from voting was held not in order, although the rule at that time permitted the motion generally. Volume **IV,** section **3007.**

While less than a quorum may excuse a Member from attendance at the time, they may not grant a leave of absence. Volume **IV,** section **3002.**

A Member under arrest for absence may not when called on for an excuse question the authority of the House. Volume **IV,** section **3023.**

While the names of absentees are being called for excuses on a call of the House neither a motion to excuse nor an incidental appeal is debatable. Volume **IV,** section **2999.**

After the roll has been called under the new rule for a call of the House, and while the proceedings to obtain a quorum are going on, motions to excuse Members are in order. Volume **IV,** section **3051.**

(25) Procedure in Procuring.—Arrest of Members Under the New Rule.

The process of arresting absent Members under the new rule for a call of the House. Volume **IV,** section **3041.** Volume **VI,** section **690.**

The lack of a quorum being disclosed, in the absence of any motion the Speaker will issue warrants to bring in absent Members. Volume **VI,** section **680.**

Under the rule of a call of the House, the Speaker issues warrants for arrest of absentees without further authorization from the House. Volume **VI,** section **702.**

A motion directing the Speaker to issue warrant for arrest of absentees may be entertained during proceedings to secure the attendance of a quorum. Volume **VI,** section **681.**

The House having agreed to a motion directing the issuance of a warrant for arrest of absentees during proceedings to secure a quorum, the Speaker disregarded the direction and declined to sign the warrant. Volume **VI,** section **681.**

Under a call of the House warrants for the arrest of Members may be issued by the Speaker pro tempore. Volume **VI,** section **688.**

A proposition to arrest Members absent without leave is in order during proceedings to secure a quorum. Volume **VI,** section **685.**

On a call of the House under the new rule the Sergeant-at-Arms is required to detain those Members who are present and bring in absentees. Volume **IV,** sections **3045–3048.**

Under the new rule for a call of the House a resolution of the House is not required to empower the Sergeant-at-Arms to bring in absentees. Volume **IV,** section **3049.**

Form of warrant issued under the new rule for a call of the House (footnote). Volume **IV,** section **3041.**

Form of resolution for directing the Sergeant at Arms to arrest absent Members. Volume **VI,** section **684.**

Form of resolution for the arrest of Members absent without leave. Volume **VI,** section **686.**

Proceedings of arrest of Members and arraignment at the bar under section 4 of Rule **XV** for securing attendance of a quorum. Volume **IV,** section **3044.**

Instance wherein the House authorized the Speaker to issue warrant for the arrest of absentees. Volume **VI,** section **638.**

QUORUM—Continued.

(25) Procedure in Procuring.—Arrest of Members Under the New Rule—Continued.

Instance wherein the House ordered the arrest of absentees during proceedings to secure a quorum. Volume **VI,** section **686.**

A motion to require the Sergeant at Arms to report at the bar of the House on progress in securing a quorum is in order during a call of the House. Volume **VI,** section **687.**

An alleged attempt to a doorkeeper to detain and arrest a Member who was about to leave the Hall was held to involve a question of privilege, no authority having been given the Doorkeeper so to act. Volume **III,** section **2524.**

(26) Procedure in Procuring.—Arrest of Members Under the Old Rule.

Under the old rule for a call of the House an order for arrest of absent Members may be made after a single calling of the roll. Volume **IV,** sections **3015, 3016.**

On a call of the House the Sergeant-at-Arms is required to execute an order of arrest wherever the Members referred to may be found. Volume **IV,** section **3017.**

A proposition to arrest Members who absent themselves after answering on a call of the House is in order during continuance of the call. Volume **IV,** section **3018.**

A Member who appears and answers during a call of the House is not subject to arrest for absence. Volume **IV,** section **3019.**

Leave for a committee to sit during sessions of the House does not release its members from liability to arrest during a call of the House. Volume **IV,** section **3020.**

For permitting a Member under arrest to escape the Doorkeeper was arraigned at the bar of the House. Volume **I,** section **291.**

A Member complaining that he had been wrongfully arrested during a call of the House, the House ordered the Sergeant-at-Arms to investigate and amend the return of his writ. Volume **IV,** section **3021.**

A Member having escaped from arrest during a call of the House it was held that he might not be brought back on the same warrant. Volume **IV,** section **3022.**

Discussion of the authority of the Speaker to issue a warrant for the arrest of absent Members during a call of the House. Volume **IV,** section **3043.**

Form of resolution for directing the Sergeant-at-Arms to arrest absent Members (footnote). Volume **IV,** section **3018.**

Form of warrant for the arrest of absent Members under the old rule for a call of the House (footnote). Volume **IV,** section **2982.**

(27) Procedure in Procuring.—Continuing Orders of Arrest.

During a call, but after the appearance of a quorum, penalties were once imposed which contemplated the future appearance of absent Members at the bar. Volume **IV,** section **3024.**

A quorum appearing on a call, the House sometimes orders absent Members to be arraigned on the succeeding day. Volume **IV,** sections **3030, 3031.**

Less than a quorum may not order the arraignment of absent Members at a future meeting of the House. Volume **IV,** sections **3032–3035.**

Under proceedings of a call of the House, and sometimes by less than a quorum, the House has made an order to arrest which continued beyond that day's session. Volume **IV,** sections **3025–3029.**

A question as to the constitutionality and propriety of a continuing order of arrest was held not to supersede a motion to discharge the Sergeant-at-Arms from further execution of the order. Volume **III,** section **2617.**

Instance wherein the Sergeant-at-Arms reported at the bar of the House his proceedings under a continuing order of arrest. Volume **IV,** section **3017.**

(28) Procedure in Procuring.—Fines and Deductions.

Those present on a call of the House may prescribe a fine as the condition on which an arrested Member may be discharged. Volume **IV,** sections **3013, 3014.**

QUORUM—Continued.

(28) Procedure in Procuring.—Fines and Deductions—Continued.

Instance wherein Members in custody on a call of the House were discharged on payment of fees. Volume **IV,** section **3025.**

The House once established a fine for absence (footnote). Volume **IV,** section **3011.**

Instance wherein deductions were made from the salaries of Members because of absence (footnote). Volume **IV,** section **3011.**

(29) Procedure in Procuring.—Dispensing with Call.

A quorum is not required on a motion to dispense with further proceedings under a call of the House. Volume **IV,** section **3038.**

The motion to dispense with proceedings under a call is in order, although Members under arrest may not have had opportunity to make excuses. Volume **IV,** section **3039.**

A call of the house ordered under the old rule may be dispensed with on the appearance of a quorum, although actual proceedings may not have begun. Volume **IV,** section **3040.**

A motion to dispense with proceedings under a call of the House is not in order pending a motion that the Sergeant-at-Arms take into custody absent Members. Volume **IV,** section **3029.**

A motion to dispense with proceedings under the call having been once entertained was ruled not to be in order again pending a motion for the arrest of absent Members. Volume **IV,** section **3037.**

A motion directing the Speaker to issue his warrant for the arrest of absent Members being pending, a motion to dispense with further proceedings under the call was ruled out. Volume **IV,** section **3036.**

On discovery of error in announcing the presence of a quorum on a call of the House, a motion to dispense with further proceedings under the call was vacated by unanimous consent and the call resumed. Volume **VI,** section **713.**

(30) Procedure in Procuring.—In Committee of the Whole.

When a quorum fails in Committee of the Whole the roll is called and the Committee rises and reports. Volume **IV,** section **2966.**

When the Committee of the Whole finds itself without a quorum, the motion to rise is privileged. Volume **VI,** section **671.**

On the failure of a quorum in Committee of the Whole the roll is called but once. Volume **IV,** section **2967.**

While formerly the roll was called but once on failure of a quorum in the Committee of the Whole, the recent practice is to call the roll twice, as in the House. Volume **VI,** section **668.**

Early practice of the House on the failure of a quorum in Committee of the Whole. Volume **IV,** sections **2977–2979.**

Instance wherein a Chairman, disregarding the vote of the Committee of the Whole, rose and reported the absence of a quorum (footnote). Volume **IV,** section **2977.**

The Chairman having announced the absence of a quorum in Committee of the Whole, a motion to rise is in order and if a quorum develops on the vote by which the motion is rejected the roll is not called and the Committee proceeds with its business. Volume **VIII,** section **2369.**

The Speaker can not review any matter in Committee of the Whole, not even the failure of a quorum, unless it be mentioned in the report to the House. Volume **IV,** section **4914.**

When a Committee of the Whole rises and reports the lack of a quorum, the sitting of the Committee is resumed upon the appearance of a quorum. Volume **IV,** section **2968.**

The Committee of the Whole, rising to report the lack of quorum, resumes its sitting upon the appearance of a quorum without intervening motion or debate. Volume **VI,** section **672.**

A quorum having voted on a motion to rise, made after the Committee of the Whole had found itself without a quorum and before the roll was called, the Committee resumed its session. Volume **VI,** section **670.**

QUORUM—Continued.

(30) Procedure in Procuring.—In Committee of the Whole—Continued.

A quorum having voted on a motion to rise, following the announcement by the Chairman that a quorum was not present, the committee resumed consideration of interrupted business. Volume **VI,** section **671.**

When the Committee of the Whole, for supposed lack of a quorum, rises and reports a roll call a motion to adjourn may be admitted before the Speaker, on information of a quorum, directs the committee to resume its sitting. Volume **IV,** section **2969.**

The Committee of the Whole having risen and reported that finding itself without a quorum the roll was called under the rule and a quorum had appeared, the Speaker declined to entertain a motion to adjourn, and the committee resumed its sitting. Volume **VI,** section **673.**

While the Committee of the Whole, rising to report the lack of a quorum, resumes its sitting on the appearance of a quorum, the rule does not so provide if a quorum fails to appear, and in such event a quorum of the House is required. Volume **VI,** section **674.**

The Committee of the Whole having risen to report proceedings incident to securing a quorum the Speaker declined to entertain a motion to adjourn. Volume **VIII,** section **2436.**

When the roll which is called in Committee of the Whole when a quorum fails shows that a quorum responded, the Speaker directs the committee to resume its session, although less than a quorum may have appeared on an intervening motion to adjourn. Volume **IV,** section **2969.**

After the Chairman of the Committee of the Whole has reported to the House proceedings incident to securing a quorum of the committee, the Speaker declines to recognize for any purpose, including requests for unanimous consent, and the House automatically resolves again into the Committee of the Whole. Volume **VIII,** section **2379.**

When the Committee of the Whole rises to report a quorum call no other business is in order, and immediately upon the report of the Chairman the House resolves automatically into the committee for the further consideration of the proposition originally committed to it. Volume **VIII,** section **2377.**

Where the report of absentees by the Committee of the Whole, after a call of the roll, discloses a quorum of the committee but not of the House, the Speaker, nevertheless directs the committee to resume its sitting. Volume **IV,** section **2970.**

A Committee of the Whole finding itself without a quorum, and the roll having been called, rose and made a report showing a quorum of the Committee but not of the House, whereupon the Speaker directed that the committee resume its sitting. Volume **IV,** section **2971.**

No quorum being present when a vote is taken in the Committee of the Whole, and the committee having risen before a quorum appeared, such vote is invalid, and the question on which it was taken is pending when the committee again resumes its session. Volume **VI,** section **676.**

(31) As Related to Organization.—Oath, Messages, etc.

The Senate and President are informed of the presence of a quorum and the organization of the House. Volume **I,** sections **198–203.**

A message from one House that a quorum has appeared is not delivered in the other until a quorum has appeared there also. Volume **I,** section **126.**

At the beginning of a second session of a Congress the House proceeded to business, although a quorum had not appeared in the Senate. Volume **I,** section **126.**

At the beginning of a second session of Congress unsworn Members-elect were taken into account as ascertaining the presence of a quorum, but in the absence of the Speaker they were not sworn until the next day. Volume **I,** section **175.**

Members have been sworn in when a roll call had just disclosed the absence of a quorum. Volume **I,** section **174.**

Instance wherein the oath was administered in the absence of a quorum. Volume **VI,** section **21.**

QUORUM—Continued.

(31) As Related to Organization.—Oath, Messages, etc.—Continued.

Administration of the oath before the reading of the Journal and while a point of no quorum was pending. Volume **VI,** section **21.**

It has been held in order to administer the oath to a Member during a roll call, in the absence of a quorum, or on Calendar Wednesday. Volume **VI,** section **22.**

The Presiding Officer of the Senate being present, the oath of office was administered to Senators-elect, although no quorum was present. Volume **I,** sections **181, 182.**

The House being organized, but a quorum having failed, the Speaker declined to administer the oath to a contestant who had been declared elected. Volume **II,** section **875.**

(32) As Related to Organization.—For Election of Officers.

In 1879 it was held that a Speaker might be elected by a majority of those present, a quorum voting, a majority of all the Members not being required. Volume **I,** section **216.**

(33) In Relation to the Electoral Count.

In the joint meeting for the electoral count of 1877 a Member of the House raised a question as to the presence of a quorum of the Senate, but it was disregarded by the President pro tempore. Volume **III,** section **1956.**

In 1873 objections were made to the electoral vote of Texas on the ground of a defective certificate and because less than an assumed quorum of the electors had acted, but the vote was counted. Volume **III,** section **1970.**

(34) In the Senate Sitting for an Impeachment Trial.

Instance of a call for a quorum in the Senate sitting for an impeachment trial. Volume **III,** sections **2105–2107.**

The Presiding Officer of the Senate sitting in an impeachment trial directed the counting of the Senate to ascertain the presence of a quorum. Volume **III,** section **2107.**

No question was made on an occasion during the Swayne trial when less than a quorum of the managers were in attendance. Volume **III,** sections **2035, 2036.**

(35) In Relation to Procedure of Committees.

A majority of a committee is the quorum. Volume **IV,** section **4540.**

A majority of a committee constitutes a quorum for business. Volume **IV,** section **4552.**

Discussion of distinction as to requirement of quorum in House and committee procedure. Volume **VIII,** section **2222.**

Where a committee has a fixed date of meeting, a quorum of the committee may convene on such date without call of the chairman and transact business regardless of his absence. Volume **VIII,** sections **2213, 2214.**

A committee having adjourned on a stated day of meeting for lack of a quorum, subsequent sessions on the same day, even when attended by a quorum, are not competent for the transaction of business. Volume **VIII,** section **2213.**

A session of a committee, adjourned without having secured a quorum, is a dies non and not to be counted in determining the admissibility of a motion to reconsider. Volume **VIII,** section **2213.**

A quorum of a committee may transact business, and a majority of that quorum, even though it be a minority of the whole committee, may authorize a report. Volume **IV,** section **4586.**

In a committee a majority vote, a quorum being present, is sufficient to authorize a report, even although later, by action of absentees, those signing minority views outnumber those who voted for the report. Volume **IV,** section **4585.**

No report is valid unless authorized with a quorum of the committee present. Volume **VIII,** section **2222.**

A report may be authorized by a committee only when a quorum is present and acting together at a duly authorized meeting. Volume **VIII,** section **2221.**

Committee reports are admissible only when authorized by a majority vote taken at a formal meeting of the committee with a quorum present. Volume **VIII,** section **2249.**

QUORUM—Continued.

(35) In Relation to Procedure of Committees.—Continued.

Action of a committee is recognized by the House only when taken with a quorum actually assembled and meeting as a committee. Volume **VIII,** section **2211.**

Action taken by a committee in the absence of a quorum was held to be invalid when reported in the House. Volume **VIII,** section **2212.**

While the presence of a quorum at the session of the committee at which authorized is essential to the validity of a report, it is too late to raise that question after consideration has begun in the House. Volume **VIII,** section **2223.**

The House sometimes authorizes less than a quorum of a committee (a quorum being a majority) to act. Volume **IV,** sections **4553, 4554.**

The validity of testimony taken when a quorum of a committee was not present has been doubted. Volume **III,** section **1774.**

A quorum of a joint committee seems to have been considered to be a majority of the whole number rather than a majority of the membership from each House. Volume **IV,** section **4424.**

In the early days the House insisted on the larger portion of the membership of a joint committee and that the quorum and votes should be on a per capita basis. Volume **IV,** section **4431.**

The joint committee on the conduct of the war ordered that less than a quorum should be sufficient to take testimony. Volume **IV,** section **4424.**

A rule adopted by a Senate committee providing that the presence of six Senators should constitute a quorum of the committee was held by the courts to be invalid because adopted at a meeting at which less than a quorum of the committee was present. Volume **VI,** section **345.**

The recording of members of a committee as present on their telephonic request does not constitute attendance and physical presence is necessary to make a quorum for the transaction of business. Volume **VI,** section **345.**

In order to support a charge of perjury it must be shown that a quorum of the committee of investigation was present at the time the offense was committed. Volume **VI,** section **345.**

Recognition of voting proxies by standing committees is a matter to be respectively determined by each committee for itself, but proxies may not be counted to make a quorum. Volume **VIII,** section **2219.**

(36) Of a Legislature for Election of a Senator.

For the election of a United States Senator the joint meeting of the legislature is a distinct and separate body with a quorum of its own. Volume **II,** section **1060.**

A quorum being actually present in a joint meeting of a legislature for election of a Senator, it is not necessary that a quorum actually vote. Volume **II,** section **955.**

In a State whereof the Constitution required two-thirds for a quorum of each house of the legislature, a Senator was elected by a majority merely of the total membership of the two houses. Volume **I,** section **545.**

A legislative body recognized by the State executive and having an elected but not certified quorum was once preferred to a rival body having a certified but not elected quorum. Volume **I,** section **343.**

A Senate discussion favoring recognition of a legislative body having a legally certified but not legally elected quorum, in preference to one having an elected but not certified quorum. Volume **I,** section **358.**

A quorum of each house being present at joint meeting of legislature for election of Senator, a majority of those in attendance elects, and a majority of all members of the legislature is not required. Volume **VI,** section **104.**

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RACE.

The rights of citizens of the United States to vote shall not be denied or abridged on account of race, color, or previous condition of servitude. Volume **I,** section **299.**

A Federal statute provides that all citizens of the United States qualified to vote shall be allowed to do so without distinction of race, etc. Volume **I,** section **511.**

RADIO.

The Committee on Ways and Means exercises jurisdiction over subjects relating to radio service. Volume **VII,** section **1853.**

The Committee on the Merchant Marine and Fisheries has general jurisdiction over radio matters. Volume **VIII,** section **2311.**

The fact that the Committee on Merchant Marine and Fisheries had reported a bill relating to radio communication was held not to prevent it from reporting a further bill on that subject and calling it up for consideration in preference to the bill first reported. Volume **VIII,** section **2311.**

RADIUM.

Bills regulating the mining of radium ores, withdrawing public lands containing such ores, and conserving the radium supply of the United States, are within the jurisdiction of the Committee on Mines and Mining. Volume **VII,** section **1958.**

RAFTS.

Bills relating to ocean derelicts, lumber rafts, and Hydrographic Office charts have been reported by the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4105.**

RAILROADS.

The regulation of railroads through the relation which they bear to interstate commerce is within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4114.**

The rule gives to the Committee on Pacific Railroads jurisdiction of subjects relating "to the railroads and telegraph lines between the Mississippi River and the Pacific coast." Volume **IV,** section **4239.**

The rule gives to the Committee on Railways and Canals jurisdiction of subjects relating "to railwatry and canals, other than Pacific railroads." Volume **IV,** section **4217.**

The Committee on Railways and Canals has retained a general jurisdiction of the subject of canals, but has lost its jurisdiction as to railways. Volume **IV,** section **4218.**

RAILWAY MAIL SERVICE.

The jurisdiction of the Committee on Post-Office and Post-Roads extends to the railway mail service, ocean mail service, pneumatic-tub service, etc. Volume **IV,** section **4192.**

RAILWAYS AND CANALS, COMMITTEE ON

The creation and history of the Committee on Railways and Canals. Section 19 of Rule XI. Volume **IV,** section **4217.**

History of the former Committee on Railways and Canals. Section 19 of Rule XI formerly provided for the reference of subjects. Volume **VII,** section **1951.**

The rule gives to the Committee on Railways and Canals jurisdiction of subjects relating "to railways and canals, other than Pacific railroads." Volume **IV,** section **4217.**

The Committee on Railways and Canals has retained a general jurisdiction of the subject of canals, but has lost its jurisdiction as to railways. Volume **IV,** section **4218.**

The Committee on Railways and Canals had a general though not exclusive jurisdiction of the subject of canals but had long ceased to exercise jurisdiction as to railways. Volume **VII,** section **1952.**

RAINEY.

The South Carolina election case of Lee v. Rainey in the Forty-fourth Congress. Volume **I,** section **641.**

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The Illinois election case of Golombiewski v. Rainey in the Sixty-seventh Congress. Volume **VI,** section **103.**

RAINEY, HENRY T., of Illinois, Speaker.

Decisions on questions of order relating to—

Amendment, germaneness of. Volume **VIII,** section **2969.**

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Member, oath of. Volume **VI,** section **18.**

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Reports. Volume **VIII,** section **2244.**

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RAISING REVENUE.

Under later decisions the words "raising revenue" in the rule giving privilege to the Ways and Means Committee are broadly construed to cover bills relating to the revenue. Volume **IV,** section **4625.**

The term "raising revenue," while broadly construed to cover bills relating to the revenue, does not apply to bills remotely affecting the revenue, as bills extending time of payment of foreign debts. Volume **VIII,** section **2278.**

Where the major feature of a bill relates to the raising of revenue, lesser provisions incidental thereto but not strictly revenue producing do not destroy its privilege when reported by the Committee on Ways and Means. Volume **VIII,** section **2280.**

To come within the privilege given the Committee on Ways and Means to report at any time a bill must show on its face that it relates to the raising of revenue. Volume **VIII,** section **2280.**

RAKER, JOHN E., of California, Speaker pro tempore.

Decisions on questions of order relating to—

Debate. Volume **VIII,** section **2508.**

RAMSEYER, C. WILLIAM, of Iowa, Chairman.

Decisions on questions of order relating to—

Appropriations. Volume **VII,** section **1659.**

Congressional Record. Volume **VIII,** section **3502.**

Debate. Volume **VIII,** section **2505.**

Reading. Volume **VIII,** sectuib **2605.**

Reports. Volume **VIII,** section **2242.**

RAMSEYER RULE.

Committee reports on measures repealing or amending a statute shall include the text of such statute and a comparative print of the measure showing by typographical devices the omissions or insertions proposed. Volume **VIII,** section **2234.**

In order to fall within the purview of the rule requiring indication of proposed changes in existing law by typographical device, a bill must repeal or amend a statute in terms, and general reference to the subject treated in a statute without proposing specific amendment is not sufficient. Volume **VIII,** section **2235.**

Present form and history of paragraph 2a of rule **XIII.** Volume **VIII,** section **2234.**

Although a bill proposed but one minor and obvious change in existing law, the failure of the report on the bill to indicate this change by typographical device, was held to be in violation of the rule. Volume **VIII,** section **2236.**

RAMSEYER RULE—Continued.

Bills reported without indication of changes proposed in existing law are automatically recommitted to the respective committee reporting them. Volume **VIII,** section **2237.**

Under clause 2a of Rule XIII the committee report on a bill amending existing law by the addition of a proviso should quote in full the section immediately preceding the proposed amendment. Volume **VIII,** section **2237.**

Under the rule requiring committee reports to indicate proposed changes in existing law, the statute proposed to be amended must be quoted in the report and it is not sufficient that it is incorporated in the bill. Volume **VIII,** section **2238.**

In construing the rule requiring reports to show proposed changes in existing law, the bill as originally introduced governs, and committee amendments striking out such proposals are not considered. Volume **VIII,** section **2242.**

A bill is not exempted from the operation of the rule under which reports are required to show proposed amendments of existing law by committee recommendations eliminating such proposed amendments. Volume **VIII,** section **2242.**

The point of order that a report fails to comply with the requirement that proposed changes in law be indicated typographically is properly made when the bill is called up in the House and comes too late after the House has resolved into the Committee of the Whole for the consideration of the bill. Volume **VIII,** section **2243.**

The point of order that a report violates the rule requiring typographical specification of proposed changes in existing law may not be raised against a special order providing for consideration. Volume **VIII,** section **2244.**

Special orders providing for consideration of bills, unless making specific exemption, do not preclude the point of order that reports on such bills fail to indicate proposed changes in existing law. Volume **VIII,** section **2245.**

When a bill is considered under a special resolution, the point of order that the report does not indicate proposed changes in law is properly raised when the motion is made to resolve into the Committee of the Whole. Volume **VIII,** section **2245.**

Under a decision of the Chair sustaining a point of order that a report failed to indicate proposed amendments of statutory law, the bill reported was automatically recommitted to the committee reporting it. Volume **VIII,** section **2245.**

When a point of order is raised that a report is in violation of the rule providing for the quotation of statutes sought to be amended, and requiring indication of proposed changes in existing law, it is incumbent on the proponent to cite the specific statute which will be amended by the pending bill. Volume **VIII,** section **2246.**

Objection being made that a report failed to comply with the rule requiring indication of proposed changes in existing law, the Chair, in the absence of any citation to statutes which would be amended by the pending bill, overruled the point of order. Volume **VIII,** section **2246.**

Failure of a committee report to comply with the rule requiring indication of statutory amendments by typographical device may be remedied by supplemental report. Volume **VIII,** section **2247.**

Supplemental reports may be filed only by consent of the House. Volume **VIII,** section **2248.**

A bill having been recommitted for failure to comply with the rule requiring indication of proposed changes in existing law, further proceedings are de novo and the bill must again be considered and reported by the committee as if no previous report had been made. Volume **VIII,** section **2249.**

Reports of committees failing to conform to the requirements of clause 2a of Rule XIII are automatically recommitted by a ruling of the Speaker that they do not comply with the provisions of the rule. Volume **VIII,** section **2250.**

Committee reports are admissible only when authorized by a majority vote taken at a formal meeting of the committee with a quorum present. Volume **VIII,** section **2249.**

RANDALL, CONTEMPT CASE OF.
The contempt case of Randall and Whitney in 1795. Volume **II,** sections **1599–1603.**

RANDALL, SAMUEL J., of Pennsylvania, Speaker.
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READING.

(1) Of bills.—The rule.
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(1) Of Bills.—The Rule.

The rule for the reading, engrossment, and passage of bills. Volume **IV,** section **3391.**

The second reading of a bill is in full; the third reading by title, unless a Member demands reading in full. Volume **IV,** section **3391.**

The Speaker makes it his duty, ordinarily, to object to a request for unanimous consent that a bill may be acted on without being read. Volume **IV,** section **3390.** Volume **VII,** section **1054.**

Bills called up under motions to discharge committees from their further consideration are read by title only. Volume **VII,** section **1019a.**

In the consideration of bills on the House Calendar, the second reading is in full and amendments are not in order until after the reading is concluded, when they may be offered to any part of the bill. Volume **VII,** section **1052.**

A bill considered in the House is read in full but is not read for amendment under the 5-minute rule, and amendments are not in order until the reading of the bill is completed. Volume **VII,** section **1053.**

Even when a substitute has been reported to the House the original bill must be read unless dispensed with by unanimous consent. Volume **VII,** section **1054.**

Under exceptional circumstances, bills have been considered and passed without reading in full. Volume **VII,** section **1056.**

While it is the rule that a bill returned with the objections of the President shall be read and considered at once, it may not be laid before the House in the absence of a quorum. Volume **VII,** section **1094.**

When a bill is considered "in the House as in Committee of the Whole" it is read the first time by title only and immediately thereafter by sections for amendment under the five-minute rule. Volume **VIII,** section **2433.**

Union Calendar bills considered in the House as in the Committee of the Whole are read for amendment under the five-minute rule by section and not by paragraphs. Volume **VIII,** section **2434.**

An exceptional instance in which, in the absence of a question of order, a bill was considered without reading. Volume **VIII,** section **3401.**

(2) Of bills.—The Third Reading of an Engrossed Bill.

The reading in full of the engrossed copy of a bill should be demanded before it has been read a third time by title. Volume **IV,** sections **3403, 3404.**

The right to demand the reading in full of the engrossed copy of a bill exists only immediately after it has passed to be engrossed, and not at later stages. Volume **IV,** section **3400.**

READING—Continued.

(2) Of Bills.—The Third Reading of an Engrossed Bill—Continued.

A Member may demand the reading in full of the actual engrossed copy of a bill, and although the previous question be ordered the bill, on demand, is laid aside until engrossed. Volume **IV,** section **3395–3399.**

A Member may demand the reading in full of the actual engrossed copy of a bill, and such demand suspends action until the engrossed copy is before the House. Volume **VII,** section **1062.**

A bill having been read a third time by title and the yeas and nays being ordered on the passage, it is too late to demand the reading in full of the engrossed copy. Volume **IV,** section **3402.**

A special order does not deprive the Member of his right to demand the reading of the engrossed bill. Volume **IV,** section **401.**

The consideration of a bill under special order takes precedence of reading of engrossed copy of bill on which the previous question has been ordered. Volume **VII,** section **764.**

The proper time to demand the reading of the engrossed copy is immediately after ordered to be engrossed and before read a third time by title. Volume **VII,** section **1061.**

The third reading of a Senate bill is by title only, and a Member may not demand as a matter of right that it be read the third time in full. Volume **VII,** section **1061.**

The previous question having been ordered on a bill, the reading of the engrossed copy of which has been demanded after order for reading has been agreed to but deferred pending arrival of the actual engrossed copy, is privileged when the engrossed copy is received in the House. Volume **VII,** section **1062.**

The vote by which the House refuses to order a third reading may be reconsidered. Volume **VIII,** section **2777.**

(3) Of bills.—Interruption of.

The presentation of a conference report may interrupt the reading of a bill. Volume **V,** section **6448.**

A bill having been ordered to be engrossed and read a third time a privileged motion was not permitted to intervene before the third reading. Volume **IV,** section **3405.**

An amendment being offered and the reading begun a point of order may interrupt the reading, and the Chair may rule the amendment out if enough has been read to show that it is out of order. Volume **V,** section **6886—6887.** Volume **VIII,** section **2912, 3437.**

The consideration of a conference report may be interrupted, even in the midst of the reading of the statement, by the arrival of the hour previously fixed for a recess. Volume **V,** section **6524.**

(4) Of Bills.—In Relation to Amendments.

A bill is not amended on its first reading, but pending the engrossment and third reading. Volume **V,** section **5781.**

A Senate bill may not be amended in the House after it has passed to the third reading. Volume **IV,** section **3393.**

In the consideration of amendments on a bill pending between the two Houses it is not necessary to read the entire bill when the amendments come up for action. Volume **IV,** section **3407.**

Pending consideration of a conference report it is not in order to demand the reading of the amendments to which it relates. Volume **V,** section **5298.**

When a special order provides for the consideration of an amendment as the original bill, the amendment and not the bill is read when called up for consideration. Volume **VII,** section **784.**

While formerly held that time unclaimed in opposition to a bill called up on Calendar Wednesday could be allotted to Members favoring the bill, the recent practice is to read the bill for amendment at the conclusion of the hour in favor of the bill, when no one rises in opposition. Volume **VII,** section **960.**

READING—Continued.

(4) Of Bills.—In Relation to Amendments—Continued.

An exceptional instance wherein the Chair entertained a motion that the Clerk be directed to read a pending paragraph as it would read if modified by a proposed amendment. Volume **VII,** section **1050.**

Senate amendments taken up in the House are read before consideration begins. Volume **VII,** section **1058.**

An amendment having been read for information by consent must again be read for consideration and is not until so reported. Volume **VIII,** section **2339.**

While under the practice of the House appropriation bills and revenue bills are read for amendment by paragraphs and other bills by sections, the Chairman has on occasion authorized the reading of such other bills by paragraphs where the text of the bill was such as to warrant it. Volume **VIII,** section **2340.**

Whether a bill shall be read for amendment by sections or paragraphs is in recent practice a matter of convenience and rests largely within the discretion of the Chairman. Volume **VIII,** section **2341.**

Whether a bill shall be read by paragraphs, sections, or subsections when read for amendment in the Committee of the Whole is not governed by arbitrary rule but by practical considerations of convenience as determined by the Chairman. Volume **VIII,** section **2346.**

A Member may yield to permit an amendment to be read for information, or to be voted upon at the close of general debate, without losing control of his time. Volume **VIII,** section **2477.**

Consideration "in the House as in Committee on the Whole" comprises reading for amendment and debate under the five-minute rule without general debate. Volume **VIII,** section **2431.**

The ordering of the previous after a resolution had been read and before committee amendments had been reported was held to preclude reading or consideration of such amendments. Volume **VIII,** section **2686.**

A bill recommitted and reported back "forthwith" under instructions from the House, is read in the House by title only, but accompanying amendments are read in full. Volume **VIII,** section **2733.**

The original resolution, for which a substitute is recommended by the standing committee reporting the same, must be read before the substitute is read unless such reading is dispensed with by unanimous consent. Volume **VIII,** section **2886.**

Amendments recommended by the committee reporting the bill are read following the first reading of the bill in Committee of the Whole. Volume **VIII,** section **2864.**

Amendments recommended by the Committee reporting a bill must be passed upon by the House and portions of the bill recommended to be stricken out remain in the bill until acted upon by the House and must be read with the remainder of the bill at the first reading, even though omitted in the committee print. Volume **VIII,** section **2865.**

In reading a bill for amendment under the five-minute rule a paragraph is passed, when an amendment proposing the adoption of a new section is entertained, but if such amendment is ruled out on a point of order, the paragraph last read is still pending. Volume **VIII,** section **2867.**

During the reading of a bill for amendment, a paragraph or amendment when once reported may not be read a second time except by order of the committee. Volume **VIII,** section **2870.**

In reading a bill for amendment it is not in order to return to a paragraph already acted on. Volume **VIII,** section **2898.**

When a bill with Senate amendments is taken up for consideration, the amendments must be read before consideration begins. Volume **VIII,** section **3232.**

An amendment read for information is not pending and reservation of points of order is not required to preserve rights thereon. Volume **VIII,** section **3434.**

READING—Continued.

(5) Of Bills.—In Committee of the Whole.

When a bill is taken up in Committee of the Whole its reading in fall may be demanded, although it has just been read in the House. Volume **IV,** section **4738.**

The time occupied in reading a bill in Committee of the Whole does not come out of the time allowed for general debate. Volume **V,** section **5220.**

In consideration under the five-minute rule a paragraph is not passed until the next one is read, although the Committee of the Whole may in the meantime have risen. Volume **IV,** section **3833.**

When a bill is taken up in Committee of the Whole, the first reading may be dispensed with by unanimous consent only and a motion to that effect is not in order. Volume **VIII,** section **2335.**

When the House resolves itself into the Committee of the Whole House on the state of the Union for the consideration of a bill on which reading for amendment was begun on a previous day the regular order is the reading of the bill and may be dispensed with by unanimous consent only. Volume **III,** section **2336.**

In Committee of the Whole amendments are not in order on the first reading of the bill. Volume **III,** section **2436.**

The first reading of a bill in Committee of the Whole may be dispensed with by unanimous consent only, and a motion to that effect is not in order. Volume **VIII,** section **2436.**

In reading a bill for the first time in Committee of the Whole committee amendments are read in full. Volume **VIII,** section **2337.**

Overruling the decision of the Chairman, the Committee of the Whole decided that the river and harbor bill should be read by sections. Volume **VIII,** section **2347.**

While the manner of reading a bill is within the determination of the Committee, tariff bills are ordinarily read by paragraph rather than by sections. Volume **VIII,** section **2349.**

Instance wherein the Committee of the Whole, disregarding the suggestion of the Chairman, determined to read a revenue bill by paragraphs and not by sections. Volume **VIII,** section **2350.**

Portions of bills concluding with semicolons are subparagraphs and when considered in the Committee of the Whole are passed over for amendment until the major paragraph has been read in full. Volume **VIII,** section **2352.**

Bills are read for amendment in Committee of the Whole by sections or paragraphs and amendments are not in order until the reading of the section of paragraph has been completed. Volume **VIII,** section **2866.**

During the reading of a bill for amendment in Committee of the Whole, it is not in order to interrupt the reading of a paragraph or section with a parliamentary inquiry. Volume **VIII,** section **2872.**

A paragraph passed over by unanimous consent during the reading of a bill for amendment in the Committee of the Whole is recurred to when reading of the bill has been concluded, and an earlier motion to return to it is not in order. Volume **VIII,** section **2336.**

After reading for amendment has begun in the Committee of the Whole the motion to strike out the enacting clause is in order at any time until the stage of amendment has been passed. Volume **VIII,** section **2367.**

The reading of a bill amendment in Committee of the Whole being concluded, a motion to strike out the enacting clause is not in order. Volume **VIII,** section **2368.**

(6) Of Bills.—After Consideration in Committee of the Whole.

A bill presumed to have been read in Committee of the Whole and reported favorably there from is not read in full again when acted on by the House. Volume **IV,** section **4916.**

A bill which has been read in full and considered in Committee of the Whole does not require to be read in full again when taken up for action in the House. Volume **IV,** sections **3409, 3410.**

A bill recommitted to the Committee of the whole by rejection of its recommendation to the House is not required to be read again in full. Volume **VIII,** section **2633.**

READING—Continued.

(7) Of the Journal.

The reading of the Journal must be in full whenever demanded by a Member. Volume **IV,** sections **2739, 2740. Volume VI,** section **627, 628.**

While the Journal must be read in full on the demand of any Member such demand comes too late after the Journal has been approved. Volume **VI,** section **626.**

The reading of the Journal may be dispensed with by unanimous consent. Volume **VI,** section **625.**

The granting by the House of unanimous consent to dispense with the reading of the Journal implies unanimous consent to its approval. Volume **VI,** section **625.**

The Speaker declined to entertain a motion to approve the Journal without reading in full. Volume **VI,** section **628.**

The transaction of business, however highly privileged, is not in order before the reading and approval of the Journal. Volume **VI,** section **630.**

If a question as to a quorum is raised before the reading of the Journal a quorum should be ascertained to be present before the reading should begin. Volume **IV** section **625.**

The question as to whether or not the Journal of the proceeding day should be read until the Journals of days prior to that day have been approved. Volume **IV,** sections **2771–2773.**

A motion to suspend the rules and approve the Journal was held in order, although the Journal had not been read and then the highly privileged motion to fix the day to which the House should adjourn was pending. Volume **IV,** section **2758.**

Ordinarily no business may be transacted before the reading and approval of the Journal, although for a brief period another rule prevailed as to certain highly privileged matters. Volume **IV,** sections **2752–2756.**

The transaction of business is not order before the reading and approval of the Journal. Volume **VI,** section **629.**

Adminstration of the oath before the reading of the Journal and while a point of no quorum was pending. Volume **VI,** section **21.**

During the interim preceding the election of speaker and adoption of rules the Journal of the proceedings is read and approved daily. Volume **VI,** section **623.**

An arraignment of impeachment may interrupt the reading of the Journal or business proceeding under a unanimous consent agreement. Volume **VI,** section **469.**

The reading of the Journal may be interrupted by a parliamentary inquiry. Volume **VI,** section **624.**

The point of no quorum may be made while the Journal is being read. Volume **VI,** section **624.**

(8) Of Messages.

While a message of the President is always read in full and entered on the Journal, the latest rulings have not permitted the reading of the accompanying documents to be demanded as a matter of right. Volume **V,** sections **5267–5271.**

While a question of privilege is pending the reading of a message of the President is in order only by unanimous consent. Volume **V,** section **6639.**

The reading of a message from the President having been presented in the closing hours of as session, it was read at the beginning of the next session of the same Congress. Volume **V,** section **6646.**

Messages sent to the House by the President before its organization have been retained in custody of the Clerk, but have not been read. Volume **V,** section **6647–6649.**

The documents which are a part of a message of the President are not read before the message is disposed of. Volume **V,** section **5272.**

Accompanying documents, although referred to in a message from the President, are not read or entered on the Journal. Volume **VII,** section **1108.**

READING—Continued.

(8) Of Messages—Continued.

A veto message from the President is read before disposition is considered. Volume **VII,** section **1105.**

A bill returned with the President's objections, when called up for reconsideration, may be read by unanimous consent only. Volume **VII,** section **1106.**

(9) Of Papers.—Rights of Member as to.—As Related to the Vote.

Under the parliamentary law every Member has the right to have a paper once read before he is called to vote on it. Volume **V,** section **5258.**

The right of a Member to demand the reading of a paper on which he is called to vote is recognized in the rules of the House. Volume **V,** section **5257.**

When a paper on which the House is to vote has been read once reading may not be required again unless the House shall order it read. Volume **V,** section **5260.**

Illustration of the difficulty of conceding to a Member the right to have read any paper concerning which he is to vote. Volume **V,** section **5266.**

On a motion to refer a report the reading of it may be demanded as a matter of right by a Member, but the latest ruling leaves to the House to decide whether or not an accompanying record of testimony shall be read. Volume **V,** section **5261, 5262.**

The early practice was not uniform as to the right of a Member to demand the reading of a paper which it was proposed to print. Volume **V,** section **5263–5265.**

The right of a Member to have read a paper on which the House is to vote may be abrogated by a suspension of the rules. Volume **V,** section **5278–5284.**

Under the later decisions it is held that the right of a Member to have read a paper on which the House is to vote may not be abrogated by a suspension of the rules. Volume **VIII,** section **3400.**

It has generally but not uniformly been held that the right of a Member to have read the paper on which he is called to vote is not changed by the fact that the procedure is by suspension of the rules. Volume **V,** section **5263–5277.**

(10) Of Papers.—Rights of Members as to.—In General.

The reading of papers other than the one on which the vote is taken in usually permitted under the parliamentary law without question, but if objection is made the Speaker must take the sense of the House. Volume **V,** section **5258.**

A Member proposing to read in his own time a paper on which vote was not to be taken, objection was made, and the Speaker submitted the question to the House. Volume **VIII,** section **2597.**

A Member may object to the reading of a paper on which the House is not required to vote at any time after reading has begun, and demand that the question of its reading be referred to the House of decision. Volume **VIII,** section **2596.**

Objection being made to the reading of a paper in debate, the Chair takes the sense of the House, on motion or without motion from the floor, and without debate. Volume **VIII,** section **2607.**

Rule XXX, providing for taking the sense of the House on the reading of a paper in debate, applies also proceedings in the Committee of the Whole. Volume **VIII,** section **2605.**

The reading of papers other than the one on which the vote is taken are subject to the will of the House and any Member may object. Volume **VIII,** section **2605.**

The reading of the papers in debate is subject to the authority of the House, but a motion that a Member having the floor be permitted to read such papers as a part of his remarks is privileged. Volume **VIII,** section **2604.**

A Member in debate usually reads or has read by the Clerk such papers as he pleases, but this privilege is subject to the authority of the House if another Member objects. Volume **V,** sections **5285–5288.** Volume **VIII,** section **2602.**

READING—Continued.

(10) Of Papers.—Rights of Member as to.—In General—Continued.

If there is an evident abuse of the patience of the House, and objection is made, the Member must have leave of the house to read a paper in his place, even though it be his own written speech. Volume **V,** section **5258.**

If objection is made a Member must have leave of the House to read a paper in his place, even though it be his own written speech. Volume **VIII,** section **2598.**

If objections is made a Member may not read excerpts from the Congressional Record save by leave of the House. Volume **VIII,** section **2597.**

A Member may not have a report read at the Clerk's desk in his own time if objection be made without leave of the House, and even has been debarred from reading it himself in his place. Volume **V,** section **5293.**

Instances wherein the request of a Member to have read a paper not before the House for action has encountered objection and been referred to the House. Volume **V,** sections **5289–5291.** Volume **VIII,** section **2603.**

When a Member objects to the reading of a paper other than one on which the House is to give a final vote, the question as to the reading is determined by vote without debate. Volume **V,** section **5257.**

A paper not before the House for action, but related to the pending matter, may be read by order of the House, if there is objection to the request of a Member. Volume **V,** section **5260.**

Pending a motion by lay on the table, it is not in order to call for the reading of a paper offered as argument. Volume **V,** section **5441.**

The previous question having been demanded on a resolution adopting rules for the House, a demand for the reading of the rules which were not a part of the resolution was overruled. Volume **V,** section **5297.**

The previous question being ordered, a Member may not ask a decision of the House on his request for the reading of a paper not before the House (Speaker overruled). Volume **V,** section **5296.**

Before the adoption of rules, while the House was proceeding under general parliamentary law, the Speaker held that a Member in debate on an election case might not have read, as a matter of right, the record of testimony. Volume **V,** section **5259.**

It has been held in the Senate that when the reading of a paper is objected to it must be determined by vote of the Senate. Volume **V,** section **5299.**

It was held out of order to read in the Senate, or to insert in the Record without reading, a letter reflecting upon the honor, integrity, or good faith of a Member of the House. Volume **VIII,** section **2513.**

An instance in which the Committee of the Whole declined to permit the reading of a letter written by one not a member of the House charging a Member with having made "false statements." Volume **VIII,** section **2596.**

(11) Of Papers.—In Relation to Questions of Privilege.

A paper offered as involving a question of privilege should be read to the House rather than privately by the Speaker before a decision is made regarding its privilege. Volume **III,** section **2546.**

A Member may not, as a matter of right, require the reading of a book or paper on suggesting that it contains matter infringing on the privileges of the House. Volume **V,** section **5258.**

Instance wherein the Senate declined to have read the record of the proceedings of the House, even as the basis of a question of order relating to the rights of the Senate. Volume **V,** section **6406.**

Instance wherein a privileged report, which presented facts and conclusions but no legislative proposition, was read to the House. Volume **IV,** section **4663.**

The Speaker held that a protest by Members should be read before any decision as to whether or not it might be offered as a question of privilege. Volume **III,** section **2597.**

READING—Continued.

(11) Of Papers.—In Relation to questions of Privilege—Continued.

A Member may read as a matter of right a paper which has been held to constitute a question of privilege. Volume **VIII,** section **2599.**

The reading on the floor of a newspaper interview and a letter written by another Member, the authenticity of which was not denied, was held not to present a question of privilege. Volume **VI,** section **590.**

A Member may read in full a newspaper article which has been held to sustain a question of privilege. Volume **VI,** section **606.**

(12) Of Papers.—Of Reports in Relation to Consideration of Bills.

The reading of a report is in the nature of debate. Volume **V,** section **5292.**

The reading of a report being in the nature of debate is not in order after the previous question is ordered. Volume **V,** sections **5294–5295.**

Under a motion to suspend the rules and pass a conference report, the Speaker requested a Member to withdraw a point of order against the reading of the accompanying statement, indicating that the reading of the statement was not in order if objected to. Volume **VIII,** section **2606.**

Where the statement is read in lieu of the conference report, points of order should be made or reserved before the statement is read. Volume **VIII,** section **3256.**

When the reading of the conference report is dispensed with points of order must be made before the statement is read. Volume **VIII,** section **3288.**

(13) Of Papers.—Reporter's Notes for the Congressional Record.

A Member may not, in a controversy over a proposed correction of the Record, demand the reading of the reporter's notes of the preceding day. Volume **V,** section **6967.**

A Member may not demand the reading of the reporter's notes. Volume **VIII,** section **3460.**

Instance wherein a Member produced and read the reporter's notes of remarks not reflecting on himself delivered by another Member but withheld for revision. Volume **VIII,** section **3496.**

(14) Of Papers.—Proceedings of the Other House.

A Member may not, in debate in the House, read the record of speeches and votes of Senators in such connection of comment or criticism as might be expected to lead to recriminations. Volume **V,** sections **5107–5111.**

Discussion as to the extent to which the proceedings of one House may be read in the other. Volume **V,** sections **5107–5111.**

A Member may not, in the course of debate, read a paper criticizing a Member of the Senate. Volume **V,** section **5127.**

It is not in order in debate to read from the record of the proceedings of the Senate or to refer in terms to action taken in the Senate. Volume **VIII,** section **2506.**

The inhibition against the reading in debate of the Record of proceedings in the other House does not extend to decisions of presiding officers on questions of procedure and parliamentary law or to proceedings in another Congress. Volume **VIII,** section **2507.**

(15) Of Papers.—In Impeachments.

The House having attended when respondent's answer was read, it was held that the answer might not as of right be read again in the House during consideration of the replication. Volume **VIII,** section **2042.**

The Chief Justice held in the Johnson trial that offer of documentary proof should state its nature only, but that the Senate might order it to be read in full before acting on the objection. Volume **VIII,** section **2202.**

In the Belknap trial the Presiding Officer, on request of respondent's counsel, required the reading in full of letters presented in evidence. Volume **VIII,** section **2201.**

The answer in the Archbald case was read by the Secretary of the Senate. Volume **VI,** section **505.**

READING—Continued.

(15) Of Papers.—In Impeachments—Continued.

The replication in the Archbald trial was presented by the managers and read by the Secretary of the Senate. Volume **VI,** section **507.**

The question of consideration may not be demanded on a resolution of impeachment until the reading of the resolution has been concluded. Volume **VI,** section **541.**

Motions for the disposition of a resolution of impeachment are not in order until it has been has been read in full. Volume **VI,** section **541.**

(16) Of Papers.—In General.

Communications announcing resignations of employees of the Houses from statutory offices are read and ordered to be laid on the table. Volume **VI,** section **33.**

Reports on investigations when submitted to the House are read by unanimous consent only and are not necessarily acted upon by the House. Volume **VI,** section **394.**

READING, ELECTION CASE OF.

The Pennsylvania election case of Taylor v. Reading in the Forty-first Congress. Volume **II,** section **876.**

REAGAN, JOHN H., of Texas, Chairman.

Decision on question of order relating to—

Continuation of a public work. Volume **IV,** sections **3725, 3728.**

REALTY.

A bill legalizing conveyance of real estate previously made was held to be a public bill. Volume **VII,** section **868.**

The acquisition or alienation of realty for naval sites and the establishment, construction, improvement, or dismantling of naval facilities thereon are within the jurisdiction of the Committee on Naval Affairs. Volume **VII,** section **1908.**

The acquisition, lease, or transfer of realty or other facilities for post office purposes are subjects within the jurisdiction of the Committee on the Post Office and the Post Roads. Volume **VII,** section **1916.**

REAPPORTIONMENT.

Where the number of Representatives to which a State is entitled pursuant to the act of 1929 is the same as the number under the last previous apportionment and the districts are unchanged, elections of Representatives may be conducted in the same manner as before the reapportionment. Volume **VI,** section **45.**

A reapportionment by a State legislature which rendered congressional districts of the State less compact and contiguous as to territory and more disproportionate as to population was not disturbed. Volume **VI,** section **53.**

An amendment providing for a reapportionment reducing the membership of the House was held not to be in order under the Holman rule. Volume **VII,** section **1570.**

Bills providing for the reapportionment of Representatives in Congress have been referred to the Union Calendar. Volume **VIII,** section **2396.**

To a bill providing for reapportionment of Representatives in Congress an amendment authorizing redistricting of States in accord with such apportionment is not germane. Volume **VIII,** section **2996.**

The law of 1911 provides for the election of Representatives in old districts and at large until the respective States shall have rearranged the districts. Volume **VI,** section **46.**

REAPPROPRIATION.

The reappropriation of an unexpended balance for an object authorized by law may be made on an appropriation bill. Volume **IV,** sections **3591, 3592.** Volume **VII,** sections **1153, 1253.**

A provision for the reappropriation of a sum required by law to be covered into the Public Treasury was held not to be a change of law, and not to be an appropriation beyond the limit of cost. Volume **VII,** section **1152.**

REAPPROPRIATION—Continued.

The reappropriation of unexpended balances, even for another lawful purpose than that for which originally appropriated, is in order on an appropriation bill. Volume **VII,** section **1155.**

Reappropriations of unexpended balances to be in order on appropriation bill must specify amounts and from what previous appropriation remaining, and be for similar objects. Volume **VII,** section **1156.**

While it is in order to provide for the reappropriation of unexpended balances in an appropriation bill, sums previously appropriated for a specific purpose may not be reappropriated for a purpose unauthorized by law. Volume **VII,** section **1157.**

While the reappropriation of unexpended balances may be made on an appropriation bill, the establishment of a revolving fund from such balances is not a mere reappropriation and is not in order. Volume **VII,** section **1160.**

A proposition reappropriating an unexpended balance may be amended by a proposition making a direct appropriation for the same purpose. Volume **VII,** section **1161.**

Reappropriation of sums required by law to be covered into the Treasury is in order on an appropriation bill. Volume **VII,** section **1162.**

The reappropriation of an unexpended balance for acquisition of land for aviation stations was held to be authorized by law. Volume **VII,** section **1272.**

A proposition to reappropriate or make available an appropriation previously made or to divert such appropriation to any purpose other than that for which originally made is equivalent to a direct appropriation and is not in order in connection with a bill reported by a committee without authorized jurisdiction to report appropriations. Volume **VII,** section **2146.**

Committees without jurisdiction to report appropriations may not report propositions to reappropriate appropriations or parts of appropriations already made. Volume **VII,** section **2146.**

REASON.

A request in a resolution of inquiry for "The reason why" is a request for an opinion, and destroys its privilege. Volume **VI,** section **413.**

A resolution calling for "reasons which make it inexpedient" to take specified action was held to ask for opinions rather than facts, while a resolution asking "what facts make expedient" such action was admitted under the rule. Volume **VI,** section **418.**

A resolution of inquiry asking "why" a certain course of action has been followed is a request for reasons and is without privilege. Volume **VI,** section **428.**

A resolution calling upon an executive officer to give his reasons for pursuing any certain course of action is out of harmony with the principles governing the use of privileged resolutions of inquiry. Volume **VI,** section **432.**

A resolution of inquiry asking for "reason" and "cause" was held to ask for opinions rather than facts. Volume **VIII,** section **2310.**

REBELLION.

By the fourteenth amendment one who, having previously taken an oath as an officer of the Government to support the Constitution, has engaged in rebellion is disqualified as a Member until the disability be removed. Volume **I,** section **454.**

No penalty is fixed for a denial of the right of suffrage because of rebellion or other crimes. Volume **I,** section **301.**

RECALCITRANCY.

The action of a subcommittee in arresting a recalcitrant witness having been criticized in a letter addressed to the chairman, the committee reported the proceedings to the House, with recommendations for an investigation. Volume **VI,** section **531.**

A statute penalizes recalcitrancy of witnesses summoned to testify before either House or any committee of either House. Volume **VI,** section **335.**

RECALCITRANCY—Continued.

A committee asserted the power of the House to arrest and imprison recalcitrant Members in order to compel obedience to its summons. Volume **VI,** section **537.**

RECALL OF A BILL.

(1) From the other House.

(2) From the President.

(1) From the Other House.

It is a common occurrence for one House to ask of the other the return of a bill for the correction of errors or otherwise. Volume **IV,** sections **3460–3464.**

A bill which had not in fact passed the House, having been sent to the Senate by error, a resolution requesting its return was entertained as a matter of privilege. Volume **IV,** section **3478.**

A resolution to recall from the Senate a bill alleged to have passed the House improperly was held to be privileged. Volume **IV,** section **3479.**

A request of the Senate for the return of a bill is treated as privileged in the House. Volume **IV,** section **3481.**

A motion being made to reconsider the vote on a bill which has gone to the Senate, a motion to ask the recall of the bill is privileged. Volume **V,** sections **5669–5671.**

A request of the Senate for the return of a bill, no error being alleged, does not make in order a motion in the House to discharge the committee having possession of the bill. Volume **IV,** section **4694.**

The Senate having requested the return of a bill which, with amendments, had reached the stage of disagreement, a motion to discharge the House committee and return the bill was treated as privileged. Volume **IV,** section **3475.**

Process of recalling a bill from the Senate in order to correct an error in the number. Volume **IV,** section **3476.**

The Senate having requested the return of a bill which had been enrolled, signed by the Speaker, and transmitted to the Senate, a resolution was passed directing that the Senate be informed thereof. Volume **IV,** section **3480.**

The privilege of a resolution fixing the time of final adjournment has been held to extend to a proposition to recall such a resolution from the Senate. Volume **V,** section **6699.**

The House directed the return of a Senate bill not attested by the Secretary. Volume **IV,** section **3426.**

(2) From the President.

Bills sent to the President but not yet signed by him are sometimes recalled by concurrent resolution of the two Houses. Volume **IV,** sections **3507–3509.**

A bill sent to the President but not yet signed by him was recalled by concurrent resolution. Volume **VII,** section **1091.**

Instance wherein an enrolled bill recalled from the President was afterwards amended (foot-note). Volume **IV,** section **3508.** Volume **VII,** section **1091.**

An instance where a joint committee asked of the President the return of a bill. Volume **IV,** section **3505.**

The process of recalling from the President and amending an enrolled bill. Volume **IV,** sections **3510–3518.**

An instance where the President returned a bill already signed by him in order that the enrollment might be corrected. Volume **IV,** section **3505.**

RECALL OF STEERING COMMITTEE MEMBERS.

Members of the steering committee are directly responsible to the membership of the zone from which elected and are subject to recall at any time. Volume **VIII,** section **3622.**

The membership of the steering committee is subject to recall whenever the conference determines it is not representative of party sentiment in the House. Volume **VIII,** section **3625.**

RECALL OF WITNESSES.

The Chief Justice held in the Johnson trial that a witness recalled to answer a question by a Senator might be reexamined by counsel for respondent. Volume **III,** section **2214.**

RECAPITULATION.

A Member may not as a matter of right demand a recapitulation of a yea-and-nay vote, but if the vote be close the Speaker usually orders it. Volume **V,** sections **6049, 6050.** Volume **VIII,** section **3126.**

The usage as to the recapitulation of a yea-and-nay vote does not permit it to be done after the announcement of the result except by unanimous consent. Volume **V,** section **6064.**

Under the more recent practice recapitulation of a vote may be had either before or after the announcement of the result of the vote. Volume **VIII,** sections **3123, 3124, 3125.**

Recapitulation of a vote is within the discretion of the Speaker and may not be demanded as a matter of right. Volume **VIII,** section **3128.**

There is no rule or practice requiring a recapitulation of the names of those who appear on a call of the House after their names have been called. Volume **IV,** section **2993.**

A Member may change his vote at any time before its announcement. Volume **VIII,** section **3123.**

A Member may not change his vote on recapitulation if the result of the vote has been announced prior to recapitulation. Volume **VIII,** section **3124.**

The purpose of a recapitulation is the verification of the vote as cast, and a Member failing to vote on the roll call may not be recorded on recapitulation. Volume **VIII,** section **3070.**

On the recapitulation of a yea-and-nay vote a proposition to correct a vote is not in order until the recapitulation has been concluded. Volume **VI,** section **415.**

Errors in the record of votes are corrected on recapitulation at the close of the reading of the votes in the affirmative, in the negative, and those answering present, respectively. Volume **VIII,** section **3125.**

The motion that a vote be recapitulated is not privileged. Volume **VIII,** section **3126.**

The Speaker declined to entertain an appeal from his decision refusing recapitulation of a vote. Volume **VIII,** section **3128.**

Members failing to vote on the roll call may not be recorded on recapitulation. Volume **VIII,** section **3070.**

A decision holding that recapitulation of a vote may be requested prior to final announcement of the result but not thereafter. Volume **VIII,** section **3070.**

Recapitulation of a vote by which a bill had been passed by a majority of one having shown the actual vote to be a tie, the Speaker cast the deciding vote. Volume **VIII,** section **3075.**

RECEDE MOTION TO.

(1) Nature and use of.
(2) Precedence of.—In general.
(3) Precedence of.—In relation to motion to recede and concur.
(4) Precedence of.—As affected by the previous question.
(5) Effect of votes on.
(6) Relations to adherence.
(7) In relation to conferences.
(8) Respective duties of the Houses as to.

(1) Nature and Use of.

The House may not recede from its own amendments with an amendment. Volume **V,** sections **6216–6218.**

When the originating House disagrees to the amendment of the other House the latter may recede from or insist on its own amendment, but may not couple an amendment with this action. Volume **V,** section **6163.**

One House having receded from certain of its amendments may not at a subsequent stage recall its action in order to form a new basis for a conference. Volume **V,** section **6251.**

RECEDE, MOTION TO—Continued.

(1) Nature and Use of—Continued.

An instance wherein one House receded from its own amendment after the other House had returned it concurred in with an amendment. Volume **V,** section **6226.**

One House having by a two-thirds vote passed in amended form a proposed constitutional amendment from the other House and then having by a majority vote receded from its amendment, the constitutional amendment was held not to be passed. Volume **V,** section **7035.**

Amendments being in issue between the Houses the motion to recede may be repeated at a new stage of the proceedings. Volume **V,** section **6207.**

The motion to recede and concur is divisible. Volume **V,** sections **6209–6211.**

The question on a motion to recede from an amendment to a Senate amendment and concur in the Senate amendment may be divided on the demand of any Member. Volume **VIII,** section **3199.**

(2) Precedence of.—In General.

A motion to recede is preferential as tending to bring the House to agreement. Volume **VIII,** section **3197.**

The parliamentary law governing the precedence and effect of the motions to agree, disagree recede, insist, and adhere. Volume **V,** section **6164.**

The motions to recede insist, and adhere have precedence in the order in which they may be offered. Volume **V,** section **6324.**

The motion to recede has precedence of the motion to adhere. Volume **V,** section **6271.**

The motion to recede take precedence of the motion to insist. Volume **V,** sections **6204, 6308.**

(3) Precedence of.—In Relation to Motion to Recede and Concur.

A motion to recede and concur is divisible, and being divided and the House having receded a motion to amend has precedence of the motion to concur. Volume **V,** sections **6209–6211.** Volume **VIII,** sections **3197, 3196, 3203.**

The stage of disagreement having been reached, the motion to recede and concur takes precedence of the motion to recede and concur with an amendment. Volume **V,** sections **6219–6223.** Volume **VIII,** section **3196.**

The stage of disagreement having been reached, the motion to recede and concur takes precedence over the motion to recede and concur with an amendment, but the motion to recede and concur having been divided, and the House having receded, the motion to concur is first voted on and if rejected then the motion to concur with an amendment. Volume **VIII,** section **3196.**

The stage of disagreement not being reached, the motion to concur in an amendment of the other House with an amendment has precedence of the simple motion to concur, but, the stage of disagreement having been reached, the motion to recede and concur takes precedence of the motion to recede and concur with an amendment. Volume **VIII,** section **3202.**

When Senate amendments are taken up for the first time, the motion to concur with an amendment takes precedence over the simple motion to concur, but after the House has disagreed the order is reversed and subsequently the motion to recede and concur takes precedence over the motion to recede and concur with an amendment. Volume **VIII,** section **3203.**

The motion to recede and concur in a Senate amendment with an amendment takes precedence of a motion to insist further on the House's disagreement to the Senate amendment. Volume **V,** section **6224.**

A motion to recede and concur in a Senate amendment takes precedence of a motion to insist further on disagreement to the Senate amendment. Volume **VIII,** section **3205.**

The motion to recede and concur takes precedence of the motion to further insist. Volume **VIII,** section **3194.**

RECEDE, MOTION TO—Continued.

(3) Precedence of.—In Relation to Motion to Recede and Concur—Continued.

The motion to recede from disagreement and concur in a Senate amendment has precedence of a motion to insist further, but a member by offering such motion may not deprive the member-in-charge of the floor. Volume **VIII,** sections **3193.**

The stage of disagreement having been reached, the motion to recede and concur has precedence over the motion to refer. Volume **VIII,** section **3259.**

(4) Precedence of.—As Affected by the Previous Question.

Although the previous question may have been demanded on a motion to insist, it has been held that a motion to recede and concur might be admitted to precedence. Volume **V,** section **6321a.**

A motion to recede and concur is in order even after the previous question has been demanded on a motion to insist. Volume **V,** section **6208.**

After the previous question has been moved on a motion to adhere a motion to recede may not be made. Volume **V,** section **6310.**

(5) Effect of Votes on.

When one House recedes from its amendment to a bill of the other the bill is thereby passed, if there be no other point of difference as to the bill. Volume **V,** section **6312.**

The negative of the motion to recede is not equivalent to the affirmative of the motion to insist. Volume **V,** section **6164.**

A motion to recede being decided in the negative, the House does not thereby vote to insist. Volume **V,** sections **6205, 6206.**

By receding from its disagreement to a Senate amendment the House does not thereby agree to the same. Volume **V,** section **6215.**

The House having receded from its disagreement to Senate amendments they are open to amendment precisely as before the original disagreement. Volume **V,** sections **6212–6214.**

Where one House recedes from its amendment to a bill after the other has concurred in the amendment with an amendment, agreement has not been reached and the bill is not passed. Volume **VIII,** section **3177.**

Instance wherein the Senate receded from its own amendment to a House bill with an amendment. Volume **VIII,** section **3183.**

By receding from an amendment with which it agreed to a Senate amendment, the House does not thereby agree to the Senate amendment. Volume **VIII,** section **3199.**

(6) Relations to Adherence.

The House may recede from its disagreement to certain amendments and adhere to it as to others. Volume **V,** section **6229.**

Instances where after one House had adhered the other receded. Volume **V,** sections **6247–6250.**

When both Houses have insisted, neither inclining to recede, it is in order to adhere, but in Parliament adherence is not usually voted until there have been at least two conferences. Volume **V,** section **6163.**

The House having adhered to its disagreement to a Senate amendment and the Senate having insisted, the House receded from its adherence and agreed to the amendment with an amendment. Volume **V,** section **6401.**

After the House had adhered it reconsidered its action, receded from its disagreement, and agreed to the Senate amendment with an amendment. Volume **V,** section **6253.**

The House may recede from its adherence. Volume **V,** section **6252.**

One House having adhered may recede from its adherence and agree to a conference asked by the other. Volume **V,** section **6251.**

The rejection of a motion to recede from disagreement to a Senate amendment and concur therein is equivalent to further disagreement to the amendment. Volume **VIII,** section **3195.**

RECEDE MOTION TO—Continued.

(7) In Relation to Conferences.

Sometimes one House disregards the request of the other for a conference and recedes from its disagreement, thereby rendering a conference unnecessary. Volume **V,** sections **6316–6318.**

Instance wherein the Senate receded from its amendment to a House bill, although it had insisted and asked a conference, to which the House had agreed. Volume **V,** section **6319.**

Instance wherein the Senate receded from its disagreement to a House amendment to its amendment, although it had insisted and asked a conference, to which the House had agreed. Volume **VIII,** section **3218.**

The Senate having disagreed to an amendment of the House, it was held that a motion to ask a conference should not be made before a motion to recede or insist had been made and decided. Volume **V,** section **6270.**

The question on the adoption of a final conference report has precedence of a motion to recede and concur in amendments of the other House. Volume **V,** section **6523.**

When one House asks a conference after the other House has adhered the adhering House may agree to the conference without reconsidering or receding from its vote to adhere. Volume **V,** section **6310.**

After one House has adhered the other may recede or ask a conference, which may be agreed to by the adhering House. Volume **V,** sections **6304–6307.**

Form of conference report wherein the House recedes from its amdnement to a Senate bill. Volume **V,** section **6499.**

Form of conference report wherein the Senate recedes from certain of its amendments to a House bill, while the House recedes from its disagreement as to others and agrees to certain others with amendment. Volume **V,** sections **6500–6502.**

Form of conference report on House amendments to a Senate bill where the House recedes from some of its amendments and the Senate recedes from its disagreement as to others. Volume **V,** section **6503.**

Statement with reference to an unwritten rule of conference that the House proposing an amendment on which agreement can not be secured must recede or accept responsibility for failure of the bill. Volume **VIII,** section **3209.**

(8) Respective Duties of the Houses as to.

The principle seems to be generally accepted that the House proposing legislation on a general appropriation bill should recede if the other House persists in its objection. Volume **IV,** sections **3906–3908.**

It was very early insisted on as a principle that where one House proposes to an appropriation bill an amendment firmly resisted by the other the proposing House should recede. Volume **IV,** section **3905.**

RECEPTIONS.

Eminent American soldiers have been received informally by the House. Volume **V,** sections **7076–7079.**

Eminent Americans have been received informally by the House. Volume **VIII,** section **3536.**

Eminent foreign statesmen have been received informally by the House. Volume **VIII,** section **3537.**

A newly appointed Chief Justice of the United States Supreme Court was received informally by the House. Volume **V,** section **7080.**

The House formally extended the privileges of the floor to the widow of President Madison. Volume **V,** section **7081.**

Ceremonies at the reception of General Lafayette by the House in the presence of the Senate. Volume **V,** section **7082.**

Form used in presenting Lafayette to the House. Volume **V,** section **7082.**

Ceremonies at the reception of Luis Kossuth by the House. Volume **V,** section **7083.**

RECEPTIONS—Continued.

The entry in the Journal recording the reception of Louis Kossuth by the House. Volume **V,** section **7083.**

At a special session of the House Charles Stuart Parnell was introduced by the Speaker and addressed the House. Volume **V,** section **7084.**

The embassies of China and Japan were received by the House. Volume **V,** section **7085, 7086.**

The address of the ambassador of Japan to the House on the occasion of the reception of the embassy was ordered to be entered on the journal. Volume **V,** section **7085.**

The House and Senate, in joint session, received the King of Hawaii, Volume **V,** section **7087.**

RECESS

(1) During the daily sessions.—Motion for.

(2) During the daily sessions.—Not to be voted by less than a quorum.

(3) During the daily sessions.—Taking of, by the House.

(4) During the daily sessions.—Committee of the Whole does not take, except by permission.

(5) Of a committee.

(6) During the electoral count.

(7) Of the Congress.—Privilege of resolution providing for.

(8) Of the Congress.—For the holidays.

(9) Of the Congress.—The unusual recess of the Fortieth Congress.

(10) Of the Congress.—As related to sessions and adjournments.

(11) Of the Congress.—Status of business during.

(12) Of the Congress.—As affecting the functions of committees.

(13) Of the Congress.—As affecting the taking of testimony.

(14) Of the Congress.—Approval of bills by the President during.

(15) Of the Congress.—In relation to impeachment proceedings.

(1) During the Daily Sessions.—Motion for.

The motions to fix the day to which the House shall adjourn and for a recess are no longer in the list of privileged motions. Volume **V,** section **5301.**

The motion for a recess is not, under the present rules, privileged as against a demand that business proceed in the regular order. Volume **V,** section **6663.**

A motion for a recess is not privileged against a demand for the regular order regardless of whether there is a question under debate in the House. Volume **VIII,** section **3355.**

While the motion to recess is not privileged against a demand for the regular order, it is frequently entertained by consent. Volume **VIII,** section **3356.**

A motion for a recess is without privilege under the rules. Volume **VIII,** section **3354.**

The motion for a recess has been given temporary privilege by a resolution reported from the Committee on Rules. Volume **VIII,** section **3359.**

The motion for a recess is not in order when a question is before the House. Volume **V,** section **6664.**

The rule making the motions to adjourn, to fix the day to which the House shall adjourn, and for a recess in order at any time was dropped to prevent the continued use of those motions for purposes of obstruction. Volume **V,** section **6740.**

By special order the motion for a recess has been given temporary privilege. Volume **IV** section **3250.**

The motions to postpone, refer, amend, for a recess, and to fix the day to which the House shall adjourn may be amended. Volume **V,** section **5754.**

No question being under debate and a motion to adjourn having been made, motions for a recess and to fix the day to which the House should adjourn where not entertained. Volume **V,** section **5302.**

Special orders are often used to further the consideration of business by preventing dilatory motions, and in such cases the Chair has exercised discretion as to entertaining motions to adjourn, for a recess, and appeals. Volume **IV,** sections **3210–3212.**

RECESS—Continued.

(1) During the Daily Sessions.—Motion for—Continued.

Pending consideration of a motion to suspend the rules a motion for a recess was held to be such dilatory motion as is forbidden by the rules. Volume **V,** sections **5748–5751.**

A motion for a recess must, when entertained, be voted on, even though the taking of the vote may have been prevented until after the hour specified for the conclusion of the proposed recess. Volume **V,** section **6667.**

A motion to reconsider the vote whereby the House refuses to take a recess is not in order. Volume **V,** section **5625.**

(2) During the Daily Sessions.—Not to be Voted by Less Than a Quorum.

A motion for a recess is not in order during a call of the House. Volume **IV,** sections **2995, 2996.**

Less than a quorum may not determine to take a recess, even by unanimous consent. Volume **IV,** sections **2958–2960.**

When less than a quorum is present a motion for a recess is not in order. Volume **IV,** sections **2955–2957.**

(3) During the Daily Sessions.—Taking of, by the House.

The consideration of a conference report may be interrupted, even in the midst of the reading of the statement, by the arrival of the hour previously fixed for a recess. Volume **V,** section **6524.**

A roll call is not interrupted by the arrival of an hour fixed for a recess by rule or prior vote of the House. Volume **V,** sections **6054, 6055.**

A roll call was held not to be subject to interruption by the arrival of the hour at which the House had previously agreed to recess. Volume **VIII,** section **3133.**

Where a special order requires a recess at a certain hour of a certain day, the recess is not taken if the encroachment of a prior legislative day prevents the existence of the said certain day as a legislative day. Volume **IV,** section **3192.**

When the hour previously fixed for a recess arrives, the Chair declares the House in recess, even in the midst of a division (but not of a roll call) or when a quorum is not present. Volume **V,** sections **6665, 6666.**

The hour fixed by the rules for a recess having arrived, the Speaker declares the House in recess, although less than a quorum may be present. Volume **IV,** section **2965.**

The hour fixed by special order for a recess having arrived, the Speaker held the House to be in recess although a quorum was not present. Volume **VI,** section **664.**

If the terms of a special order seem to abrogate a rule for a recess and an evening session for special business, the question of order should be raised before the House goes into recess and not after the House has met in evening session. Volume **IV,** section **3284.**

In practice an adjournment before 5 p.m. on a Friday was held to vacate the evening session formerly provided for by the rule. Volume **IV,** section **3283.**

A question has arisen as to the class of business in order when the Friday evening session, provided for by the rules, has been prolonged to the next day by a recess. Volume **V,** section **6668.**

A motion to suspend the rules and pass a bill being seconded and under consideration, was held to suspend all rules inconsistent with this purpose, including a rule requiring a recess to be taken. Volume **V,** section **5752.**

An instance wherein the House, by recess, remained for two calendar days at the stage of business wherein the motion under Rule XXIV, section 5, was in order. Volume **IV,** section **3135.**

Propositions for a recess are frequently entertained by unanimous consent. Volume **VIII,** section **3358.**

An instance wherein a recess was taken subject to the call of the Speaker. Volume **VIII,** section **3358.**

Instance in which an arrangement for a virtual recess of the House was successively prolonged. Volume **VIII,** section **3369.**

RECESS—Continued.

(3) During the Daily Sessions.—Taking of, by the House—Continued.

A recess does not terminate a legislative day and a legislative day may not be terminated during recess. Volume **VIII,** section **3356.**

A legislative day has not begun until the preceding legislative day has been terminated by adjournment. Volume **VIII,** section **3356.**

(4) During the Daily Sessions.—Committee of the Whole Does Not Take, Except by Permission.

The Committee of the Whole may take a recess only by permission of the House. Volume **V,** sections **6669–6671.**

The Committee of the Whole may not recess except by permission of the House. Volume **VIII,** sections **3362.**

The motion for a recess is not in order in the Committee of the Whole. Volume **VIII,** section **3357.**

Instance wherein, under special order, the Chairman of the Committee of the Whole declared the committee in recess from one calendar day to another. Volume **VIII,** section **3360.**

(5) Of a Committee.

A committee takes a recess. Volume **IV,** section **4567.**

(6) During the Electoral Count

The statutes prescribe directions as to recesses and adjournment of the joint meeting and the two Houses during the count of the electoral vote. Volume **III,** section **1919.**

The question of taking recesses arose under the law providing for a continuous legislative day during the electoral count of 1877. Volume **III,** section **1954.**

During the electoral count of 1877 the President pro tempore declined to entertain a motion that the joint meeting take a recess. Volume **III,** section **1955.**

Neither House recesses or adjourns for the electoral count. Volume **VI,** section **444.**

The date for the count of the electoral vote falling on Calendar Wednesday, the House by resolution provided for a recess on that day. Volume **VI,** section **445.**

(7) Of the Congress.—Privilege of Resolution Providing for.

The privilege of a resolution providing for an adjournment of more than three days is limited in its exercise. Volume **V,** section **6704.**

A concurrent resolution extending the time of a recess of Congress already determined on is privileged. Volume **V,** section **6705.**

Privilege has been given to a resolution providing for a recess of Congress, the length of which might be fixed by the President or the Presiding Officers of the Two House. Volume **V,** section **6706.**

A simple resolution providing for an adjournment of the House for more than three days and for asking the consent of the Senate thereto has been ruled to be privileged. Volume **V,** sections **6702, 6703.**

Forms of resolutions for adjournment of Congress sine die and for a recess (footnote). Volume **IV,** section **4031.**

The resolutions for final adjournment of Congress and the adjournment for a recess are within the jurisdiction of the Committee on Ways and Means. Volume **IV,** section **4031.**

Prior to 1880 the rules made no provision for consideration of a proposal to recess, but with the revision of that year the motion to recess was given privileged status and so continued until omitted in the revision of 1890. Volume **VIII,** section **3356.**

(8) Of the Congress.—For the Holidays.

In the earlier days of the Congress the holiday recess was not often taken. Volume **V,** sections **6678–6685.**

The two Houses do not notify the President when they are about to adjourn for the holiday recess (footnote). Volume **V,** sections **6676–6680.**

RECESS—Continued.

(8) Of the Congress.—For the Holidays—Continued.

A resolution providing for the holiday recess adjournment and not reported by the committee on rules is without privilege. Volume **VIII,** section **3361.**

The House has adjourned for the holiday recess as of the legislative day. Volume **VIII,** section **3370.**

(9) Of the Congress.—The Unusual Recess of the Fortieth Congress.

The process whereby the Fortieth Congress prolonged its first session by successive recesses, with a provision for adjournment sine die in a certain contingency. Volume **V,** section **6686.**

The two Houses may, by concurrent resolution, provide for an adjournment to a certain day, with a provision that if there be no quorum present on that day the session shall terminate. Volume **V,** section **6686.**

(10) Of the Congress.—As Related to sessions and Adjournments.

When the two Houses adjourn for more than three days, and not to or beyond the day fixed by Constitution or law for the next regular session to begin, the session is not thereby necessarily terminated. Volume **V,** sections **6676, 6677.**

A recess of Congress is a real, not imaginary, time when it is not sitting in regular or extraordinary session. Volume **V,** section **6687.**

Instances wherein one session of Congress has followed another without appreciable interval. Volume **V,** sections **6690, 6692.**

Reference to questions arising in the Senate as to recess appointments in a case wherein one session followed its predecessor immediately. Volume **V,** section **6687.**

Discussion of the term "recess of the Senate" as related to the President's power of appointment. Volume **V,** section **6687.**

The Doorkeeper has general charge during recess of the apartments occupied by the House. Volume **I,** section **262.**

A recess differs from an adjournment in its effect upon pending business and the Houses resumes consideration of unfinished business under conditions obtaining at the time recess was taken. Volume **VI,** section **664.**

The motion to recess to the regular hour of meeting on the succeeding day is not admissible because in contravention of a standing order of the House, but if taken to such hour, the House when convened is still in session as of the preceding day. Volume **VIII,** section **3356.**

(11) Of the Congress.—Status of Business During.

All business pending and unfinished in the House or in committee or awaiting concurrent action in the Senate at the end of a session is resumed at the next session of the same Congress. Volume **V,** section **6727.**

One House having asked a conference at one session, the other House may agree to the conference at the next session of the same Congress. Volume **V,** section **6286.**

A motion to request a conference on disagreeing votes of the two Houses having been rejected may not be repeated at the same stage of the question, even though a recess of Congress may have intervened. Volume **V,** section **6325.**

(12) Of the Congress—As Affecting the Functions of Committees.

The House may empower a committee to sit during a recess which is within the constitutional session of the House. Volume **IV,** sections **4541–4543.**

Committees may by the House be empowered to sit during a recess that is within the term of the Congress, but not after the expiration of the term. Volume **IV,** section **4545.**

Instance wherein a committee empowered to sit during recess was directed to file its report with the Clerk of the House. Volume **III,** section **1741.**

The House sometimes orders a committee's report to be made in recess by handing it to the Clerk of the House. Volume **IV,** sections **4676, 4677.**

RECESS—Continued.

(12) Of the Congress.—As Affecting the Functions of Committees—Continued.

The Statutes provide for a temporary committee of accounts to be appointed by the Speaker to serve through the recess following the expiration of a Congress. Volume **IV**, section **4335.**

Joint committees are authorized to sit during recess of Congress by concurrent resolution. Volume **IV**, sections **4434, 4435.**

The powers of the Joint Committee on the Library reside with the Senate portion in the recess after the expiration of a Congress. Volume **IV**, section **4337.**

The House and Senate being invited to attend the Jamestown Exposition, appointed a joint committee to attend at a date after the expiration of the term of the Congress. Volume **V**, section **7053.**

Reasons why the Speaker should not appoint to a vacancy on a committee during a recess of Congress (footnote). Volume **IV**, section **4460.**

The Senate, as a continuing body, may continue its committees through the recess following the expiration of a Congress. Volume **IV**, section **4544.** Volume **VI**, sections **190, 343.**

The two Houses, by concurrent resolution, constituted a joint select committee of investigation, with power to send for persons and papers and sit during the recess of Congress. Volume **VI**, section **380.**

A committee of investigation was granted leave to file report with the Clerk of the House after adjournment of the Congress in which it was appointed. Volume **VI**, section **381.**

(13) Of the Congress.—As Affecting the Taking of Testimony.

The Speaker may be authorized and directed to issue subpoenas during a recess of Congress. Volume **III**, section **1806.**

An investigating committee being empowered to sit during recess, the Speaker was authorized and directed to sign subpoenas as during a session. Volume **III**, section **1753.**

By concurrent resolution the two Houses empowered the Vice-President and Speaker to sign subpoenas during a recess of Congress. Volume **III**, section **1763.**

The two Houses by concurrent resolution constituted a joint select committee of investigation, with power to send for persons and papers and sit during the recess of Congress. Volume **III**, sections **1763, 1764.**

A Senate committee, with authority to take testimony in the recess between two sessions of the same Congress, was yet unable to compel testimony from a recalcitrant witness. Volume **III**, section **1837.**

(14) Of the Congress.—Approval of Bills by the President During.

The Supreme Court affirmed the validity of an act presented to the President while Congress was sitting and signed by him within ten days, but after the Congress had adjourned for a recess. Volume **IV**, section **3495.**

An instance where the President signed bills after Congress had adjourned for a recess. Volume **VII**, section **1087.**

It may be regarded as settled that the President of the United States may effectively approve a bill when Congress is in recess for a specified time. Volume **IV**, section **3493.**

The President, in the opinion of the Attorney-General, may sign a bill at any time within ten days after Congress has adjourned for a recess. Volume **IV**, section **3496.**

President Johnson contended that he might not approve bills during a recess of Congress. Volume **IV**, sections **3493, 3494.**

(15) Of the Congress.—In Relation to Impeachment Proceedings.

A recess of Congress intervened between the impeachment of Blount and the framing of the articles of impeachment. Volume **III**, section **2299.**

In the Blount impeachment the House, after discussion, empowered the committee drawing the articles to sit during the recess of Congress. Volume **III**, section **2297.**

The Senate in its writ of summons in the Blount impeachment fixed respondent's appearance at the next session of Congress. Volume **III**, section **2304.**

RECESS—Continued.

(15) Of the Congress.—In Relation to Impeachment Proceedings—Continued.

The impeachment of Judge Pickering was presented in the Senate on the last day of the Seventh Congress. Volume **III**, section **2320.**

At the beginning of the Eighth Congress the House continued the Pickering impeachment by appointing a committee to prepare articles. Volume **III**, section **2321.**

The proceedings in the Chase impeach were continued after a recess of Congress, but in deference to the practice at that time the articles were recommitted for a new report. Volume **III**, section **2344.**

A recess of Congress intervened between the filing of the answer and the presentation of the replication in the Peck trial. Volume **III**, section **2375.**

The first attempt to impeach President Johnson continued over a recess of the Congress. Volume **III**, section **2407.**

The Thirty-ninth Congress having expired during investigation of President Johnson's conduct, the House in the next Congress directed the Judiciary Committee to resume the investigation. Volume **III,** section **2401.**

The later pleadings in the Belknap trial were filed with the Secretary of the Senate during a recess of the Senate sitting for the trial. Volume **III**, section **2455.**

RECIPROCITY TREATIES.

After long and careful consideration the Judiciary Committee of the House decided in 1887 that the executive branch of the Government might not conclude a treaty affecting the revenue without the assent of the House. Volume **II**, sections **1528–1530.**

In 1880 the House declared that the negotiation of a treaty affecting the revenues was an invasion of its prerogatives. Volume **II**, section **1524.**

In 1884 and 1886 the Ways and Means Committee assumed that the right of the House to a voice in making treaties affecting the revenue had been conceded. Volume **II**, sections **1526, 1527.**

Reference to discussion in the Senate over right of the House to a voice in making treaties affecting the revenue (footnote). Volume **II**, section **1528.**

Approvals by Congress of reciprocity treaties affecting customs duties. Volume **II**, section **1531.**

In 1881 the House Committee of Foreign Affairs, discussing the treaty-making power, concluded that the House had no share in it. Volume **II**, section **1525.**

The House has at times advised the Executive in regard to treaties affecting the revenue. Volume **II**, sections **1520–1522.**

The Ways and Means Committee has exercised jurisdiction over the subjects of customs unions, reciprocity treaties, and conventions affecting the revenues. Volume **IV**, section **4021.**

The Committee on Foreign Affairs has exercised jurisdiction of the subjects of commercial treaties and reciprocal arrangements. Volume **IV**, section **4174.**

RECLAMATION.

An appropriation for publication of the Reclamation Record was held to be unauthorized by law. Volume **VII**, section **1229.**

The Committee on Ways and Means and not the Committee on Irrigation of Arid Lands has jurisdiction of legalization relating to issuance of certificates of indebtedness to reclamation fund. Volume **VII**, section **1739.**

Legislative propositions relating to the care of waters on arid public lands belong to the jurisdiction of the Committee on the Public Lands and not the Committee on Irrigation and Reclamation. Volume **VII**, section **1931.**

RECOGNITION.

(1) In procedure of the House.—Speaker's power of

(2) In procedure of the House.—No appeal from Speaker's decision as to.

(3) In procedure of the House.—Dilatory motions, etc., not to be entertained.

RECOGNITION—Continued.

(4) In procedure of the House.—Alternations between the two sides.
(5) In procedure of the House.—Prior right to, of mover, proposer, etc.
(6) In procedure of the House.—Prior rights of Member in charge of a bill.
(7) In procedure of the House.—Prior rights of members of committee in debate.
(8) In procedure of the House.—After negative decision on motion made by Member in charge.
(9) In procedure of the House.—In relation to yielding the floor.
(10) In procedure of the House.—For the motion to suspend the rules.
(11) In procedure of the House.—For the previous question.
(12) In procedure of the House.—To move to recommit.
(13) In procedure of the House.—In the five-minute debate.
(14) In procedure of the House.—After Member has been called to order.
(15) In procedure of the House.—On a question of privilege.
(16) In procedure of the House.—In relation to motions and objections.
(17) In procedure of the House.—As related to possession of the floor.
(18) In procedure of the House.—In general.
(19) Of foreign governments.
(20) Of a State government.

(1) In Procedure of the House.—Speaker's Power of.

Rule regulating the act of the Member in seeking recognition for debate. Volume **V,** section **4979.**

A Member desiring recognition must first rise and address the Speaker. Volume **VI,** section **283.**

The rule of recognition and the hour rule for debate. Volume **V,** section **4978.**

Under the rules the Speaker recognizes the Members who address the House. Volume **V,** section **5003.**

The Speaker may inquire for what purpose a Member rises and then deny recognition. Volume **VI,** section **289.**

An inquiry to ascertain for what purpose a Member arises does not constitute recognition. Volume **VI,** section **293.**

A Member in addressing the House must address the Chair. Volume **V,** section **4980.**

The rule as to recognition by the Speaker. Volume **II,** section **1419.**

The Speaker has authority to name the Member who is entitled to the floor. Volume **II,** sections **1422, 1423.**

Reference to the early practice as to recognition. Volume **II,** section **1421.**

The old parliamentary rule of recognition. Volume **II,** sections **1420, 1421.**

Under the rules only the Speaker or Chairman may recognize for debate, but by unanimous consent the time is sometimes controlled by the two Members in charge of the two contentions on the floor. Volume **V,** section **5003.**

Discretion as to recognition must be lodged with the Presiding Officer. Volume **II,** section **1424.**

In awarding recognition the Speaker is ordinarily controlled by the usages of the House. Volume **II,** section **1469.**

When the House is proceeding under general parliamentary law the Speaker is constrained to recognize any Member presenting a privileged motion. Volume **VIII,** section **2283.**

While circumscribed by the rules and practices of the House, the exercise of the power of recognition is not subject to a point of order. Volume **VI,** section **294.**

The Speaker is constrained to recognize on Wednesday any Member proposing a motion to dispense with proceedings in order on that day. Volume **VII,** section **915.**

On Consent Calendar days the Speaker recognizes for the transaction of business by unanimous consent only in cases of emergency. Volume **VII,** section **979.**

RECOGNITION—Continued.

(1) In procedure of the House.—Speaker's Power of—Continued.

While the Speaker has, on extraordinary occasions of emergency or routine, recognized Members to request unanimous consent for consideration of unprivileged matters, it is not the practice. Volume **VII,** section **983.**

Debate on the motion to discharge a committee is limited by the rule and the Speaker is constrained to deny recognition for requests to extend the time. Volume **VII,** section **1010.**

The Speaker declines to entertain requests for unanimous consent to establish special orders for Wednesday. Volume **VII,** section **888.**

On a District of Columbia day a motion to go into the Committee of the Whole to consider District business and a motion to go into the Committee to consider business generally privileged under a special order are of equal privilege, and recognition to move either is within the discretion of the Chair. Volume **VII,** section **877.**

Recognition to propound a parliamentary inquiry is within the discretion of the Chair and may interrupt proceedings of high privilege. Volume **VI,** section **541.**

Debate on a point of order is at the discretion of the Chair and Members may speak as often as recognized. Volume **VIII,** section **3448.**

A "gentlemen's agreement"—a term applied to unanimous-consent orders of more than ordinary importance—is observed with scrupulous care and the Speaker has declined to recognize Members to submit requests which in his opinion infringed on its provisions. Volume **VI,** section **710.**

(2) In Procedure of the House.—No Appeal From Speaker's Decision as to.

There is no appeal from a decision by the Speaker on a question of recognition. Volume **II,** sections **1425–1428.** Volume **VI,** section **292.** Volume **VIII,** sections **2429, 2646.**

Under the earlier practice of the House there was an appeal from a decision of the Speaker on a question of recognition. Volume **II,** sections **1429–1434.**

The Chair, having used his discretion in recognizing a Member for debate on a point of order, declined to entertain an appeal from this recognition. Volume **V,** section **6946.**

(3) In Procedure of the House.—Dietary Motions, etc., Not To Be Entertained.

No dilatory motion shall be entertained by the Speaker. Volume **V,** section **5706.**

Review of the conditions which resulted in the rule empowering the Speaker to decline to recognize for dilatory motions. Volume **V,** section **5706.**

The Chair being satisfied that a quorum was present and that a point of no quorum was made for dilatory purposes declined to entertain it. Volume **VIII,** section **2808.**

The point of no quorum may not be held dilatory when well taken, and regardless of the fact that a roll call has just disclosed the presence of a quorum, the Speaker will entertain a point of no quorum when manifestly justified. Volume **VIII,** section **2806.**

In the absence of intervening business, the Speaker declined to entertain a point of no quorum made immediately following a yea-and-nay vote on which a quorum voted. Volume **VIII,** section **2810.**

Where obviously offered for the purpose of delaying consideration the Chair has declined to entertain an amendment. Volume **VIII,** section **2798.**

(4) In Procedure of the House.—Alternations Between the Two Sides.

Recognitions are alternated between the majority and minority sides of the pending question. Volume **II,** section **1443.**

Recognitions are alternated according to differences on the pending question rather than on account of political differences. Volume **II,** section **1444.**

A member of the committee having occupied the floor in favor of a measure, a Member opposing should be recognized, even though he be not a member of the committee. Volume **II,** section **1445.**

RECOGNITION—Continued.

(4) In Procedure of the House.—Alternations Between the Two Sides—Continued.

In general debate the Speaker recognizes with the purpose of securing alternation of the two sides, but this principle is not insisted on rigidly where a limited time is controlled by members, as in the forty minutes' debate under section 3 of Rule XXVIII. Volume **II,** section **1442.**

When a bill is reported from the Committee of the Whole with the recommendation that the enacting clause be stricken out, right to prior recognition passes from the Member in charge to the leading opponent of the bill. Volume **VIII,** section **2629.**

In the House the Member reporting a measure is entitled to recognition for one hour during which he may yield to others as he may choose, and at the close of which, unless the previous question is moved, the ranking Member in opposition may be recognized for an hour with the same privilege, after which other Members favoring and opposing the measure are recognized alternately, preference being given Members of the committee reporting the measure. Volume **VIII,** section **2460.**

(5) In Procedure of the House.—Prior Right to, of Mover, Proposer, etc.

The Member on whose motion a subject is brought before the house is first entitled to the floor in debate. Volume **II,** section **1446.** Volume **VI,** section **302.**

The mover of a proposition is entitled to prior recognition for allowable motions relating thereto. Volume **VI,** section **394.**

The proponent of a resolution is entitled to prior recognition for motions and debate. Volume **VIII,** section **2454.**

The mover of a proposition is entitled to prior recognition to move to reconsider. Volume **II,** section **1454.**

The Member on whose motion the enacting clause of a bill is stricken out in Committee of the Whole is entitled to prior recognition when the bill is reported to the House. Volume **V,** section **5337.**

The two Houses having separated to pass on an objection raised during the electoral count of 1877, the Speaker decided that the right to prior recognition belonged to the Member who had raised the objection in the joint meeting. Volume **III,** section **1956.**

The House having agreed to a motion to discharge a committee from further consideration of a resolution, the proponent of the motion was recognized to debate the resolution. Volume **VI,** section **417.**

When resolution is brought directly before the House independently of a committee the proponent's right to prior recognition for debate takes precedence over the motion to refer. Volume **VI,** section **86.**

A Member presenting a privileged report and Members submitting minority views are entitled to recognition to read in full the report or views respectively although no question may be pending. Volume **VI,** section **379.**

In the Committee of the Whole House the chairman of the standing committee reporting business in order on the current day is entitled to prior recognition to offer motions relative to the order of business, but such motions being rejected, the right to recognition passes to the leading Member in opposition. Volume **VIII,** section **2865.**

A motion to lay a proposition on the table is in order before the Member entitled to prior recognition for debate has begun his remarks. Volume **VI,** section **86.**

Upon the presentation of a privileged report embodying no recommendations, any Member offering a motion for its disposition is entitled to recognition for one hour's debate thereon. Volume **VI,** section **379.**

The Member presenting a committee report from the floor is entitled to prior recognition. Volume **VI,** section **411.**

Questions relating to impeachment while of high privilege must be submitted in the form of a resolution to entitle the proponent to recognition for debate. Volume **VI,** section **470.**

A Member submitting a privileged resolution proposing impeachment is entitled to recognition for one hour in which to debate it. Volume **VI,** section **468.**

RECOGNITION—Continued.

(5) In Procedure of the House.—Prior Right to, of Mover, Proposer, etc.—Continued.

A Member recognized to present a privileged resolution may not be taken from the floor by a motion to refer. Volume **VI,** section **468.**

The proponent of a proposition to refer impeachment charges to a committee is entitled to one hour in debate exclusive of the time required for the reading of the charges. Volume **VI,** section **549.**

While members of the committee are entitled to priority of recognition for debate, a motion to lay a proposition on the table is in order before the Member entitled to prior recognition for debate has begun his remarks. Volume **VI,** section **413.**

The member reporting a bill from a committee is entitled to recognition when the bill is taken up for consideration in the House. Volume **VI,** section **514.**

A motion to discharge a committee having been agreed to, its proponents are entitled to prior recognition in debate and for allowable motions to expedite consideration. Volume **VII,** section **1012.**

(6) In Procedure of the House.—Prior Rights of Member in Charge of a Bill.

The Chairman of the committee in charge of a bill is entitled at all stages to prior recognition for allowable motions intended to expedite the bill. Volume **II,** sections **1457, 1458.**

The chairman of the committee which reported a bill is entitled to prior recognition when the Senate amendments thereto are debated. Volume **II,** section **1452.**

The Member reporting a bill from a committee is entitled to recognition to move as to disposition of the bill, although another Member may have risen first. Volume **II,** section **1447.**

The Member in charge of the bill is entitled at all stages to prior recognition for allowable motions intended to expedite the bill. Volume **VI,** section **300.**

The proponent of a motion is entitled to the floor against all save the Member in charge, who has prior right to recognition and may move the previous question at any time during the hour allotted him. Volume **VIII,** section **3231.**

A Member may not be offering a motion of higher privilege than the pending motion deprive any member of the committee in charge of the bill of the floor. Volume **II,** sections **1460–1463.** Volume **VI,** section **297.** Volume **III,** sections **2454, 3193, 3197, 3259.**

The question as to the extent to which the chairman of the committee reporting a bill should be recognized to offer amendments to perfect it in preference to other Members. Volume **II,** section **1450.**

The chairman of a committee having in committee opposed a bill must in the House yield prior recognition to a member of his committee who has favored the bill. Volume **II,** section **1449.**

The control of a bill on the floor having devolved on the ranking member of the committee favoring it, he resigned his right to the introducer of the bill, who was not a member of the committee. Volume **II,** section **1455.**

The Member in charge of the bill is recognized anew after he has presented the bill and it has been read at the Clerk's desk. Volume **II,** section **1451.**

The Member in charge of the bill is entitled to prior recognition to offer amendments. Volume **VI,** section **296.**

A Member in charge may yield for debate and retain control of the remainder of the time allotted, but in yielding for amendments thereby relinquishes the floor. Volume **VII,** section **801.**

While the motion to lay on the table is not debatable, the chairman of a committee reporting a proposition to the House with the recommendation that it be laid on the table is entitled to recognition for debate before moving to lay on the table. Volume **VI,** section **412.**

The member in charge of a bill under consideration in the House is recognized for an hour, during which he may move the previous question or yield time, but in yielding to a Member to offer an amendment he surrenders the floor. Volume **VII,** section **1053.**

RECOGNITION—Continued.

(6) In Procedure of the House.—Prior Rights of Member in Charge of a Bill—Continued.

Debate on Senate amendments reported in disagreement by managers on the part of the House is under the hour rule, but the Member in charge is entitled to prior recognition and may move the previous question. Volume **VII,** section **1572.**

A Member may demand the question of consideration; although the Member in charge may demand the floor for debate. Volume **VI,** section **404.**

While the Member in charge must yield for preferential motions, a Member may not by offering such motion deprive the Member in charge of the floor. Volume **VIII,** section **3259.**

A member having control of time for debate can not exclude the preferential motion to recede and concur, but may not be deprived of the floor by such motion. Volume **VIII,** section **3197.**

The motion to recede from disagreement and concur in a Senate amendment has precedence of a motion to insist further, but a member by offering such motion may not deprive the member-in-charge of the floor. Volume **VIII,** section **3193.**

The Member in charge of the bill may not by demanding the previous question take a Member from the floor. Volume **VIII,** section **2609.**

A Member rising to a question of privilege was recognized in preference to the Member in charge without inquiry as to the purpose for which the latter rose. Volume **VI,** section **556.**

(7) In Procedure of the House.—Prior Rights of Members of Committee in Debate.

Members of the committee reporting a bill are entitled to priority of recognition for debate. Volume **II,** section **1448.**

The members of the committee reporting the bill have precedence in the discussion. Volume **II,** section **1438.** Volume **VI,** sections **306, 307.**

The Chairman of the Committee of the Whole which last reports a bill does not thereby become entitled to prior recognition in debate. Volume **II,** section **1453.**

Members of the committee on the District of Columbia have precedence in recognition for debate on days claimed by the committee for the consideration of District business. Volume **VII,** section **875.**

The Member calling up a House bill on Calendar Wednesday is recognized for one hour and may move the previous question, for the purpose of preventing debate or amendment, at any time. Volume **VII,** section **955.**

A Member of the committee calling up a bill on Calendar Wednesday is entitled to prior recognition to oppose it, but if no Member of the committee opposes it any Member may be recognized in opposition. Volume **VII,** section **958.**

In recognizing for debate under the Calendar Wednesday rule, preference is given Members of the committee reporting the bill; if no Member of the committee claims the time in opposition, the Chair may recognize any Member for that half of the time. Volume **VII,** section **959.**

The proponents of a motion to discharge a committee are entitled to open and close debate thereon. Volume **VII,** section **1010a.**

Under a special order providing for equal division of time for debate between those favoring and those opposing a bill, without designating who should control the time, it was held to be within the discretion of the Chair to recognize a Member supporting and a Member opposing the measure, each of whom should respectively control half the time. Volume **VII,** section **785.**

Where a special order for the consideration of a bill limited general debate to one hour without providing for control of the time it was held that the Member in charge should be recognized to control the time in favor of the bill; the ranking minority Member to control the time in opposition; and if none of the minority opposed the bill the minority leader should control the time in opposition. Volume **VIII,** section **2461.**

RECOGNITION—Continued.

(8) In Procedure of the House.—After Negative Decision on Motion Made by Member in Charge.

A motion to direct or control the consideration of the subject before the House being made by the Member in charge and decided adversely, the charge of the subject passes to the opponents. Volume **II,** sections **1465–1468.** Volume **VI,** section **308.**

The House having disagreed to the recommendation of the committee reporting a resolution, the Speaker recognized an opponent of the committee, but not the original proposer of the resolution. Volume **II,** sections **1469–1472.**

When a bill is reported from the Committee of the Whole with an adverse recommendation an opponent of it is recognized to make a motion as to its disposition. Volume **IV,** section **4897.**

A conference report having been disagreed to, one of the opponents of the report was recognized to make the motions in relation to the pending amendments. Volume **V,** section **6396.**

A motion made by the Member in control of a conference report being decided adversely, it has unusually been held that the right of recognition passes to the opponents. Volume **II,** sections **1473–1477.**

The defeat of an amendment proposed by the committee does not cause the right to prior recognition to pass from the Member representing the committee in charge of the bill. Volume **II,** section **1478.**

The adoption of an amendment against the advice of a Member in charge of the bill does not cause him to lose his right to prior recognition. Volume **II,** section **1479.**

A material motion by the Member in charge being rejected through absence of the majority acting under representations of the minority, the minority declined to take advantage of the situation and yielded for a motion to adjourn. Volume **VI,** section **312.**

While the rejection of a conference report transfers the control of the measure to the opponents, the sustaining of a point of order against a conference report is not adverse action on the part of the House and exerts no effect on the right of recognition. Volume **VI,** section **313.**

(9) In Procedure of the House.—In Relation to Yielding the Floor.

A Member who has yielded the floor for a motion to adjourn is entitled to prior recognition after that motion is decided in the negative. Volume **V,** section **5011.**

A Member who had yielded the floor to enable the subject to be postponed to a day certain was held to be entitled to prior recognition when the subject was again considered. Volume **V,** section **5014.**

The right of a Member to yield of his time has been modified by the principle that members of the committee reporting the subject are entitled to prior recognition. Volume **V,** section **5028.**

A Member who resumes his seat while a paper is being read in his time does not thereby lose his right to proceed. Volume **V,** section **5015.**

A Member recognized to debate a question of personal privilege may not yield to another to propound irrelevant questions or inject extraneous subjects. Volume **VI,** section **617.**

(10) In Procedure of the House.—For the Motion to Suspend the Rules.

The admission of the motion to suspend the rules on a committee suspension day is a matter of recognition by the Chair. Volume **V,** section **6845.**

In the later practice it has been held that the rules permit but do not require the Speaker to entertain motions to suspend the rules. Volume **V,** sections **6791–6794.**

Recognition to move suspension of the rules on days on which the motions is in order is within the discretion of the Speaker. Volume **VIII,** sections **3402, 3403.**

On a motion to suspend the rules the Member demanding a second divides with the mover the forty minutes of debate. Volume **V,** sections **6823, 6824.**

On a motion to suspend the rules a member of the committee which reported the bill is entitled to priority over other opponents of the bill in demanding a second. Volume **V,** sections **6802–6804.**

RECOGNITION—Continued.

(10) In Procedure of the House.—For the Motion to Suspend the Rules—Continued.

On a motion to suspend the rules the Speaker in recognizing a Member to demand a second gives priority to one opposed to the motion, but if no one rises in opposition, recognizes for that purpose a Member favoring the proposition. Volume **VIII,** section **3407.**

In qualifying for recognition to demand a second it is not sufficient to express conditional or partial opposition to the bill, but it is necessary to announce unconditional opposition. Volume **VIII,** section **3408.**

On motion to suspend the rules one opposed to the bill has prior right to recognition to demand a second over a member of the committee reporting the bill who favors the motion. Volume **VIII,** section **3409.**

While the Speaker in recognizing Members to demand a second on a motion to suspend the rules, in the absence of other considerations, gives priority to members of the committee and to the political minority, the determining qualification is opposition to the motion and members of the political minority favoring the proposition. Volume **VIII,** section **3415.**

If no one qualifies to demand a second on a motion to suspend the rules, and no minority member seeks recognition for that purpose, the Speaker recognizes at his discretion. Volume **VIII,** section **3416.**

In the allotment of time for debate on a motion to suspend the rules and pass a bill, a member of the committee reporting the bill has prior to recognition over one not a member of the committee. Volume **VIII,** section **3415.**

Where the proponent of a motion to suspend the rules is opposed to the proposition, a member who favors it will be recognized to control the 20 minutes of debate on that side. Volume **VIII,** section **3416.**

Requests for recognition to demand a second to a motion to suspend the rules come too late after the second has been ordered. Volume **VIII,** section **3416.**

The rule providing for the call of the Consent Calendar on the first and third Mondays does not preclude recognition within the discretion of the Speaker for a motion to suspend the rules, and such motion is in order before the calendar is called or at any time before the call is completed. Volume **VIII,** section **3405.**

Instance wherein the Speaker near the end of a session requested that Members desiring to be recognized to move to suspend the rules submit their request in writing. Volume **VIII,** section **3402.**

The speaker is forbidden to recognize for motions to suspend the rule prohibiting the introduction of persons in the galleries. Volume **VI,** section **197.**

(11) In Procedure of the House.—For the Previous Question.

It is in order for a Member to make a motion and thereupon to demand the previous question on the motion. Volume **V,** section **5477–5479.**

The Member in charge of the bill is entitled to prior recognition to move the previous question. Volume **VIII,** section **2748.**

The Member in charge of the bill and having the floor may demand the previous question, although another Member may propose to offer a motion of higher privilege, but the motion of higher privilege must be put before the previous question. Volume **V,** section **5480.**

A Member may not demand the previous question if the Member in charge of the bill claims the floor in debate. Volume **II,** section **1458.**

If after debate the Member in charge of the bill does not move the previous question, another Member, having the floor, may do so. Volume **V,** section **5475.**

A Member having obtained the floor to make a preferential motion may not thereupon demand the previous question to the exclusion of the Member in charge of the bill. Volume **II,** section **1459.**

RECOGNITION—Continued.

(11) In Procedure of the House.—For the Previous Question—Continued.

A Member may demand the question of consideration, although the Member in charge of the bill may claim the floor for debate, but the previous question may not be demanded in a similar way. Volume **V,** sections **4944, 4945.**

A Member opposed to the pending bill is entitled to recognition to move the previous question on a motion to postpone consideration in preference to the Member in charge claiming the floor in debate. Volume **VIII,** section **2685.**

A Member who, having the floor, moved the previous question was permitted to resume the floor on withdrawing the motion. Volume **V,** section **5474.**

A demand for the previous question having been withdrawn, any Member is entitled to recognition to renew the motion, although a member of the committee reporting the bill demands the floor. Volume **VIII,** section **2683.**

The Member in charge of the bill is entitled to prior recognition to move the previous question even after he has surrendered the floor for debate. Volume **VIII,** section **2682.**

The opponents of a bill have no claim to prior recognition to make the motion to refer under Rule XVII. Volume **II,** section **1456.**

(12) In Procedure of the House.—To Move to Recommit.

A rule provides that after the previous question is ordered on the passage of a bill preference in recognition to move to recommit shall be given a Member opposed to the bill. Volume **VIII,** section **2757.**

Under the later rule but one motion to recommit is in order, and the Speaker in recognizing for the motion is required to give preference to a Member opposed to the bill. Volume **VIII,** section **2762.**

The motion to recommit is the prerogative of the minority, and Members opposed to the bill are recognized to move recommitment in the order of their committee rank. Volume **VIII,** section **2697.**

When the previous question has been ordered on a bill and amendments to final passage, members of the committee reporting the bill who qualify without condition or reservation are entitled to priority in recognition to move to recommit. Volume **VIII,** section **2771.**

The leading opponent of the pending measure is entitled to prior recognition to move to recommit. Volume **VIII,** section **2764.**

In recognizing Members to move to recommit, the Speaker gives preference, first, to the ranking minority member of the committee reporting the bill; then to the remaining minority members of that committee in the order of their rank, and if no member of the committee qualifies, then to the leader of the minority party in the House. Volume **VIII,** section **2767.**

In recognizing for the motion to recommit, the Speaker gives preference to members of the committee reporting the bill, and if no member of the committee rises, recognizes within his discretion any Member opposed to the bill and from such recognition there is no appeal. Volume **VIII,** section **2762.**

The practice is for the Speaker to ask a Member offering a motion to recommit if he is opposed to the bill, and if he is not, then to inquire if any Member opposed to the bill desires to move recommitment, and if none rises the Member first rising is recognized. Volume **VIII,** section **2765.**

In recognizing for the motion to recommit the Speaker will not investigate the attitude of a Member on the bill further than to inquire, and accepts his statement as final. Volume **VIII,** section **2770.**

In recognizing under the rule to move to recommit, the Speaker is governed by the attitude of Members toward the bill and not by their political affiliation. Volume **VIII,** section **2773.**

RECOGNITION—Continued.

(12) In Procedure of the House.—To Move to Recommit—Continued.

Recognition to offer a motion to recommit is governed by the attitude of the Member toward the bill, and a Member opposed to the bill without qualification is entitled to preference over a Member opposed to the bill in its pending form. Volume **VIII,** section **2714.**

Recognition to move recommitment is governed by the attitude of the Member toward the bill, and a Member opposed to the bill as a whole is entitled to prior recognition over a Member opposed to a portion of the bill. Volume **VIII,** section **2731.**

A Member qualifying as unconditionally opposed to a bill is entitled to recognition to move recommitment in preference to a Member opposed to the bill provisionally or in part. Volume **VIII,** section **2698.**

Recognition to move recommitment is determined by the attitude of proponents on the pending bill, and a Member opposed to the bill without qualification is recognized in preference to a Member opposed to the bill in part or conditionally. Volume **VIII,** section **2758.**

A Member opposed to the bill as a whole is recognized to move to recommit in preference to one opposed to a portion of the bill only. Volume **VIII,** section **2769.**

In recognitions to move to recommit, a Member opposed to the bill as a whole has preference over one opposed to the bill in part, and a Member opposed to the bill in part takes precedence of a Member favoring the bill. Volume **VIII,** section **2713.**

A member of the committee reporting a bill is entitled to prior recognition to move recommitment in preference to one not a member of the committee. Volume **VIII,** section **2769.**

A member of the committee opposed to the bill reporting the measure is entitled to recognition to move recommitment over one not a member of the committee but otherwise equally qualified. Volume **VIII,** section **2773.**

A motion to recommit having been ruled out of order, the proponent is entitled to prior recognition to offer a second motion to recommit. Volume **VIII,** section **2713.**

Two motions to recommit offered by a Member having been ruled out of order, the Speaker recognized him to submit a third motion to recommit when convinced that it was not offered for dilatory purposes. Volume **VIII,** section **2713.**

A motion to recommit having been ruled out of order, another motion is in order if offered in good faith, but subsequent recognition to move recommitment is within the discretion of the Speaker, and may be denied if dilatory. Volume **VIII,** section **2760.**

The motion to recommit may not be made while another has the floor, and a Member proposing a resolution is entitled to one hour for debate, during which time the motion may not be offered without his consent. Volume **VIII,** section **2742.**

Recognition to move recommitment of a conference report is due Members opposed to the report, regardless of party affiliations, but in the absence of other considerations preference is accorded Members of the minority. Volume **VIII,** section **3319.**

While the simple motion to recommit is not admissible to the Committee of the Whole, it is in order to move to rise and report with the recommendations that the bill be recommitted. Volume **VIII,** section **2329.**

(13) In Procedure of the House.—In Five-minute Debate.

A Member who has occupied five minutes on a pro forma amendment may not by making another pro forma amendment lengthen his time. Volume **V,** section **5222.**

During the five-minute debate recognitions are not necessarily alternated between the political divisions of the House, but are governed by conditions relating to the pending question. Volume **V,** section **5223.**

(14) In Procedure of the House.—After Member Had Been Called to Order.

A Member who resumes his seat after being called to order loses his claim to prior right of recognition. Volume **V,** section **5016.**

A Member who has been called to order in debate and decided out of order loses the floor and another may be recognized. Volume **V,** sections **5196, 5199.**

RECOGNITION—Continued.

(15) In Procedure of the House.—On a Question of Privilege.

In presenting a question involving the privilege of the House, a Member is required to submit a resolution before proceeding in debate. Volume **VI**, section **569.**

A Member may not be taken from the floor by a question of privilege. Volume **VIII**, section **2528.**

Although a Member had been recognized to present a privileged report from the Committee on Ways and Means, a question of privilege was given precedence. Volume **VI**, section **557.**

A Member proposing a resolution relating to the privilege of the House was recognized in preference to a Member requesting recognition to call up a conference report. Volume **VI**, section **559.**

Having presented one question of a privilege, a Member, before discussing it, may submit a second question of privilege related to the first and discuss both on one recognition. Volume **VI**, section **562.**

A Member recognized to present a question of privilege based on a telegram was permitted to discuss subjects indirectly referred to in a resolution mentioned in the telegram. Volume **VI**, section **563.**

A Member recognized to discuss a question of privilege may not yield for debate. Volume **VI**, section **563.**

A Member rising to a question of personal privilege was not permitted to take from the floor another Member who had been recognized for debate. Volume **VIII**, section **2459.**

A question of privilege relating to the conduct of several Members being before the House, one of them may not claim the floor, by asserting a question of personal privilege. Volume **III**, section **2534.**

An inquiry by the House as to an alleged abuse of the leave to print does not necessarily entitle the Member implicated to the floor on a question of personal privilege. Volume **V**, section **7012.**

(16) In Procedure of the House.—In Relation to Motions and Objections.

Under the latest rulings a motion to lay a proposition on the table is in order before the Member entitled to prior recognition for debate has begun his remarks. Volume **V**, sections **5391—5395.**

A Member is permitted under certain circumstances to make a double motion. Volume **V**, section **5637.**

The Member should rise in objecting to a request for unanimous consent. Volume **II**, sections **1137, 1138.**

A Member rising to make a parliamentary inquiry may not under that guise offer a motion to strike out the enacting clause, but must have the floor in his own right for that purpose. Volume **VIII**, section **2625.**

A Member having the floor to offer a motion may move the previous question thereon although another claims recognition to offer a motion of higher privilege, but the motion of higher privilege must be put before the previous question. Volume **VIII**, section **2684.**

A Member proposing a preferential motion is entitled to recognition prior to the disposition of the pending motion, but may not by offering such motion deprive another of the floor. Volume **VIII**, section **3183.**

While an appeal or a motion to adjourn is always in order, a Member must first secure recognition in order to present either. Volume **VI**, section **293.**

(17) In Procedure of the House.—As Related to Possession of the Floor.

A Member may not make a motion to adjourn while another Member is in possession of the floor. Volume **V**, sections **5369, 5370**. Volume **VIII**, section **2646.**

The fact that a Member has the floor on one matter does not necessarily entitle him to prior recognition for a motion relating to a different matter. Volume **II**, section **1464.**

A Member may lose his right to the floor if he neglects to claim it before another Member has been recognized. Volume **II**, sections **1435, 1436.**

RECOGNITION—Continued.

(17) In Procedure of the House.—As Related to Possession of the Floor—Continued.

After a Member has proceeded with his remarks it is too late to challenge his right to the floor. Volume **II,** section **1437.**

A Member may not prefer a parliamentary inquiry while another Member is in possession of the floor. Volume **VIII,** section **2455.**

In the House a Member may not yield even temporarily for other business without losing the floor. Volume **VIII,** section **2468.**

A Member having the floor for debate may be interrupted for the presentation of a proper point of order. Volume **VIII,** section **2466.**

(18) In Procedure of the House.—In General.

At the organization of the House a person whose name is not on the Clerk's role may not be recognized. Volume **I,** section **86.**

Before the election of a Speaker the Clerk recognizes Members. Volume **I,** section **74.**

Duty of the Speaker as to recognition of a Delegate after the Territory has been admitted as a State. Volume **I,** section **408.**

A Member of the minority party offered the resolution relating to the death of President Taylor. Volume **V,** section **7177.**

(19) Of Foreign Governments.

The House has usually had a voice in the recognition of the independence of a foreign nation when such recognition has affected relations with another power. Volume **II,** section **1541–1544.**

An authorization of diplomatic relations with a foreign nation originated in the House in 1882. Volume **II,** section **1549.**

Congratulations of the House at the appearance of a new nation. Volume **II,** section **1552.**

Arguments in the Senate that the power of recognizing foreign governments is vested in the President. Volume **II,** section **1545.**

(20) Of a State Government.

Reference to principles governing recognition of a State government by the President of the United States. Volume **I,** section **349.**

RECOGNIZANCE.

The House declined to release Samuel Houston on bail pending his trial by the House for contempt. Volume **II,** section **1618.**

Articles of impeachment being presented against a Senator, he was sequestered from his seat and was ordered to and did recognize for his appearance. Volume **III,** section **2118.**

Upon the impeachment of William Blount the Senate took him into custody and required bonds for his appearance, and informed the House thereof. Volume **III,** section **2296.**

Form of recognizance given by the respondent in an impeachment case for his appearance. Volume **III,** section **2118.**

After his expulsion from the Senate William Blount was surrendered by his bondsmen and gave bonds anew to answer to the impeachment. Volume **III,** section **2298.**

The Blount precedent for requiring bonds of the respondent was discussed adversely in the Peck case. Volume **III,** section **2367.**

RECOMMIT, MOTION TO.

(1) Nature and use of the motion.—In general.

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(1) Nature and Use of the Motion.—In General.

Discussion of the function of the motion to recommit. Volume **VIII,** section **2698.**

Discussion of the history and function of the motion to recommit. Volume **VIII,** section **2727.**

The motions to refer, commit, and recommit are practically the same. Volume **V,** section **5521.**

The motions to refer, commit, and recommit are practically the same, and a motion to recommit a Senate bill to a standing committee of the House to which it had not previously been referred was held to be in order. Volume **VIII,** section **2736.**

When a standing committee reports on subject matter referred to it, jurisdiction over it ceases unless recommitted. Volume **VIII,** section **2307.**

The House may refer to any committee regardless of jurisdiction, and motions to recommit may provide for reference to another committee than that reporting the bill. Volume **VIII,** section **2696.**

In the absence of a committee exercising jurisdiction over the subject matter of a bill under consideration in the House, it is in order formally to move to recommit the bill with instructions to any committee in existence or to the Committee of the Whole House on the state of the Union or to a proposed select committee presumably to consist of Members serving on the committee having jurisdiction in the preceding Congress. Volume **VII,** section **2102.**

It is not in order to recommit a bill to a subcommittee even though such subcommittee may have had charge of the bill during primary consideration by the committee reporting it. Volume **VIII,** section **2739.**

While the House was proceeding under general parliamentary law a motion to commit a pending resolution was admitted after the previous question had been ordered on the adoption of the resolution. Volume **VIII,** section **3384.**

The motion to recommit is not in order until the bill has been read the third time. Volume **VIII,** section **2694.**

It is not in order to move to direct a committee to report out a bill not recommitted to it. Volume **VIII,** section **2729.**

A bill referred to a committee and reported therefrom is sometimes recommitted. Volume **V,** section **5558.**

The rules contemplate that a committee may report a matter to the House for printing and recommitment. Volume **V,** section **5647.**

It is not in order to recommit a report until a question of order relating to its reception has been settled. Volume **V,** section **5560.**

RECOMMIT, MOTION TO—Continued.

(1) Nature and Use of the Motion.—In General—Continued.

The House having disposed of a report adversely it is not in order to recommit it. Volume **V,** section **5559.**

A bill being under consideration "in the House as in Committee of the Whole" a motion to commit was decided to be in order, although the reading by sections had not begun. Volume **IV,** sections **4931, 4932.**

After discussion, the Senate decided out of order a motion to refer an amendment to a pending bill without the bill itself. Volume **V,** section **5557.**

(2) Nature and Use of the Motion.—Repetition of.

A motion to postpone to a day certain, refer, or postpone indefinitely, being decided, is not again in order on the same day at the same stage of the question. Volume **V,** section **5301.**

Interpretation of the rule which forbids the repetition of the motions to postpone or refer at the same stage of the question. Volume **V,** section **5591.**

A motion to recommit being rule out on a point of order, a second motion to recommit is then admissible. Volume **VIII,** section **2736.**

Only one proper motion to recommit may be made and if rejected a second motion to recommit is not in order. Volume **VIII,** section **2737.**

A motion to recommit having been ruled out of order, another motion is in order if offered in good faith, but subsequent recognition to move recommitment is within the discretion of the Speaker and may be denied if dilatory. Volume **VIII,** section **2760.**

(3) Nature and Use of the Motion—Precedence of.

The rule establishing the precedence of the motion to refer (or recommit) as related to other motions. Volume **V,** section **5301.**

The motion to refer, the previous question not being ordered, has precedence of the motion to amend. Volume **V,** section **5555.**

Whether "a question is under debate" or not, a motion to lay on the table has precedence of a motion to refer. Volume **V,** section **5303.**

During consideration of a motion to suspend the rules and pass a bill, it is not in order to move to commit the bill or to demand a separate vote on amendments pending with the bill. Volume **V,** section **6860.**

A motion to recommit may be made after the engrossment and third reading of a bill, even though the previous question may not have been ordered. Volume **V,** sections **5562, 5563.**

The simple motion to recommit and the motion to recommit with instructions are of equal privilege under the rule and neither has precedence over the other. Volume **VIII,** sections **2714, 2758, 2762.**

The motion to recommit may not be made while another has the floor, and a Member proposing a resolution is entitled to one hour for debate, during which time the motion may not be offered without his consent. Volume **VIII,** section **2742.**

(4) Nature and Use of the Motion.—Relations to Other Motions.

The motions to postpone, refer, amend, for a recess, and to fix the day to which the House shall adjourn may be amended. Volume **V,** section **5754.**

An instance wherein a motion to refer was laid on the table. Volume **V,** section **5433.**

The motion to lay on the table may not be applied to the motion to recommit authorized after the previous question is ordered. Volume **V,** sections **5412–5414.** Volume **VIII,** sections **2653, 2655.**

The motion to postpone indefinitely may not be applied to the motion to refer. Volume **V,** section **5317.**

After a committee has reported a matter it is too late to reconsider the vote by which it was referred. Volume **V,** section **5651.**

RECOMMIT, MOTION TO—Continued.

(4) Nature and Use of the Motion.—Relations to Other Motions—Continued.

There is a question as to whether or not the rule forbidding a bill to be brought back from a committee on a motion to reconsider applies to a case wherein the House, after considering a bill, commits it. Volume **V,** sections **5648–5650.**

The question of consideration being pending, a motion to refer is not in order. Volume **V,** section **5554.**

The previous question may be moved on both the motion to refer and on the pending resolution. Volume **V,** section **5466.**

The previous question may be moved on a resolution while a motion to recommit it is pending. Volume **VIII,** section **2678.**

The motion to recommit with instructions may be made before the engrossment of a bill and is debatable, but a demand for the previous question, if sustained, cuts if off. Volume **V,** section **5561.**

A former rule of the House provided that motions might be committed, and the principle has been reasserted by the Chair. Volume **V,** section **5574.**

(5) Nature and Use of the Motion.—Debate on and Amendment of.

The simple motion to refer or commit is debatable, but the merits of the proposition which it is proposed to refer may not be brought into the debate. Volume **V,** section **5564–5568.**

On a motion to recommit the latitude of debate is not large. Volume **V,** section **5054.**

A former rule of the House provided that a motion to refer should not be debatable (footnote). Volume **V,** section **5564.**

The motion to commit, made after the previous question is ordered, is not debatable. Volume **V,** section **5582.**

The motion to recommit is subject to amendment, as by adding instructions, unless the previous question is ordered. Volume **V,** section **5521.** Volume **VIII,** sections **2695, 2762.**

A substitute proposing to amend instructions accompanying a motion to recommit must be germane. Volume **VIII,** section **2711.**

The motion to recommit is subject to amendment unless the previous question is ordered. Volume **VIII,** section **2738.**

Unless the previous question is ordered, a motion to recommit with instructions is open to amendment, and a substitute striking out all proposed instructions and substituting others cannot be ruled out as interfering with the right of the minority to move recommitment. Volume **VIII,** section **2759.**

(6) Nature and Use of the Motion.—For Authorization of a Select Committee.

A motion to refer may specify that the reference to be a select committee of a stated number of Members, and endow this committee with power to send for persons and papers. Volume **IV,** section **4402.**

Instance wherein a select committee was authorized by the adoption by the House of a motion to refer. Volume **IV,** section **4401.**

(7) Nature and Use of the Motion.—For Reference of Bills, Petitions, etc.

The House may by vote refer a bill to any committee, without regard to the rules of jurisdiction. Volume **IV,** section **4375.**

It is in order for the House to refer a bill to any committee, though such committee under Rule XI might not have original jurisdiction of the bill. Volume **V,** section **5527.**

It is in order to refer a matter to a committee before its members have been appointed. Volume **IV,** section **4555.**

A portion of a petition may be referred to one committee and the remainder to another, Volume **IV,** sections **3359, 3360.**

A portion of a petition being in contravention of a rule was laid on the table, while the remainder was referred. Volume **IV,** section **3358.**

A joint resolution may not be divided for reference. Volume **IV,** section **4376.**

RECOMMIT, MOTION TO—Continued.

(7) Nature and Use of the Motion.—For Reference of Bills, Petitions, etc.—Continued.

The parliamentary law provides that the House may commit a portion of a bill or part to one committee and part to another. Volume **V,** section **5558.**

It was held in order to refer a matter to a joint committee, although a law directed that such matters be referred to the House members of the said joint committee. Volume **IV,** section **4433.**

During the electoral count of 1877 the Speaker held that the House alone might not refer a matter to the Electoral Commission. Volume **III,** section **1955.**

The Committee of the Whole having reported back Senate amendments to a bill with recommendations for their disposition, it was held that a motion to recommit properly applied to the bill and not to the amendments. Volume **VIII,** section **2743.**

(8) Recognition to Offer.

A rule provides that after the previous question is ordered on the passage of a bill preference in recognition to move to recommit shall be given a Member opposed to the bill. Volume **VIII,** section **2757.**

Under the later rule but one motion to recommit is in order, and the Speaker in recognizing for the motion is required to give preference to a Member opposed to the bill. Volume **VIII,** section **2762.**

The motion to recommit is the prerogative of the minority, and Members opposed to the bill are recognized to move recommitment in the order of their committee rank. Volume **VIII,** section **2697.**

When the previous question has been ordered on a bill and amendments to final passage, members of the committee reporting the bill who qualify without condition or reservation are entitled to priority in recognition to move to recommit. Volume **VIII,** section **2771.**

The leading opponent of the pending measure is entitled to prior recognition to move to recommit. Volume **VIII,** section **2764.**

Prior right to move to recommit belongs to the member of the committee reporting the bill who first rises and qualifies as opposed to the bill. Volume **VIII,** section **2770.**

In recognizing Members to move to recommit the Speaker gives preference, first, to the ranking minority member of the committee reporting the bill; then to the remaining minority members of that committee in the order of their rank, and if no member of the committee qualifies, then to the leader of the minority party in the House. Volume **VIII,** section **2767.**

In recognizing for the motion to recommit, the Speaker gives preference to members of the committee reporting the bill, and if no member of the committee rises, recognizes within his discretion any Member opposed to the bill and from such recognition there is no appeal. Volume **VIII,** section **2762.**

A member of the committee reporting a bill is entitled to prior recognition to move recommitment in preference to one not a member of the committee. Volume **VIII,** sections **2769, 2773.**

Recognition to move recommitment is determined by the attitude of proponents on the pending bill, and a Member opposed to the bill without qualification is recognized in preference to a Member opposed to the bill in part or conditionally. Volume **VIII,** sections **2714, 2731, 2758, 2769.**

In recognition to move to recommit, a Member opposed to the bill as a whole has preference over one opposed to the bill in part, and a Member opposed to the bill in part takes precedence of a Member favoring the bill. Volume **VIII,** section **2713.**

The practice is for the Speaker to ask a Member offering a motion to recommit if he is opposed to the bill, and if he is not, then to inquire if any Member opposed to the bill desires to move recommitment, and if none rises the Member first rising is recognized. Volume **VIII,** section **2765.**

RECOMMIT, MOTION TO—Continued.

(8) Recognition to Offer—Continued.

In recognizing for the motion to recommit the Speaker will not investigate the attitude of a Member on the bill further than to inquire, and accepts his statement as final. Volume **VIII,** section **2770.**

In qualifying to offer a motion to recommit, the attitude of the Member at the time the motion is made and not at any previous time governs, and statements previously made by the proponent in the discussion of the bill are not taken into consideration. Volume **VIII,** section **2773.**

In recognizing under the rule to move to recommit, the Speaker is governed by the attitude of Members toward the bill and not by their political affiliation. Volume **VIII,** section **2773.**

The right to move to recommit a House bill with Senate amendment belongs to a Member opposed to the bill rather than to one opposed to the Senate amendment only. Volume **VIII,** section **2772.**

A motion to recommit having been ruled out of order, the proponent is entitled to prior recognition to offer a second motion to recommit. Volume **VIII,** section **2713.**

Two motions to recommit offered by a Member having been ruled out of order, the Speaker recognized him to submit a third motion to recommit when convinced that it was not offered for dilatory purposes. Volume **VIII,** section **2713.**

(9) With Instructions.—General Principles.

The ordinary motion to commit may be amended as by adding instructions, unless such amendment is prevented by moving the previous question. Volume **V,** section **5521.** Volume **VIII,** sections **2695, 2762.**

When it is proposed to recommit with instructions an amendment to the instructions should be germane thereto. Volume **V,** section **6888.** Volume **VIII,** section **2711.**

A division of the question is not in order on a motion to commit with instructions or on the different branches of the instructions. Volume **V,** sections **6134–6137.** Volume **VIII,** section **3170.**

The motion to recommit with instructions is debatable. Volume **V,** section **5561.**

A bill is sometimes recommitted to a Committee of the Whole with instructions. Volume **V,** sections **5552, 5553.**

A motion to recommit with instructions is subject to amendment unless the previous question is ordered. Volume **VIII,** section **2698.**

Instructions proposed in a motion to recommit are subject to amendment unless the previous question has been ordered. Volume **VIII,** sections **2699, 2712.**

The motion to recommit with instructions is a formal proceeding and is in order prior to the election of committees to which the measure could be referred. Volume **VIII,** section **2695a.**

The previous question when ordered on a bill and amendments to final passage continues in force until final disposition of the bill and is not vitiated by recommitment with instructions to report amendments. Volume **VIII,** section **2677.**

(10) With Instructions.—Limitations on Use of.

It is not in order to do indirectly by a motion to commit with instructions what may not be done directly by way of amendment. Volume **V,** sections **5529–5541, 5834, 5889.** Volume **VIII,** sections **2701, 2707, 2712.**

A motion to recommit may not be accompanied by instructions to incorporate a provision which would not have been in order if offered as an amendment. Volume **VIII,** sections **2701, 2703, 2704, 2710, 2726.**

It is not in order in a motion to recommit to propose to strike out or modify an amendment previously adopted by the House. Volume **VIII,** sections **2713–2715, 2717, 2719, 2720, 2723, 2724, 2727, 2743.**

RECOMMIT, MOTION TO—Continued.

(10) With Instructions.—Limitations on Use of—Continued.

While a motion to recommit may not provide instructions to strike out an amendment agreed to by the House, it may nevertheless provide instructions to insert an amendment previously rejected by the House. Volume **VIII,** section **2728.**

While a motion to recommit with instructions to strike out an amendment adopted by the House is not in order, a motion is admissible accompanied by instructions striking out the text perfected by such an amendment. Volume **VIII,** section **2698.**

Although it is not in order in connection with a motion to recommit to offer instructions striking out an amendment agreed to by the House and insert other provisions in its place, it is in order to propose instructions to strike out such an amendment with other portions of the original paragraph so that a text of different meaning may be inserted. Volume **VIII,** section **2727.**

A motion to recommit may not include instructions proposing legislation in a general appropriation bill. Volume **VIII,** section **2701.**

The rejection of an amendment by the Committee of the Whole does not preclude the offering of the same amendment in a motion to recommit with instructions. Volume **VIII,** section **2700.**

Amendments proposed in instructions accompanying a motion to recommit must be germane. Volume **VIII,** sections **2704, 2707–2710.**

A motion to recommit may not include instructions to report out any measure other than that proposed to be committed. Volume **VIII,** section **2799.**

A private bill for the relief of one individual may not be amended so as to extend its provisions to another individual, even indirectly through a motion to recommit with instructions. Volume **IV,** section **3296.**

It is not in order to move to commit a private bill with instructions that the committee report a general bill relating to subjects of the same class. Volume **IV,** section **3295.**

On a motion to commit with instructions the instructions may not authorize a committee to report at any time, as such authorization would constitute a change of the rules. Volume **V,** sections **5543, 5544.**

After the previous question had been ordered it was once held in order to move to commit with instructions to strike out a portion of an amendment already agreed to, although such a purpose might not be accomplished directed by a motion to amend. Volume **V,** section **5542.**

A bill to establish a Department of Commerce and Labor may be recommitted with instructions to report instead two bills establishing separate departments of commerce and labor. Volume **V,** section **5527.**

Reasoning from the parliamentary law that a part of a bill may be committed to one committee and a part to another, it was held in order in the Senate to commit a bill with instructions to report it as two bills. Volume **V,** section **5528.**

A bill having been recommitted to a committee with leave to report at any time and being reported immediately by the chairman, was held to be subject to the point of order that the committee had not considered it. Volume **IV,** section **4691.**

(11) With Instructions.—To Report "Forthwith."

A bill may be committed with instructions that it be reported "forthwith," and in such case the chairman of the committee to which it is committed makes a report at once without awaiting action of the committee. Volume **V,** sections **5545–5547.**

A motion to recommit with instructions to report forthwith having been agreed to, the chairman of the committee to which referred at once reports the bill in conformity with the instructions and the report is before the House for immediate consideration. Volume **VIII,** section **2735.**

RECOMMIT, MOTION TO—Continued.

(11) With Instructions.—To Report "Forthwith"—Continued.

Instructions to report "forthwith" accompanying a motion to recommit must be complied with, and the chairman of the committee or one for him must actually report the bill back to the House as instructed. Volume **VIII,** section **2730.**

Form of report on bill recommitted with instructions. Volume **VIII,** section **2735.**

The committee to which a bill is recommitted with instructions to report "forthwith" takes no action thereon, and the chairman or some Member acting for him, immediately reports the bill to the House as instructed. Volume **VIII,** section **2732.**

The term report "forthwith" when employed in instructions accompanying a motion to recommit to a committee was construed to mean report "at once." Volume **VIII,** section **2730.**

Instructions to report "forthwith" are in order in a motion to recommit notwithstanding the fact that the extent of textual changes provided by the motion preclude immediate report. Volume **VIII,** section **2731.**

It is in order to move to recommit, with instructions to the committee to report "forthwith," a certain proposition, but instructions that the report be made on a certain day in future involved a different principle. Volume **V,** sections **5548, 5549.**

It is in order to refer a matter already under consideration to a committee with instructions to report a bill forthwith, and such bill, being reported, is in order for immediate consideration. Volume **V,** section **5550.**

A bill recommitted under Rule XVII with instructions that it be reported "forthwith" was, when reported, again passed to be engrossed and read a third time. Volume **V,** section **5551.**

(12) After the Previous Question.—Nature of the Motion.

Under the rule for the previous question, but one proper motion to recommit is in order. Volume **VIII,** section **2770.**

Under Rule XVII, one proper motion to recommit is in order pending demand for the previous question or after the previous question has been ordered. Volume **VIII,** section **2760.**

The motion to refer provided for in the rule for the previous question. Volume **V,** section **5569.**

Pending the vote on the passage of a bill under the operation of the previous question a motion to commit to a standing or select committee, with or without instructions, is in order. Volume **V,** section **5443.**

The House having determined in the negative the question on the engrossment and third reading of a bill, a motion to commit is not in order under the rule for the previous question. Volume **V,** sections **5602, 5603.**

The previous question having been ordered and a motion to recommit having been made in the form of a resolution with a preamble, the preamble was ruled out of order. Volume **V,** section **5589.**

Before the adoption of rules, while the House was acting under general parliamentary law, it was held that the motion to commit was in order pending the motion for the previous question or after it had been ordered on a resolution. Volume **V,** section **5604.**

The opponents of a bill have no claim to prior recognition to make the motion to refer under rule XVII. Volume **II,** section **1456.**

A bill recommitted under section 1 of Rule XVII (rule of the previous question) and reported back to the House must again be put on its passage to be engrossed for a third reading. Volume **V,** section **5591.**

A unanimous-consent agreement to close debate and vote at a specific time is in effect an order for the previous question, and the motion to recommit is in order under Rule XVI. Volume **VIII,** section **2758.**

The previous question having been ordered, a motion to recommit embodying argument is not in order. Volume **VIII,** section **2749.**

RECOMMIT, MOTION TO—Continued.

(12) After the Previous Question.—Nature of the Motion—Continued

Before the adoption of rules, while the House was acting under general parliamentary law, it was held that the motion to recommit was in order pending the motion for the previous question or after it had been ordered on a resolution. Volume **VIII,** section **2755.**

The motion to recommit is not in order after the previous question has been ordered on a report from the Committee on Rules. Volume **VIII,** section **2270.**

(13) After the Previous Question.—Not Debatable but Amendable.

After the previous question is ordered the motion to commit may be amended, as by adding instructions, unless such amendment be precluded by moving the previous question on the motion to commit. Volume **V,** sections **5582–5584.**

The motion to commit under section 1 of Rule XVII is not debatable, but is amendable, unless the previous question is ordered on it. Volume **V,** sections **5570, 5571.**

The ordering of the previous question on a bill and all amendments to final passage precludes debate on a motion to recommit but does not exclude amendments to such motion. Volume **VIII,** section **2741.**

(14) After the Previous Question.—Time of Making.

Where the motion for the previous question covers all stages of the bill to the final passage the motion to commit is made after the third reading and is not in order before engrossment or third reading or pending the motion for the previous question. Volume **V,** sections **5578–5581.**

Where the motion for the previous question covers all stages of the bill to final passage the motion to recommit is made after the third reading, and is not in order after the question has been put on the passage of the bill. Volume **VIII,** section **2747.**

Where separate motions for the previous question are made respectively on the third reading and on the passage of a bill the motion to commit should be made only after the previous question is ordered on the passage. Volume **V,** section **5577.**

The motion to recommit a simple resolutions may be made at any time before the question is put on the passage of the resolution and is not in order after the resolution has been agreed to. Volume **VIII,** section **2748.**

When the previous question has been ordered on a simple resolution (as distinguished from a joint resolution) and a pending amendment the motion to commit should be made after the vote on the amendment. Volume **V,** sections **5585–5588.**

The motion to refer under Rule XVII may be made pending the demand for the previous question on the passage, whether a bill or resolution be under consideration. Volume **V,** section **5576.**

(15) After the Previous Question.—As to Repetition of.

Under the rule for the previous question but one motion to commit is in order. Volume **V,** sections **5577, 5580, 5582, 5885.**

A bill recommitted under the rule relating to the previous question and on which when it is again reported and considered the previous question is again ordered may again be subjected to the motion to commit. Volume **V,** section **5591.**

The vote whereby a bill was passed having been reconsidered, amendments having been made and the third reading ordered again under operation of the previous question, a motion to recommit was held to be in order, although such a motion had previously been rejected. Volume **V,** section **5590.**

A motion to recommit having been ruled out of order with the previous question operating, a proper motion to recommit may be offered. Volume **VIII,** section **2761.**

One proper motion to recommit is in order under operation of the previous question, and one motion being ruled out, another motion to recommit is in order. Volume **VIII,** section **2763.**

RECOMMIT, MOTION TO—Continued.

(16) After the Previous Question.—Application of.

The motion to commit after the previous question is ordered applies to resolution, the word "bill" in the rule being a generic term applying to all legislative propositions. Volume **V,** section **5572.**

The motion to commit provided for in the rule for the previous question applies not only to bills but to resolutions of the House alone. Volume **V,** section **5573.**

The motion to commit has been admitted pending a demand for the previous question on agreeing to a concurrent resolution. Volume **V,** section **6698.**

Although the decisions conflict, those last made do not admit the motion to commit after the previous question has been ordered on a report from the Committee on Rules. Volume **V,** sections **5593–5601.**

An opinion of the Speaker that the motion to commit is not in order when the previous question has been ordered simply on a pending amendment. Volume **V,** section **5573.**

The motion to commit provided for in the rule for the previous question may be applied to a motion to amend the Journal. Volume **V,** section **5574.**

The previous question having been ordered on a motion to agree to a Senate amendment to a House bill, a motion to commit is in order. Volume **V,** section **5575.**

Where a special order declares that at a certain time the previous question shall be considered as ordered on a bill to the final passage, it has usually, but not always, been held that the motion to commit is precluded. Volume **IV,** sections **3207–3209.**

The previous question having been ordered on a motion to agree to a Senate amendment to a House bill, a motion to recommit is in order. Volume **VIII,** section **2744.**

The motion to recommit is not admitted after the previous question has been ordered on a report from the Committee on Rules. Volume **VIII,** section **2750.**

(17) In Relation to the Committee of the Whole.

A bill is sometimes recommitted to a Committee of the Whole with instructions. Volume **V,** sections **5552, 5553.**

The simple motion to recommit is not in order in Committee of the Whole. Volume **IV,** section **4721.** Volume **VIII,** section **2326.**

In Committee of the Whole a motion to report a bill with the recommendation that it lie on the table has precedence of motions recommending postponement or recommittal. Volume **IV,** section **4777.**

A motion that the Committee of the Whole report a bill with the recommendation that it be referred may not be made until it has been read for amendments. Volume **IV,** sections **4761, 4762.**

While the simple motion to recommit is not admissible in the Committee of the Whole, it is in order to move to rise and report with the recommendation that the bill be recommitted. Volume **VIII,** section **2329.**

The motion to rise and report with the recommendation that the bill be recommitted takes precedence of the motion to rise and report with the recommendation that the bill pass. Volume **VIII,** section **2329.**

A bill having been reported from the Committee of the Whole with instructions which were ruled out of order as proposing a change of the rules, the bill was held thereby to stand recommitted to the Committee of the Whole. Volume **IV,** section **4784.**

Upon recommitment of a bill to Committee of the Whole through rejection of its recommendation thereon, the House automatically resolves again into the committee for the further consideration of the bill. Volume **VIII,** section **2633.**

A bill recommitted to the Committee of the Whole by rejection of its recommendation to the House is not required to be read again in full. Volume **VIII,** section **2633.**

A Committee of the Whole sometimes reports a bill with the recommendation that it be recommitted to a standing committee with certain instructions. Volume **IV,** section **4714.**

RECOMMIT, MOTION TO—Continued.

(17) In Relation to the Committee of the Whole.—Continued.

A bill which has been considered in Committee of the Whole, and then by the House has been recommitted to a standing committee, is not when again reported to the House necessarily subject to the point of order that it must be considered in Committee of the Whole. Volume **IV,** sections **4828, 4829.**

The Committee of the Whole having decided between two propositions and the House having agreed to the amendment embodying that decision, it was held to be in order in the House to move to recommit with instructions that in effect brought the two propositions to the decision of the House. Volume **V,**section **5592.**

(18) As Applied to Conference Reports.

Conference reports must be adopted or rejected as reported and any modifications however slight may be remedied only be recommitment to the Committee of Conference. Volume **VIII,** section **3317.**

It is in order for one body to recommit a conference report if the other body, by action on the report, have not discharged their managers. Volume **V,** sections **6545–6550, 6609.** Volume **VIII,** sections **2738, 3310, 3313.**

It is in order to recommit a conference report, if the other House by action on the report has not discharged its managers, and after the previous question is ordered on agreement, the motion to recommit with or without instructions is privileged. Volume **VIII,** sections **3311, 3312.**

The motion to recommit a conference report with instructions to the House conferees is subject to amendment unless the previous question is ordered. Volume **VIII,** section **3241.**

A motion to recommit the conference report is in order at any time before final action is taken on the report. Volume **VIII,** section **3256.**

A question of order may not be sustained against a portion of a conference report without affecting the entire report, and modification can only be affected by rejection of the report and instruction of a new conference or, when the managers on the part of the Senate have not been discharged, by a motion to recommit with instructions. Volume **VIII,** section **3307.**

Recognition to move recommitment of a conference report is due Members opposed to the report, regardless of party affiliations, but in the absence of other considerations preference is accorded Members of the minority. Volume **VIII,** section **3319.**

Formerly announcement of the recommitment of a conference report was messaged to the Senate, but under the modern practice the other House is not notified, and managers on the part of the House carry the paper back to conference, and a new report is formulated. Volume **VIII,** section **3321.**

The fact that a conference report has been previously recommitted to the committee of conference with instructions, does not preclude a motion to recommit the amended report. Volume **VIII,** section **3325.**

A conference report having been recommitted to the committee of conference, the papers are no longer before the House, and no motion for disposition of the amendments in disagreement is in order. Volume **VIII,** section **3328.**

When a conference report is recommitted to the committee of conference, it is not subject to further action in the House until again reported by the managers. Volume **VIII,** section **3326.**

Where a conference report has been made and acted on in one House, and the managers of that House have thereby been discharged, the other House is precluded thereby from recommitting the report to the managers. Volume **V,** sections **6551–6553.**

A conference report that has been acted on by either House is sometimes recommitted by concurrent action of the two Houses taken by unanimous consent. Volume **V,** sections **6554–6557.**

Either House having acted on a conference report, it may be recommitted only by concurrent action of the two Houses. Volume **VIII,** section **3316.**

RECOMMIT, MOTION TO—Continued.

(18) As Applied to Conference Reports.—Continued.

A concurrent resolution providing for recommitment to conference is not privileged for introduction from the floor. Volume **VIII,** section **3309.**

Where a special order provided for the motion to recommit, a conference report was admitted although Senate conferees had been discharged, the special order having been adopted after their discharge. Volume **VII,** section **779.**

(19) As Applied to Conference Reports.—The Senate Practice.

The motion to recommit a conference report to the committee of conference is admitted under the Senate practice. Volume **VIII,** section **3320.**

Under a recent rule of the Senate, a conference report ruled out of order on the ground that it inserted matter not committed to the conference and omitted matter agreed to by both Houses, was recommitted to the committee of conference. Volume **VIII,** section **3273.**

Where the House had acted on a conference report, thereby discharging its conferees, the Senate being unable to comply with its rule recommitting invalidated conference reports to committees of conference, requested further conference without taking further action on the amendments in disagreement. Volume **VIII,** section **3279.**

A conference report being ruled out in the Senate on a point of order, was recommitted under the Senate rules to the committee of conference. Volume **VIII,** section **3275.**

When held to be in violation of the Senate rule prohibiting the incorporation of new matter, a conference report is automatically recommitted to the committee of conference. Volume **VIII,** section **3277.**

Conferees having reported tariff rates not in disagreement, the Vice President held them subject to a point of order and recommitted the conference report to the committee of conference. Volume **VIII,** section **3280.**

A conference report proposing duties beyond the range of rates provided by either House bill or Senate amendments, a point of order was sustained and the report was recommitted. Volume **VIII,** section **3281.**

Where House conferees have not reported and the House has taken no action, recommitment of a conference report by the Senate was held not to require reappointment of conferees by the House. Volume **VIII,** section **3280.**

In an exceptional instance the Senate transmitted a message to the House announcing recommitment of a conference report, but did not transmit the papers. Volume **VIII,** section **3323.**

(20) Under Provisions of Special Rules.

The Committee on Rules shall report no provision excluding the motion to recommit after the previous question has been ordered on the passage of a bill or joint resolution. Volume **VIII,** sections **2260, 2263, 2264.**

The Committee on Rules may report orders of procedure subject to two limitations only: It may not provide for abrogation of the Calendar Wednesday rule except by two-thirds vote or for denial of the motion to recommit while the previous question is pending on final passage. Volume **VIII,** section **2262.**

The limitation on the Committee on Rules in reporting orders of business operating to prevent the motion to recommit while the previous question is pending, applies to resolutions for the consideration of bills only and not to a resolution designating a day to be devoted to motions to suspend the rules. Volume **VIII,** section **2265.**

Provision that "the House shall immediately proceed to vote upon the bill without any intervening motion" was construed to prevent the offering of the motion to recommit and to be in violation of the second paragraph of section 56 of Rule XI. Volume **VIII,** section **2263.**

A resolution reported by the Committee on Rules providing that a House bill with Senate amendments be taken from the Speaker's table, Senate amendments disagreed to, conference agreed to, and that Speaker "without intervening motion" appoint conferees, was

RECOMMIT, MOTION TO—Continued.

(20) Under Provisions of Special Rules—Continued.

held not to be in violation of the second paragraph of section 56 of Rule XI, since opportunity would be offered the motion to recommit on the conference report. Volume **VIII,** section **2266.**

While the Committee on Rules is forbidden to report special orders abrogating the Calendar Wednesday rule or excluding the motion to recommit after ordering of the previous question, a resolution making possible that ultimate result was on one occasion held in order. Volume **VIII,** section **2267.**

A special order to lay before the House a bill on the Speaker's table with the previous question ordered on a motion to concur in Senate amendments, does not prevent submission of a motion to recommit. Volume **VII,** section **778.**

A special order providing that the previous question be considered as ordered "without intervening motion except one motion to recommit' was held to preclude both amendment, and debate on the motion to recommit. Volume **VII,** section **776.**

Where a special order provided for the appointment of conferees "without any intervening motion," it was held to exclude the motion to instruct conferees, but not the motion to recommit. Volume **VII,** section **774.**

A special order providing that the Committee of the Whole rise at the conclusion of the reading of a bill and report it to the House and that the previous question operate to final passage was held not to interfere with the right of the committee to report with recommendation to recommit. Volume **VIII,** section **2375.**

A special rule, ordering the previous question on a pending bill and amendments to final passage when reported from the Committee of the Whole, was held not to preclude a recommendation by the Committee of the Whole that the bill be recommitted. Volume **VII,** section **777.**

The recommendation of the Committee of the Whole to recommit a bill being decided in the negative, the question was held to recur on the amendments and bill under a special rule ordering the previous question on the bill and amendments to final passage. Volume **VIII,** section **2375.**

A recommendation from the Committee of the Whole to recommit a bill on which the previous question had been ordered by special rule, being rejected, the question recurs on the passage of the bill. Volume **VII,** section **777.**

(21) Duty of a Committee to Which a Matter Is Recommitted.

When a bill is recommitted to the committee which reported it, the whole question is before the committee anew as if it had been before considered. Volume **V,** section **5558.**

When a report is recommitted, the committee must take up the subject anew, the former action being of no further account. Volume **VII,** section **4557.**

Where a matter is recommitted with instructions, the committee must confine itself within the instructions. Volume **IV,** section **4404.**

When a bill is recommitted with instructions relating only to a certain portion, the committee may not review other portions. Volume **V,** section **5526.**

On a motion to recommit a bill with instructions to report it back, the time of such report is within the option of the committee, and unless directions are included in the instructions to report back "forthwith" the time of making such report may be delayed at its pleasure. Volume **VIII,** section **2730.**

(22) When Recommital Is Automatic.

Bills reported without indication of changes proposed in existing law are automatically recommitted to the respective committees reporting them. Volume **VIII,** section **2237.**

Under a decision of the Chair sustaining a point of order that a report failed to indicate proposed amendments of statutory law, the bill reported was automatically recommitted to the committee reporting it. Volume **VIII,** section **2245.**

RECOMMIT, MOTION TO—Continued.

(22) When Recommital Is Automatic—Continued.

Reports of committees failing to conform to the requirements of clause 2a of Rule XIII are automatically recommitted by a ruling of the Speaker that they do not comply with the provisions of the rule. Volume **VIII,** section **2250.**

A bill having been recommitted for failure to comply with the rule requiring indication of proposed changes in existing law, further proceedings are de novo and the bill must again be considered and reported by the committee as if no previous report had been made. Volume **VIII,** section **2249.**

A bill having been recommitted because of a defective report, further proceedings are de novo and all committee formalities accompanying the first report are necessary to authorize a second report. Volume **VIII,** section **2221.**

Bills reported back adversely by the committee when called up from the deferred list are automatically recommitted and may not be again reported during the same Congress. Volume **VII,** section **846.**

(23) In General.

When a bill is recommitted with instructions to report back "forthwith," amendments proposed in such instructions must be voted upon by the House when reported back. Volume **VIII,** section **2734.**

Recommendations reported back to the House by a committee in compliance with peremptory instructions adopted with a motion to recommit must be again voted upon by the House, although just agreed to by the vote to instruct. Volume **VIII,** section **2732.**

Amendments reported back with a bill recommitted under instructions to report forthwith must be again voted upon by the House when so reported. Volume **VIII,** section **2733.**

A bill recommitted and reported back "forthwith" under instructions from the House, is read in the House by title only, but accompanying amendments are read in full. Volume **VIII,** section **2733.**

A division of the question on a motion to recommit may not be demanded regardless of the number of substantive propositions involved. Volume **VIII,** section **2737.**

A bill having been recommitted to a committee with leave to report at any time and being reported immediately by the chairman was held to be subject to the point of order that the committee had not considered it. Volume **IV,** section **4691.**

The Speaker may not rule out a report because the committee have failed to comply with their instructions in relation to it. Volume **IV,** section **4689.**

RECONSIDER, MOTION TO.

(1) Nature of.—In general.
(2) Nature of.—May be held dilatory.
(3) Nature of.—Not in order in Committee of the Whole.
(4) Nature of.—Use in standing and select committees.
(5) Nature of.—In relation to a two-thirds vote.
(6) Nature of.—As related to the quorum.
(7) Effect of.
(8) Precedence of.
(9) By whom made.
(10) Application of.—To bills, etc., that have gone to the other House.
(11) Application of.—To bills that have passed both Houses.
(12) Application of.—To a vote referring a bill to a committee.
(13) Application of.—To orders partially executed.
(14) Application of.—In general.
(15) Relation to other motions.—To adjourn and fix the day.
(16) Relation to other motions.—To lay on the table in general.
(17) Relation to other motions.—When motion to reconsider is laid on the table.
(18) Relation to other motions.—The previous question.

RECONSIDER, MOTION TO—Continued.

(19) Relation to other motions.—To postpone.
(20) Relation to other motions.—To go into Committee of the Whole.
(21) Relation to other motions.—In general.
(22) In relation to the yeas and nays.
(23) In relation to bills returned with the President's objections. See also "Vetoed Bills."
(24) Consideration of.—In general.
(25) Consideration of.—Debate on.
(26) In general.

(1) Nature of.—In general.

When a motion has been carried or lost a motion to reconsider may be made on the same or succeeding day, and after the said succeeding day may not be withdrawn without consent of the House. Volume **V,** section **5605.**

When a motion to reconsider is decided in the affirmative the question immediately recurs on the question reconsidered. Volume **V,** section **5703.**

The House having, by unanimous consent, entertained a matter during time set apart for other business, it was held that the question of reconsideration might also be admitted Volume **V,** section **5683.**

A resolution having been divided for the vote, a separate motion to reconsider was held necessary for each vote, and was made first as to the first portion of the resolution. Volume **V,** section **5609.**

Pending a motion to reconsider the vote on agreeing to a resolution the resolution was amended by unanimous consent, after which the motion to reconsider was tabled. Volume **V,** section **5702.**

Reference to discussion of practice in regard to motion to reconsider (footnote). Volume **V,** section **5643.**

The House decided (overruling the Speaker) that the motion to reconsider the vote on a proposition having been once agreed to, and the vote having again been taken, a second motion to reconsider may not be made unless the nature of the proposition has been changed by amendment. Volume **VIII,** section **2788.**

The vote on a substitute and the vote on the original resolution as amended by the substitute, if the substitute entirely replaces the original resolution, is the same proposition within the practice prohibiting a second motion to reconsider the same proposition unless changed by amendment. Volume **VIII,** section **2788.**

Entering a motion to reconsider and consideration of such motion, are separate propositions and have respective privilege. Volume **VIII,** section **2785.**

A motion to reconsider the vote by which the House had decided a question of parliamentary procedure was held not to be in order. Volume **VIII,** section **2776.**

(2) Nature of.—May Be Held Dilatory.

The motion to reconsider has been ruled out as dilatory when manifestly made for purpose of delay. Volume **V,** section **5735.**

Under certain circumstances the motions to reconsider and adjourn and the question of consideration have been held dilatory. Volume **V,** sections **5731–5733.**

Under exceptional circumstances the motions to reconsider, adjourn, lay on the table, and an appeal from the decision of the Chair, have been held dilatory. Volume **VIII,** section **2822.**

A motion to reconsider a yea and nay vote, by which a resolution was agreed to unanimously, has been held to be dilatory. Volume **VIII,** section **2815.**

Dicta to the effect motion to reconsider may be held dilatory. Volume **VIII,** section **2797.**

Pending consideration of a report from the Committee on rules appeals and the motion to reconsider have been ruled out as dilatory within the meaning of the rule. Volume **V,** section **5739.**

RECONSIDER, MOTION TO—Continued.

(2) Nature of.—May Be Held Dilatory—Continued.

Where a special order for the consideration of a bill prohibited "intervening motions" between the vote on an amendment and a final vote it was held to exclude a motion to reconsider. Volume **IV,** section **3203.**

(3) Nature of.—Not in Order in Committee of the Whole.

The motion to reconsider is not in order in Committee of the Whole. Volume **IV,** sections **4717, 4718.** Volume **VIII,** sections **2324, 2325.**

The motions to reconsider, for the previous question, and to adjourn are not in order in Committee of the Whole. Volume **IV,** section **4716.**

The motion to reconsider, while not entertained in the Committee of the Whole, is in order in the House as in Committee of the Whole. Volume **VIII,** section **2793.**

(4) Nature of.—Use in Standing and Select Committees.

The motion to reconsider is in order in a standing or select committee of the House. Volume **IV,** sections **4570, 4571.**

Discussion as to whether or not the motion to reconsider applies in a committee. Volume **IV,** section **4596.**

The motion to reconsider is in order in the procedure of standing committees, and may be made on the same day on which the action is taken to which it is proposed to be applied, or on the next day thereafter on which the committee convenes with a quorum present. Volume **VIII,** section **2213.**

A session of a committee, adjourned without having secured a quorum, is a dies non and not to be counted in determining the admissibility of a motion to reconsider. Volume **VIII,** section **2213.**

(5) Nature of.—In Relation to a Two-thirds Vote.

A majority is required to reconsider a vote taken under conditions requiring two-thirds for affirmative action. Volume **II,** section **1656.**

Apparently a majority is required to reconsider a vote taken under the requirement that two-thirds shall be necessary to carry the question. Volume **V,** sections **5617, 5618.**

A majority vote is sufficient to reconsider a vote taken under the requirements that two-thirds shall be necessary to carry the question. Volume **VIII,** section **2795.**

Where a two-thirds vote is required, the motion to reconsider may be made by anyone who voted on the prevailing side. Volume **VIII,** section **2778.**

(6) Nature of.—As Related to the Quorum.

In the absence of a quorum it is not in order to move to reconsider a vote on which a quorum is required. Volume **V,** section **5606.**

On votes incident to a call of the House the motion to reconsider may be entertained and laid on the table, although a quorum may not be present. Volume **V,** sections **5607, 5608.**

During proceedings to secure a quorum the Chair ruled out of order a motion to reconsider the vote whereby an appeal had been laid on the table. Volume **IV,** section **3037.**

(7) Effect of.

A bill is not considered, in the practice of the House, passed or an amendment agreed to if a motion to reconsider is pending, the effect of the motion to reconsider being to suspend the original proposition. Volume **V,** section **5704.**

When the vote whereby an amendment has been agreed to is reconsidered the amendment becomes simply a pending amendment. Volume **V,** section **5704.**

The Speaker declines to sign an enrolled bill until a pending motion to reconsider has been disposed of. Volume **V,** section **5705.**

As to the result when the Congress expires leaving enacted on a motion to reconsider the vote whereby a resolution of the House is passed (footnote.) Volume **V,** section **5704.**

RECONSIDER, MOTION TO—Continued.

(7) Effect of—Continued.

If a bill, before the disposal of a motion to reconsider the vote on its passage, should be enrolled, signed, and approved by the President its validity as a law probably could be questioned (footnote). Volume **V,** section **5704.**

A Member-elect may not take of oath until a motion to reconsider the vote determining his title is disposed of. Volume **I,** section **335.**

When the House votes to admit a Member and the motion to reconsider is disposed of the right to be sworn is complete and not to be deferred, even by a motion to adjourn. Volume **I,** section **622.**

(8) Precedence of.

A motion to reconsider takes precedence of all other questions except a conference report or a motion to adjourn. Volume **V,** section **5605.**

A motion to reconsider having been entered within the time prescribed by the rule, is privileged and may be called up at pleasure. Volume **VIII,** section **2787.**

A motion to reconsider may be made after a motion for the previous question has been made. Volume **V,** section **5656.**

The motion to reconsider and the motion to lay that motion on the table are admitted while the previous question is operating. Volume **V,** sections **5657–5662.** Volume **VIII,** section **2784.**

Although the previous question had been ordered on a motion to reconsider, it was held that a question of privilege might be debated. Volume **III,** section **2532.**

A motion that the House resolve itself into Committee of the Whole, or a demand that the House return to committee, may not take precedence of a motion to reconsider. Volume **IV,** section **3087.**

When the House has passed a bill and disposed of a motion to reconsider the vote on its passage, it is too late to move to reconsider the vote sustaining the decision of the Chair which brought the bill before the House. Volume **V,** section **5652.**

(9) By Whom Made.

The motion to reconsider may be made "by any Member of the majority." Volume **V,** section **5605.**

Where the yeas and nays on a vote have not been ordered recorded in the Journal any Member, irrespective of whether he voted with the majority or not, may make the motion to reconsider. Volume **V,** sections **5611–5613.** Volume **VIII,** section **2775, 2785.**

When the yeas and nays are not recorded on the Journal any Member may make the motion to reconsider without regard to his vote. Volume **V,** section **5689.**

The motion to reconsider a yea-and-nay vote may not be made by a Member who not voting was paired in favor of the majority's contention. Volume **V,** section **5614.**

A member who was absent when a vote was taken may not move to reconsider (Speaker overruled). Volume **V,** section **5619.**

A Member who failed to vote may not move to reconsider. Volume **VIII,** section **2774.**

The most carefully considered ruling has been that in case of a tie vote any Member recorded on the prevailing side may move to reconsider. Volume **V,** sections **5615, 5616.**

When a two-thirds vote is required the motion to reconsider may be made by anyone who voted on the prevailing side. Volume **V,** sections **5617, 5618.**

Where a two-thirds vote is required a Member voting on the prevailing side may move to reconsider, even though he be one of an actual minority. Volume **II,** section **1656.**

The mover of a proposition is entitled to prior recognition to move to reconsider. Volume **II,** section **1454.**

A Member may make the motion to reconsider at any time without thereby abandoning a prior motion made by himself and pending. Volume **V,** section **5610.**

A Delegate may make any motion which a Member may make, except the motion to reconsider. Volume **II,** section **1292.** Volume **VI,** section **240.**

RECONSIDER, MOTION TO—Continued.

(9) By Whom Made—Continued.

Delegates are appointed as additional members of certain committees, where they possess the same powers and privileges as in the House and may make any motion except to reconsider. Volume **II,** section **1297.** Volume **VI,** section **242.**

(10) Application of.—To Bills, etc., That Have Gone to the Other House.

A motion to reconsider may be entertained, although the bill or resolution to which it applies may have gone to the other House or the President. Volume **V,** sections **5666–5668.**

The fact that the House had informed the Senate that it had agreed to a Senate amendment to a House bill was held not to prevent a motion to reconsider the vote on agreeing. Volume **V,** section **5672.**

After a conference has been agreed to and the managers for the House appointed it is too late to move to reconsider the vote whereby the House acted on the amendments in disagreement. Volume **V,** section **5664.**

A motion being made to reconsider the vote on a bill which has gone to the Senate, a motion to ask the recall of the bill is privileged. Volume **V,** sections **5669–5671.**

(11) Application of.—To Bill That Have Passed Both Houses.

Instance of reconsideration of a bill which had passed both Houses. Volume **IV,** sections **3466–3469.**

(12) Application of.—To a Vote Referring a Bill to a Committee.

No bill, petition, memorial, or resolution referred to a committee may be brought back into the House on a motion to reconsider. Volume **V,** section **5647.**

The motion to reconsider may not be applied to a vote on the reference of a bill to a committee. Volume **VIII,** section **2782.**

There is a question as to whether or not the rule forbidding a bill to be brought back from a committee on a motion to reconsider applies to a case where in the House, after considering a bill, commits it. Volume **V,** sections **5648–5650.**

After a committee has reported a matter it is too late to reconsider the vote by which it was referred. Volume **V,** section **5651.**

(13) Application of.—To Orders Partially Executed.

Instance of the reconsideration of an order which had been partly executed. Volume **III,** section **2028.**

The motion to reconsider the vote whereby an order of the House had been agreed to was admitted, although the execution of that order had begun. Volume **V,** section **5665.**

The motion to reconsider may not be applied to a vote for the previous question which has been partially executed (Speaker overruled). Volume **V,** sections **5653, 5654.**

The Committee of the Whole having voted to consider a particular bill and consideration having begun, a motion to reconsider or change that vote is not in order. Volume **IV,** section **4765.**

(14) Application of.—In General.

A request for unanimous consent is in effect a motion and action predicated thereon is subject to reconsideration. Volume **VIII,** section **2794.**

After the passage of a bill, reconsideration of the vote on any amendment thereto may be secured only by motion to reconsider the vote by which the bill was passed. Volume **VIII,** section **2789.**

The motion to reconsider may not be applied to the vote on a motion to suspend the rules. Volume **VIII,** section **2781.**

The vote by which the House refuses to order a third reading may be reconsidered. Volume **VIII,** section **2777.**

(15) Relation to Other Motions.—To Adjourn and Fix the Day.

A motion to reconsider a vote whereby the House has refused to adjourn is not in order. Volume **V,** sections **5620–5622.**

RECONSIDER, MOTION TO—Continued.

(15) Relation to Other Motions.—To Adjourn and Fix the Days—Continued.

A motion to reconsider the vote whereby the House refused to fix a day to which the House should adjourn has been the subject of conflicting rulings. Volume **V,** sections **5623, 5624.**

(16) Relation to Other Motions.—To Lay on the Table in General.

An affirmative vote on the motion to lay on the table may be reconsidered. Volume **V,** section **5628.** Volume **VIII,** section **2785.**

A motion to reconsider an affirmative vote to lay on the table is admitted. Volume **V,** section **6288.**

The vote to lay on the table may be reconsidered. Volume **V,** section **5695.**

The motion to reconsider may be applied to a negative vote on the motion to lay on the table. Volume **V,** section **5629.**

After careful consideration it was held in order to reconsider the vote laying an appeal on the table. Volume **V,** section **5630.**

During proceedings under a call of the House it was held that a motion might not be made to reconsider the vote whereby an appeal was laid on the table. Volume **V,** section **5631.**

(17) Relation to Other Motions.—When Motion to Reconsider is Laid on the Table.

The motion to lay on the table is applicable to the motion to reconsider. Volume **VIII,** sections **2652, 2659.**

The motion to reconsider may not be applied to the vote whereby the House has laid another motion to reconsider on the table. Volume **V,** sections **5632, 5633.**

A motion to reconsider a vote laying a motion to reconsider on the table is not in order. Volume **V,** section **5638.**

The House having laid on the table a motion to reconsider the vote by which a proposition had been laid on the table, the proposition may be taken up only by unanimous consent or a suspension of the rules. Volume **V,** section **5640.**

Origin of the practice of preventing reconsideration by laying the motion to reconsider on the table. Volume **V,** sections **5634–5639.**

A motion to lay on the table a motion to reconsider the vote by which an amendment to a pending motion was rejected does not carry to the table the motion to which the amendment was offered. Volume **VIII,** section **2659.**

A motion to reconsider the vote by which an amendment was agreed to may be laid on the table without carrying with it the amendment proposed to be reconsidered. Volume **VIII,** section **2652.**

(18) Relation to Other Motions.—The Previous Question.

A motion to reconsider the vote on the engrossment of a bill may be admitted after the previous question has been moved on a motion to postpone. Volume **V,** section **5663.**

A motion to reconsider the vote on the third reading of a bill may be made and acted on after a motion for the previous question on the passage has been made, but the motion to reconsider may not be debated. Volume **V,** section **5656.**

Relation of the motion for the previous question to the motion to reconsider (footnote). Volume **V,** section **5656.**

The vote whereby the previous question is ordered may be reconsidered once only. Volume **V,** section **5655.**

The vote whereby the previous question was ordered having been reconsidered, it was held in order to withdraw the motion for the previous question, the "decision" having been nullified. Volume **V,** section **5357.**

The previous question is exhausted by the vote on the motion on which it is ordered, and consequently a motion to reconsider the vote on the main question is debatable. Volume **V,** section **5494.**

RECONSIDER, MOTION TO—Continued.

(18) Relation to Other Motions.—The Previous Question—Continued.

When the previous question has been ordered on a series of motions and its force has into been exhausted, the reconsideration of the vote on one of the motions does not throw it open to debate or amendment. Volume **V,** section **5493.**

When a vote taken under the operation of the previous question is reconsidered the main question stands divested of the previous question and may be debated and amended without reconsideration of the motion for the previous question (Speaker overruled). Volume **V,** sections **5491, 5492.**

(19) Relation to Other Motions.—To Postpone.

It is in order to reconsider a vote postponing a bill to a day certain, even on a later day. Volume **V,** section **5643.**

(20) Relation to Other Motions.—To Go Into Committee of the Whole.

Instance wherein the Chair admitted a motion to reconsider an affirmative vote on the motion that the House resolve itself into Committee of the Whole. Volume **V,** section **5368.**

A motion to go into Committee of the Whole, when decided in the negative, may not be reconsidered. Volume **V,** section **5641.**

(21) Relation to Other Motions.—In General.

A motion to reconsider the vote whereby the House refuses to take a recess is not in order. Volume **V,** section **5625.**

It is not in order to reconsider the vote whereby the House refuses to consider a bill. Volume **V,** sections **5626, 5627.**

The motion to reconsider may not be applied to the vote on a motion to suspend the rules. Volume **V,** sections **5645, 5646.**

The motion to reconsider the vote on a proposition having been once agreed to, and the said vote having again been taken, a second motion to reconsider may not be made unless the nature of the proposition has been changed by amendments. Volume **V,** sections **5685–5688.**

The vote whereby a second is ordered may be reconsidered. Volume **V,** section **5642.**

(22) In Relation to the Yeas and Nays.

A motion to reconsider the vote ordering the yeas and nays is in order. Volume **V,** section **6029.** Volume **VIII,** section **2790.**

The vote whereby the yeas and nays are refused may be reconsidered. Volume **V,** section **5692.**

The vote whereby the yeas and nays are ordered may be reconsidered by a majority, but if the House votes to reconsider the yeas and nays may again be ordered by one-fifth. Volume **V,** sections **5689–5691.**

The House having reconsidered the vote whereby the yeas and nays were ordered and having again ordered them, a second motion to reconsider was held out of order. Volume **V,** section **6037.**

It was once held that the yeas and nays might be demanded on a motion to reconsider the vote whereby the yeas and nays were ordered. Volume **V,** section **5689.**

A quorum is not necessary on a motion to reconsider the vote whereby the yeas and nays were ordered. Volume **V,** section **5693.**

During proceedings to secure a quorum it was held that the yeas and nays might not be demanded on a motion to lay on the table a motion to reconsider the vote whereby the yeas and nays were ordered. Volume **V,** section **6037.**

(23) In Relation to Bills Returned With the President's Objections. See also "Vetoed Bills."

The House to which a bill is returned with the objections of the President enters the objections on the Journal and proceeds to reconsider it. Volume **IV,** section **3520.**

RECONSIDER, MOTION TO—Continued.

(23) In Relation to Bills Returned With the President's Objections—Continued.

The constitutional mandate that the House "shall proceed to reconsider" a vetoed bill has been held not to preclude a motion to postpone consideration to a day certain. Volume **IV,** sections **3542–3547.**

The motion to reconsider may not be applied to the vote on reconsideration of a bill returned with the objections of the President. Volume **V,** section **5644.** Volume **VIII,** section **2778.**

(24) Consideration of.—In General.

While the motion to reconsider may be entered at any time during the two days prescribed by the rule, even after the previous question is ordered or when a question of the highest privilege is pending, it may not be considered while another question is before the House. Volume **V,** section **5673–5676.**

A motion to reconsider may be entered at any time, even when privileged business is pending, as pending a motion to resolve into the Committee of the Whole for the consideration of an appropriation bill, but such motion may not be considered until the business to which it relates is again in order. Volume **VIII,** section **2785.**

While the motion to reconsider may be entered at any time during the two days prescribed by the rule, it may not be considered while another question is before the house, and when relating to a bill belonging to a particular class of business, the consideration of the motion is in order only when that class of business is in order. Volume **VIII,** section **2785.**

The vote by which the enacting clause of a bill on the private calendar was stricken out being reconsidered, the question is pending on agreeing to the recommendation of the Committee of the Whole and being decided in the negative, sends the bill back to the private calendar. Volume **VIII,** section **2786.**

A motion to reconsider the vote by which recommendation of the Committee of the Whole House that the enacting clause of a bill on the private calendar be striken out was agreed to, may be entered on any day on which recognition is had for that purpose, but the motion may be taken up for consideration on private calendar Friday only. Volume **VIII,** section **2786.**

After the day succeeding that on which it is made a motion to reconsider may be called up by any Member, but on the last six days of a session such motion must be disposed of when made. Volume **V,** section **5605.**

When the motion to reconsider relates to a bill belonging to a particular class of business the consideration of the motion is in order only when that class of business is in order. Volume **V,** sections **5677–5681.** Volume **VIII,** section **2786.**

On a Wednesday on which the call of committees was in order the entering, but not the consideration, of a motion to reconsider was held to intervene. Volume **VII,** section **905.**

A motion to reconsider business which is in order on certain days only, may be entered on any day, but consideration of such motion is in order only when that class of business is in order. Volume **VIII,** section **2786.**

The motion to reconsider may be called up at any time when the class of business to which it relates is in order, but until it is called up the motion is not the regular order. Volume **V,** section **5682.**

A motion to reconsider when once entered may remain pending indefinitely, even until a succeeding session of the same Congress. Volume **V,** section **5684.**

The correction of an error having changed the result of a vote, a motion to reconsider based on the erroneous vote was treated as a nullity. Volume **IV,** section **2814.**

The question of consideration may be demanded against the motion to reconsider. Volume **VIII,** section **2437.**

(25) Consideration of.—Debate on.

A motion to reconsider is not debatable if the motion proposed to be reconsidered was not debatable. Volume **V,** sections **5694–5699.**

RECONSIDER, MOTION TO—Continued.

(25) Consideration of.—Debate on—Continued.

A motion to reconsider is debatable if the motion proposed to be reconsidered was debatable and the previous question is not operating. Volume **VIII,** sections **2437, 2792.**

As to whether or not it is in order to debate the motion to reconsider a vote taken under the operation of the previous question. Volume **V,** sections **5700, 5701.**

The right of the "mover, proposer, or introducer of the matter pending" to close debate does not belong to a Member who has merely moved to reconsider the vote on a bill which he did not report. Volume **V,** section **4995.**

(26) In General.

An instance wherein, after a Member had explained, the House reconsidered its vote of censure. Volume **II,** section **1653.**

A vote being given viva voce at an election for Congressman, the voter may not afterwards change it or vote for additional officers. Volume **I,** section **781.**

The motion to reconsider may not be entertained while the House is dividing. Volume **VIII,** section **2791.**

A bill once rejected may not be taken up for consideration the second time in the same session. Volume **VIII,** section **2776.**

RECONSTRUCTION.

The Senate, in 1868, when certain States were without representation, declined to question its competency to try an impeachment case. Volume **VIII,** section **2060.**

RECORD, CONGRESSIONAL. See "Congressional Record."

RECORDS.

(1) Of the House.
(2) In general.

(1) Of the House.

A resolution relating to the protection of the records of the House presents a question of privilege. Volume **VIII,** section **2659.**

The record of reports filed with the Clerk is entered in the Journal and printed in the Record. Volume **IV,** section **3116.**

The House authorized the clerk of a committee to disclose by deposition the proceedings of the committee. Volume **III,** section **2604.**

The House authorized the clerk of a committee to produce committee records in response to legal process. Volume **VIII,** section **2496.**

The House may direct a committee to submit its Journal to the House, but the proper method seems to be by a motion to recommit the pending report, with instructions to incorporate in it the desired record. Volume **IV,** sections **4680, 4681.**

(2) In General.

In ascertaining prima facie title the governor should make intelligible an obscure return from the records of a returning board when said board has the functions of a court of record. Volume **I,** section **582.**

The court record of naturalization may not be questioned collaterally by evidence impeaching the facts on which the certificate was issued. Volume **I,** section **472.**

The record of a court of naturalization sufficiently establishes citizenship, even though it be alleged that the certificate of the fact has not been issued regularly. Volume **I,** section **472.**

A Senate committee concluded that the journal entries of a legislative body were conclusive as to all the proceedings had, and might not be contradicted by ex parte evidence. Volume **I,** section **563.**

REDEMPTION.

Provision for redemption at the treasury of adjustment certificates issued by the Secretary of Agriculture in administration of the Farm Relief Law and drawn on a special fund provided for the purpose was held not to constitute an appropriation within the meaning of section 4 of Rule XXI. Volume **VII,** section **2160.**

REDISTRICTING. See "Elections."

REECE, CARROLL B., of Tennessee, Chairman.

Decisions on questions of order relating to—

Appropriations. Volume **VII,** section **1701.**

REED, ELECTION CASES OF.

The Maryland election case of Reed v. Causden in the Seventeenth Congress. Volume **I,** section **775.**

The South Carolina Election Cases of Hoge and Reed and Wallace v. Simpson in the Forty-first Congress. Volume **I,** section **620–622.**

The Maine election case of Anderson v. Reed in the Forty-seventh Congress. Volume **II,** section **971.**

REED RULES.

The "Reed rules" as related to the general system of rules of the House (footnote). Volume **V,** section **6742.**

REED, THOMAS B., of Maine, Speaker.

(1) Establishing of the principle of the quorum present.
(2) Ruling as to dilatory motions.
(3) The power of the Speaker.
(4) The "Reed rules."
(5) General decisions by.

(1) Establishing of the Principle of the Quorum Present.

In 1890 Mr. Speaker Reed directed the Clerk to enter on the Journal as part of the record of a yea-and-nay vote names of Members present but not voting, thereby establishing a quorum of record. Volume **IV,** section **2895.**

Mr. Speaker Reed, in 1890, revised the count by the Chair as a method of determining the presence of a quorum at times when no record vote is ordered. Volume **IV,** section **2909.**

(2) Ruling as to Dilatory Motions.

Finding the ordinary and proper parliamentary motions used solely for delay and obstruction, Mr. Speaker Reed ruled them out as dilatory, and was sustained on appeal. Volume **V,** section **5713.**

(3) The Power of the Speaker.

Mr. Speaker Reed in a ruling referred, to the power of the Speaker in relation to the House itself. Volume **IV,** section **4452.**

(4) The "Reed Rules."

The "Reed rules" as related to the general system of rules of the House (footnote). Volume **V,** section **6742.**

(5) General Decisions by.

Decisions on Questions or order relating to—

Adjourn, fix the day. Volume **V,** sections **5379, 5380, 5381.**

Adjourn, motion to. Volume **V,** sections **5369, 5371, 6452, 6453**

Adjournment. Volume **V,** section **6673.**

Adjournment. Volume **IV,** section **4880.**

Amendments to the Constitution. Volume **V,** section **7027.**

Amendments germane. Volume **V,** sections **5828, 5839, 5894, 5898, 5900.**

REED, THOMAS B., of Maine, Speaker—Continued.

(5) General Decisions by— Continued.

Decisions on question of order relating to—Continued.

Amendments not germane. Volume **V,** sections **5807, 5834–5836, 5848, 5849, 5866, 5868, 5870, 5887, 5897, 5922.**

Appeals. Volume **V,** sections **6945, 6955.**

Call of committees. Volume **IV,** sections **3119, 3120, 3122–3124, 3128.**

Call of the House. Volume **IV,** sections **3016, 3040, 3041, 3042, 3045–3048, 3049, 3050, 3052.**

Call to order. Volume **V,** sections **5178, 5181, 5182, 5188, 5189, 5190.**

Censure. Volume **II,** section **1259.**

Committee of the Whole Volume **IV,** sections **3140, 4798–4800, 4803, 4813, 4814, 4816, 4817, 4818, 4820, 4829, 4837, 4840, 4843, 4844, 4845, 4947, 4851, 4852, 4857, 4860, 4865–4867.**

Conference reports. Volume **V,** sections **6389, 6390, 6410, 6447, 6450, 6454, 6507, 6508, 6523, 6524, 6525, 6558, 6562.**

Congressional Record. Volume **V,** sections **6962, 6963, 6969, 6972, 6977, 7013, 7022.**

Constitutional privilege. Volume **I,** sections **307, 308.**

Debate. Volume **V,** sections **5046, 5047, 5077, 5084, 5085, 5107, 5108, 5118, 5129, 5140, 5144, 5188, 5379, 5380.**

Dignity of the Speaker's office. Volume **II,** sections **1308.**

Dilatory motions. Volume **V,** sections **5715, 5720, 5721, 5724, 5726, 5727, 5735, 5737.**

Discharge of a committee. Volume **III,** section **1868.**

Disorder in Committee of the Whole. Volume **II,** section **1350.**

Disorder in debate. Volume **II,** section **1259.** Volume **V,** section **6980.**

District day. Volume **IV,** section **3311.**

Division of the question. Volume **IV,** section **4889.** Volume **V,** sections **6160, 6161.**

Enacting clause, motion to strike out. Volume **V,** section **5345.**

Forty minutes of debate. Volume **V,** sections **5497, 5499–5501, 5506, 5509, 5517.**

General debate. Volume **V,** section **5209.**

General parliamentary law. Volume **V,** sections **5509, 6002.**

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Inquiry, resolution of. Volume **III,** sections **1861, 1868.**

Instructions of committees. Volume **V,** sections **5526, 5538, 5539, 5545, 5546, 5548, 5549, 5561.**

Instructions to managers of conference. Volume **V,** sections **6384, 6388, 6525.**

Journal. Volume **IV,** sections **2739, 2740, 2770, 2848.**

Jurisdiction of committees. Volume **IV,** sections **4323, 4358, 4362, 4366.**

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Legislation on appropriation bills (footnote). Volume **IV,** section **3868.**

Managers of conference. Volume **IV,** section **4715.**

Messages. Volume **V,** section **6604.**

Minority views. Volume **IV,** section **4600.**

Motions. Volume **V,** sections **4897, 5358, 5379.**

Obstruction. Volume **V,** section **5713.**

Order of Business. Volume **IV,** sections **3060, 3071, 3074, 3077, 3080, 3081, 3082, 3084, 3091–3093, 3095–3099, 3100, 3200, 3273.**

Personal interest. Volume **V,** section **5950**

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Postpone, motion to. Volume **V.** section **5321.**

REED, THOMAS B., of Maine, Speaker—Continued.

(5) General Decisions by—Continued.

Decisions on questions of order relating to—Continued.

Preamble. Volume **IV,** section **3414.**
Precedence of motions. Volume **V,** sections **6174, 6222, 6224, 6321.**
Precedence of questions. Volume **V,** section **6321a.**
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Privilege. Volume **III,** sections **2524, 2567, 2570, 2571, 2608, 2609, 2621, 2711.** Volume **V,** section **5129.**
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Recess. Volume **IV,** section **2965.** Volume **V,** section **6663.**
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Reconsider, motion to. Volume **V,** sections **5612, 5626, 5628, 5649, 5664, 5678, 5704.**
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REEDER.

The first election case of Reeder v. Whitfield, from the Territory of Kansas, in the Thirtyfourth Congress. Volume **I,** sections **825, 826.**

The second election case of Reeder v. Whitfield, from the Territory of Kansas, in the Thirtyfourth Congress. Volume **I,** section **827.**

REEVES.

The Missouri case of Reeves v. Bland in the Sixty-sixth Congress. Volume **VI,** section **100.**

REFERENCE. See also "Committees, Jurisdiction of," and "Recommit."

(1) Motion to Refer.—Nature of.—In general.
(2) Motion to Refer.—Nature of.—Relation to the Committee of the Whole.
(3) Motion to Refer.—Nature of.—"In the House as in Committee of the Whole."
(4) Motion to Refer.—Nature of.—Repetition of.
(5) Motion to Refer.—Precedence of.—In general.
(6) Motion to Refer.—Precedence of.—In relation to Senate amendments.
(7) Motion to Refer.—Debate on.
(8) Motion to Refer.—Relations to the previous question.—In general.
(9) Motion to Refer.—Relations to the previous question.—The motion as provided for by the rule.
(10) Motion to Refer.—Relations to the previous question.—Application of.
(11) Motion to Refer.—Relations to the previous question.—Amendable, but not debatable.
(12) Motion to Refer.—Relations to the previous question.—When a bill is recommitted.
(13) Motion to Refer.—In relation to other motions.
(14) Motion to Refer.—In relation to the electoral count.
(15) Motion to Refer.—Application of.—In general.
(16) Motion to Refer.—Application of.—To bills, petitions, reports, etc.
(17) Motion to Refer.—Application of.—To conference reports.
(18) Motion to Refer.—Application of.—To bills returned with the President's objections.
(19) Of bills and petitions.—Rule for.
(20) Of bills and petitions.—Errors in, their effect and correction.
(21) Of bills and petitions.—Division of.
(22) Of bills and petitions.—Reconsideration of vote on.
(23) Of bills and petitions.—Senate bills and amendments on the Speaker's table.
(24) Of bills and petitions.—In relation to Committee of the Whole.
(25) Of the President's message.—In general.
(26) Of the President's message.—The annual or general message.
(27) With instructions.
(28) In general.

(1) Motion to Refer.—Nature of.—In General.

The motions to refer, commit, and recommit are practically the same. Volume **V,** section **5521.**

The motions to postpone, refer, amend, for a recess, and to fix the day to which the House shall adjourn may be amended. Volume **V,** section **5754.**

A motion to refer may specify that the reference to be a select committee of a stated number of Members and may endow this committee with power to send for persons and papers. Volume **IV,** section **4402.**

Instance wherein a select committee was authorized by the adoption by the House of a motion to refer. Volume **IV,** section **4401.**

REFERENCE—Continued.

(1) Motion to Refer.—Nature of.—In General—Continued.

The House may refer a bill to any committee and jurisdiction is thereby conferred, but such action is not irrevocable, and a motion to again change such reference is in order until the bill is reported. Volume **VII,** section **2106.**

The House may refer to any committee regardless of jurisdiction, and motions to recommit may provide for reference to another committee than that reporting the bill. Volume **VIII,** section **2696.**

A House of Congress may not make reference to a joint committee when such reference is not contemplated by the act creating the committee. **VII,** section **2163.**

(2) Motion to Refer.—Nature of.—Relations to the Committee of the Whole.

The simple motion to recommit is not in order in Committee of the Whole. Volume **IV,** section **4721.**

A Committee of the Whole sometimes reports a bill with the recommendation that it be recommitted to a standing committee with certain instructions. Volume **IV,** section **4714.**

A motion that the Committee of the Whole report a bill with the recommendation that it be referred may not be made until it has been read for amendments. Volume **IV,** sections **4761, 4762.**

(3) Motion to Refer.—Nature of.—"In the House as in Committee of the Whole."

The House while acting "in the House as in Committee of the Whole" may refer to a committee, use the previous question, deal with disorder, take the yeas and nays, or adjourn. Volume **IV,** section **4923.**

A bill being under consideration "in the House as in Committee of the Whole" a motion to commit was decided to be in order, although the reading by sections had not begun. Volume **IV,** sections **4931, 4932.**

(4) Motion to Refer.—Nature of.—Repetition of.

A motion to postpone to a day certain, refer, or postpone indefinitely, being decided, is not again in order on the same day at the same stage of the question. Volume **V,** section **5301.**

The motion to refer being once submitted shall not be again allowed on the same day at the same stage of the question. Volume **VIII,** section **2738.**

Interpretation of the rule which forbids the repetition of the motions to postpone or refer at the same stage of the question. Volume **V,** section **5591.**

The vote whereby a bill was passed having been reconsidered, amendments having been made, and the third reading ordered again under operation of the previous question, a motion to recommit was held to be in order, although such a motion had previously been rejected. Volume **V,** section **5590.**

(5) Motion to Refer.—Precedence of.—In General.

Rule of the precedence of the motion to refer as related to other motions. Volume **V,** section **5301.**

The motion to refer, the previous question not being ordered, has precedence of the motion to amend. Volume **V,** section **5555.**

Whether "a question is under debate" or not, a motion to lay on the table has precedence of a motion to refer. Volume **V,** section **5303.**

The question of consideration being pending, a motion to refer is not in order. Volume **V,** section **5554.**

A motion to recommit may be made after the engrossment and third reading of a bill, even though the previous question may not have been ordered. Volume **V,** sections **5562, 5563.**

A Member recognized to present a privileged resolution may not be taken from the floor by a motion to refer. Volume **VI,** section **468.**

REFERENCE—Continued.

(5) Motion to Refer.—Precedence of.—In General—Continued.

The motion to amend is not entertained while the motion to refer is pending. Volume **VI,** section **373.**

When resolution is brought directly before the House independently of a committee the proponent's right to prior recognition for debate takes precedence over the motion to refer. Volume **VI,** section **86.**

The motion to strike out the enacting clause is a motion to amend and yields to the motion to refer when reported to the House from the Committee of the Whole. Volume **VIII,** section **2634.**

(6) Motion to Refer.—Precedence of.—In Relation to Senate Amendments.

Before the stage of disagreement has been reached the motion to refer to a committee Senate amendments returned with a House bill has precedence of a motion to agree to the amendments. Volume **V,** sections **6172–6174.**

The stage of disagreement having been reached, the motion to insist has precedence of the motion to refer. Volume **V,** section **6225.**

While the rule requires the reference to the appropriate standing committee of House bills returned with Senate amendments requiring consideration in the Committee of the Whole, the usual practice is to take such bills from the Speaker's table and send them to conference by unanimous consent. Volume **VI,** section **732.**

(7) Motion to Refer.—Debate on.

The simple motion to refer or commit is debatable, but the merits of the proposition which it is proposed to refer may not be brought into the debate. Volume **V,** sections **5564–5568. Volume VI,** section **549.** Volume **VIII,** section **2740.**

A former rule of the House provided that a motion to refer should not be debatable (footnote). Volume **V,** section **5564.**

On a motion to recommit the latitude of debate is not large. Volume **V,** section **5054.**

The motion to commit made after the previous question is ordered is not debatable. Volume **V,** section **5582.**

(8) Motion to Refer.—Relations to the Previous Question.—In General.

The previous question may be moved on both the motion to refer and on the pending resolution. Volume **V,** section **5466.**

While the ordinary motion to refer may be applied to a vetoed bill it is not in order to move to commit it pending the demand for the previous question or after it is ordered on the constitutional question of reconsideration. Volume **IV,** section **3551.**

The motion to lay on the table may not be applied to the motion to commit authorized after the previous question is ordered. Volume **V,** sections **5412–5414.**

The motion to refer is in order before the previous question is demanded, but after the previous question has been ordered on a bill to final passage, the motion to refer is not admissible until after the third reading. Volume **VIII,** section **2746.**

The motion to refer, the previous question not being ordered, has precedence of the motion to amend. Volume **VI,** section **373.**

The previous question may be moved on both the motion to refer and on the pending proposition. Volume **VI,** section **373.**

(9) Motion to Refer.—Relations to the Previous Question.—The Motion as Provided for by the Rule.

The motion to refer provided for in the rule for the previous question. Volume **V,** section **5569.**

Pending the vote on the passage of a bill under the operation of the previous question, a motion to commit to a standing or select committee, with or without instructions, is in order. Volume **V,** section **5443.**

REFERENCE—Continued.

(9) Motion to Refer.—Relations to the Previous Question.—The Motion as Provided for by the Rule—Continued.

Where the motion for the previous question covers all stages of the bill to the final passage, the motion to commit is made after the third reading and is not in order before engrossment or third reading or pending the motion for the previous question. Volume **V,** sections **5578–5581.**

Where separate motions for the previous question are made, respectively, on the third reading and on the passage of a bill, the motion to commit should be made only after the previous question is ordered on the passage. Volume **V,** section **5577.**

The motion to refer under Rule XVII may be made pending the demand for the previous question on the passage, whether a bill or resolution be under consideration. Volume **V,** section **5576.**

When the previous question has been ordered on a simple resolution (as distinguished from a joint resolution) and a pending amendment the motion to commit should be made after the vote on the amendment. Volume **V,** sections **5585–5588.**

The opponents of a bill have no claim to prior recognition to make the motion to refer under Rule XVII. Volume **II,** section **1456.**

Under the rule for the previous question but one motion to commit is in order. Volume **V,** sections **5577, 5580, 5582, 5885.**

The previous question having been ordered and a motion to recommit having been made in the form of a resolution with a preamble, the preamble was ruled out of order. Volume **V,** section **5589.**

The House having determined in the negative the question on the engrossment and third reading of a bill, a motion to commit is not in order under the rule for the previous question. Volume **V,** sections **5602, 5603.**

Before the adoption of rules, while the House was acting under general parliamentary law, it was held that the motion to commit was in order pending the motion for the previous question or after it had been ordered on a resolution. Volume **V,** section **5604.**

Before the adoption of rules the motion to commit has been admitted after the ordering of the previous question. Volume **V,** section **6758.**

Where a special order declares that at a certain time the previous question shall be considered as ordered on a bill to the final passage it has usually but not always been held that the motion to commit is precluded. Volume **IV,** sections **3207–3209.**

(10) Motion to Refer.—Relations to the Previous Question.—Application of.

The motion to commit after the previous question is ordered applies to resolutions, the word "bill" in the rule being a generic term applying to all legislative propositions. Volume **V,** section **5572.**

The motion to commit provided for in the rule for the previous question applies not only to bills but to resolutions of the House alone. Volume **V,** section **5573.**

An opinion of the Speaker that the motion to commit is not in order when the previous question has been ordered simply on a pending amendment. Volume **V,** section **5573.**

The motion to commit provided for in the rule for the previous question may be applied to a motion to amend the Journal. Volume **V,** section **5574.**

The previous question having been ordered on a motion to agree to a Senate amendment to a House bill, a motion to commit is in order. Volume **V,** section **5575.**

Although the decisions conflict, those last made do not admit the motion to commit after the previous question has been ordered on a report from the Committee on Rules. Volume **V,** sections **5593–5601.**

(11) Motion to Refer.—Relations to the Previous Question.—Amendable, But Not Debatable.

After the previous question is ordered the motion to commit may be amended, as by adding instructions, unless such amendment be precluded by moving the previous question on the motion to commit. Volume **V,** sections **5582–5584.**

REFERENCE—Continued.

(11) Motion to Refer.—Relations to the Previous Question.—Amendable, But Not Debatable—Continued.

The motion to commit under section 1 of Rule XVII is not debatable, but is amendable unless the previous question is ordered on it. Volume **V,** sections **5570,5571.**

(12) Motion to Refer.—Relations to the Previous Question.—When a Bill is Recommitted.

A bill recommitted under section 1 of Rule XVII (rule of the previous question) and reported back to the House must again be put on its passage to be engrossed for a third reading. Volume **V,** section **5591.**

A bill recommitted under Rule XVII with instructions that it be reported "forthwith" was, when reported again, passed to be engrossed and read a third time. Volume **V,** section **5551.**

A bill recommitted under the rule relating to the previous question and on which, when it is again reported and considered, the previous question is again ordered may again be subjected to the motion to commit. Volume **V,** section **5591.**

(13) Motion to Refer.—In Relation to Other Motions.

An instance wherein a motion to refer was laid on the table. Volume **V,** section **5433.**

The motion to postpone indefinitely may not be applied to the motion to refer. Volume **V,** section **5317.**

After a committee has reported a matter it is too late to reconsider the vote by which it was referred. Volume **V,** section **5651.**

A Member who had submitted a motion to refer, which was pending, was permitted to move to suspend the rules to consider an entirely different matter. Volume **V,** section **6834.**

During consideration of a motion to suspend the rules and pass a bill it is not in order to move to commit the bill or to demand a separate vote on amendments pending with the bill. Volume **V,** section **6860.**

The motion to reconsider may not be applied to a vote on the reference of a bill to a committee. Volume **VIII,** section **2782.**

(14) Motion to Refer.—In Relation to the Electoral Count.

During the electoral count of 1877 the Speaker held that the House alone might not refer a matter to the electoral commission. Volume **III,** section **1955.**

(15) Motion to Refer.—Application of.—In General.

A former rule of the House provided that motions might be committed, and the principle has been reasserted by the Chair. Volume **V,** section **5574.**

It was held in the Senate that a pending motion might not be referred to a committee. Volume **V,** section **5556.**

After discussion the Senate decided out of order a motion to refer an amendment to a pending bill without the bill itself. Volume **V,** section **5557.**

The motions to refer, commit, and recommit are practically the same, and a motion to recommit a Senate bill to a standing committee of the House to which it had not previously been referred was held to be in order. Volume **VIII,** section **2736.**

A motion to refer impeachment charges was entertained as a matter of constitutional privilege. Volume **VI,** section **549.**

Pending motion to refer a resolution providing for an investigation looking to impeachment the resolution is not open to amendment. Volume **VI,** section **526.**

(16) Motion to Refer.—Application of.—To Bills, Petitions, Reports, etc.

The House may by vote refer a bill to any committee without regard to the rules of jurisdiction. Volume **IV,** section **4375.**

The House itself may refer a bill or resolution to any committee and jurisdiction is thereby conferred. Volume **VII,** section **2105.**

It is in order for the House to refer a bill to any committee, though such committee under Rule XI might not have original jurisdiction of the bill. Volume **V,** section **5527.**

REFERENCE—Continued.

(16) Motion to Refer.—Application of.—To Bills, Petitions, Reports, etc.—Continued.

It is in order to refer a matter to a committee before its members have been appointed. Volume **IV,** section **4555.**

Before the completion of the organization of the House in 1869 the Clerk refused to entertain a motion referring to a committee a subject relating to the election of a Member. Volume **I,** section **78.**

Discretion of the Speaker in referring to committees bills on the Speaker's table. Volume **IV,** section **3111.**

A bill referred to a committee and reported therefrom is sometimes recommitted. Volume **V,** section **5558.**

The House having disposed of a report adversely, it is not in order to recommit it. Volume **V,** section **5559.**

It is not in order to recommit a report until a question of order relating to its reception has been settled. Volume **V,** section **5560.**

The parliamentary law provides that the House may commit a portion of a bill, or part to one committee and part to another. Volume **V,** section **5558.**

A bill may not be divided among two or more committees, although it may contain matters properly within the jurisdiction of several committees. Volume **IV,** section **4372.**

A joint resolution may not be divided for reference. Volume **IV,** section **4736.**

A portion of a petition being in contravention of a rule was laid on the table, while the remainder was referred. Volume **IV,** section **3358.**

A portion of a petition may be referred to one committee and the remainder to another. Volume **IV,** sections **3359, 3360.**

A joint resolution may not be divided for reference. Volume **IV,** section **4376.**

A question being raised as to certain revenue amendments of the Senate, it was held in order to refer the constitutional question to the House conferees, in case there should be a conference. Volume **II,** section **1491.**

It was held in order to refer a matter to a joint committee, although a law directed that such matters be referred to the House Members of the said joint committee. Volume **IV,** section **4433.**

(17) Motion to Refer.—Application of.—To Conference Reports.

A motion to refer a conference report to a standing committee has been held out of order, Volume **V,** section **6558.**

It is in order for one body to recommit a conference report if the other body by action on the report have not discharged their managers. Volume **V,** sections **6545–6550, 6609.**

When a conference report has been made and acted on in one House and the managers of that House have thereby been discharged the other House is precluded thereby from recommitting the report to the managers. Volume **V,** sections **6551–6553.**

A conference report that has been acted on by either House is sometimes recommitted by concurrent action of the two Houses taken by unanimous consent. Volume **V,** sections **6554–6557.**

The reference of a bill, or a change in the reference of a bill, by the Speaker does into preclude the point of order, when called up for consideration, that it has been improperly referred. Volume **VII,** section **863.**

(18) Motion to Refer.—Application of.—To Bills Returned With the President's Objections.

Not only have vetoed bills been referred to committees, but in practice those committees have often neglected to report (footnote). Volume **IV,** section **3550.**

A motion to refer a vetoed bill, either with or without the message, has been held allowable within the constitutional mandate that the House "shall proceed to reconsider." Volume **IV,** section **3550.**

A motion to refer a vetoed bill is allowable within the constitutional mandate that the house "shall proceed to reconsider." Volume **VII,** section **1114.**

REFERENCE—Continued.

(18) Motion to Refer.—Application of.—To Bills, Returned With the President's Objections— Continued.

The constitutional mandate that the House "shall proceed to reconsider" a vetoed bill is complied with by laying it on the table, referring it to a committee, postponing consideration to a day certain, or immediately voting on reconsideration. Volume **VII,** section **1105.**

A motion to refer to a committee a bill returned with the objections of the President is in order under the practice of the House. Volume **VII,** section **1108.**

A veto message having been read, only three motions are in order: to lay on the table, to postpone to a day certain, or to refer, which motions take precedence in the order named. Volume **VII,** section **1099.**

While the ordinary motion to refer may be applied to a vetoed bill, it is not in order to move to commit it pending the demand for the previous question or after the previous question is ordered on the constitutional question of reconsideration. Volume **VII,** section **1102.**

(19) Of Bills and Petitions.—Rule for.

Discussion and distinction between public and private bills and method of introduction and reference. Volume **VII,** section **864.**

Prior to the election of committees, reference of bills is made as if committees were in existence, and when committees are elected such reference is effective without further formality. Volume **VII,** section **2102a.**

Members introducing private bills indorsed upon them the name of the committee to which referred under the rule. Volume **VII,** sections **1027, 1032.**

Reference of public bills is by the Speaker through the clerk at the Speaker's table. Volume **VII,** section **1031.**

Where the House itself refers a private House bill to a committee the point of order as to jurisdiction does not avail. Volume **VII,** section **2131.**

The reference of a private bill is indorsed on it by the Member introducing it, while the reference of a public bill is made by the Speaker. Volume **IV,** section **3364.**

Petitions, memorials, and bills referred by delivery to the Clerk are entered on the Journal and Record. Volume **IV,** section **3364.**

The House itself may refer a bill or resolution to any committee, and jurisdiction is thereby conferred. Volume **IV,** sections **4362–4364.**

Rule for delivery of bills referred to a committee. Volume **IV,** section **4556.**

(20) Of Bills and Petitions.—Errors in, Their Effect and Correction.

Rules for correction of erroneous reference of private and public bills. Volume **IV,** section **3364.**

The rule provides that errors in the reference of public bills may be corrected after the reading of the Journal in certain specified ways. Volume **IV,** section **4377.**

Motions for the reference of messages and public bills are in order immediately after the reading of the Journal. Volume **VII,** section **1809.**

Motion to change the reference of a public bill, to come within the privilege, must be offered immediately after the reading of the Journal, and if the floor is yielded for other business the motion is not again privileged on that day. Volume **VII,** section **2119.**

The motion for a change of reference of a public bill is not privileged under the rule when the original reference was not erroneous. Volume **VII,** section **2125.**

Motions to change the reference of public bills are privileged only when formally authorized by the committee to which referred or the committee claiming jurisdiction. Volume **VII,** section **2121.**

Motions to change the reference of public bills are not open to debate or subject to amendment. Volume **IV,** section **4378.**

A motion for a change in the reference of a public bill may be amended but the amendment, like the original motion, is subject to the requirement that it be authorized by the proper committee. Volume **VII,** section **2127.**

REFERENCE—Continued.

(20) Of Bills and Petitions.—Errors in, Their Effect and Correction—Continued.

The motion to change the reference of a public bill may not be divided and is not debatable. Volume **VII,** sections **2125–2128.**

The correction of the reference of a public bill was held, at a time when the rules did not provide any other mode of correction, to present a question of privilege. Volume **III,** section **2602.**

The House may refer a bill to any committee and jurisdiction is thereby conferred, but such action is not irrevocable, and a motion to again change such reference is in order until the bill is reported. Volume **VII,** section **2106.**

Consideration by a committee to which erroneously referred does not preclude consideration of a motion to change the reference of a bill when properly offered. Volume **VII,** section **2128.**

According to the later practice of the House the erroneous reference of a public bill, if it remain uncorrected, in effect gives jurisdiction to the committee receiving it. Volume **IV,** sections **4365–4371.** Volume **VII,** section **2108.**

The erroneous reference of a public bill remaining uncorrected, it is too late to raise the question of jurisdiction when reported by the committee to which referred. Volume **VII,** section **1489.**

A motion for rereference of a bill comes too late after the bill has been reported to the House. Volume **VIII,** section **2312.**

Errors in the reference of petitions and private bills are corrected at the Clerk's table, without action by the House, at the suggestion of the committee having possession. Volume **IV,** section **4379.**

The erroneous reference of a petition or private bill referred by the Member under the rule does not confer jurisdiction on the committee receiving it. Volume **IV,** section **3364.**

The erroneous reference of a private bill to a committee not entitled to jurisdiction does not confer it, and a point of order is good when the bill comes up for consideration either in the House or in the Committee of the Whole. Volume **VII,** section **2132.**

A private bill reported from a committee not having jurisdiction of the subject was ordered by the Speaker to be recommitted, as a step preliminary to a change of reference. Volume **IV,** section **4392.**

A motion to change the reference of a public bill identical with one already reported is not in order. Volume **VII,** section **2125.**

A motion to change the reference of a public bill when made immediately after the reading of the Journal is in order on Friday, as on other days. Volume **VII,** section **2128.**

Motions to change the reference of public bills are not in order on Calendar Wednesday. Volume **VII,** section **2117.**

In order to come within the privilege of the rule, motions to change the reference of public bills must apply to a single bill and not to a class of bills. Volume **VII,** section **2125.**

Motions to change the reference of public bills, when privileged under the rule, take precedence of conference reports. Volume **VII,** section **2124.**

(21) Of Bills and Petitions.—Division of.

The parliamentary law provides that the House may commit a portion of a bill, or part to one committee and part to another. Volume **V,** section **5558.**

A bill may not be divided among two or more committees, although it may contain matters properly within the jurisdiction of several committees. Volume **IV,** section **4372.**

A joint resolution may not be divided for reference. Volume **IV,** section **4376.**

A portion of a petition may be referred to one committee and the remainder to another. Volume **IV,** sections **3359, 3360.**

A portion of a petition being in contravention of a rule was laid on the table, while the remainder was referred. Volume **IV,** section **3358.**

The re-reference of one section of a bill would carry with it the entire bill. Volume **VIII,** section **2326.**

REFERENCE—Continued.

(22) Of Bills and Petitions.—Reconsideration of Vote on.

No bill, petition, memorial, or resolution referred to a committee may be brought back into the House on a motion to reconsider. Volume **V,** section **5647.**

There is a question as to whether or not the rule forbidding a bill to be brought back from a committee on a motion to reconsider applies to a case wherein the House, after considering a bill, commits it. Volume **V,** sections **5648–5650.**

(23) Of Bills and Petitions.—Senate Bills and Amendments on the Speaker's Table.

A House bill messaged from the Senate with amendments requiring consideration in Committee of the Whole goes to the Speaker's table, and if not disposed of by unanimous consent is referred by the Speaker to its appropriate committee. Volume **VIII,** section **3187.**

Discretion of the Speaker in referring to the committees bills on the Speaker's table. Volume **IV,** section **3107.**

While it is the practice to refer promptly bills messaged over from the Senate, it has been held that the rule requiring reference is merely directory and not mandatory and that the length of time such bills may remain on the Speaker's table before being referred is within the Speaker's discretion. Volume **VI,** section **727.**

The length of time a House bill transmitted from the Senate with Senate amendments lies on the Speaker's table before reference is within the discretion of the Speaker. Volume **VIII,** section **2391.**

A House bill returned with Senate amendment requiring consideration in the Committee of the Whole may not be called up for consideration but is referred directly from the Speaker's table to the standing committee having jurisdiction. Volume **VI,** section **731.**

Bills received from the Senate go to the Speaker's table,from which they are referred to appropriate committees by the Speaker unless sooner called up for consideration under the rules. Volume **VI,** section **727.**

The Senate reference of a bill is not considered in determining the committee to which it shall be referred when taken from the Speaker's table for reference in the House. Volume **VII,** section **1033.**

A motion to suspend the rules and take from the Speaker's table for consideration a House bill with Senate amendments being rejected, the bill is referred directly from the Speaker's table to the standing committee having jurisdiction. Volume **VI,** section **733.**

Upon objection to a request for unanimous consent to take from the Speaker's table for consideration a bill with Senate amendments, the Speaker refers the bill to the standing committee having jurisdiction. Volume **VI,** section **732.**

General discussion of rule requiring reference from the Speaker's table to a standing committee of House bills returned with Senate amendments such as require consideration in Committee of the Whole. Volume **IV,** sections **3091–3093.**

Under the former rules a House bill with Senate amendments requiring to be referred was referred by vote of the House. Volume **IV,** section **3105.**

A House bill returned with Senate amendments involving a new matter of appropriation, whether with or without a request for a conference, is referred directly to a standing committee, and on being reported therefrom is referred to the Committee of the Whole. Volume **IV,** sections **3108–3110.**

The point being made and sustained that a Senate amendment to a House bill must be considered in Committee of the Whole, the bill is referred directly from the Speaker's table to the standing committee having jurisdiction. Volume **IV,** sections **3094, 3095.**

A Senate amendment being such as requires consideration in Committee of the Whole, the bill and amendment are referred directly from the Speaker's table to the appropriate standing committee. Volume **IV,** sections **3090, 3106, 3107.**

(24) Of Bills and Petitions.—In Relation to Committee of the Whole.

The House may refer a subject to a Committee of the Whole as well as to a standing committee. Volume **IV,** section **4709.**

REFERENCE—Continued.

(24) Of Bills and Petitions.—In Relation to Committee of the Whole—Continued.

In a rare instance the House committed a bill directly to the Committee of the Whole before sending it to a standing or select committee. Volume **II,** section **1363.**

In Committee of the Whole the motion to report a bill with the recommendation that it be referred takes precedence of the motion to report it with the recommendation that it do pass. Volume **IV,** section **4775.**

(25) Of the President's Message.—In General.

Messages of the President other than the annual messages are usually referred to standing committees at once, even in matters of great importance (footnote). Volume **V,** section **6621.**

Special messages from the President touching on one subject only are referred ordinarily by the Speaker without motion from the floor. Volume **VIII,** section **3346.**

Messages of the President when not referred on motion from the floor are referred to the appropriate committee by the Speaker. Volume **VIII,** section **3347.**

A message from the President dealing with questions within the jurisdiction of several committees may be divided for reference and each subject referred to its appropriate committee. Volume **VIII,** section **3349.**

Messages from the President and communications from the heads of Departments and from other sources are referred from the Speaker's table. Volume **IV,** section **3089.**

Ordinary messages of the President are referred without debate, usually by the Speaker, but sometimes by the House itself. Volume **V,** section **6631.**

A message of the President is usually referred by direction of the Speaker, but a Member may move a reference. Volume **IV,** section **4053.**

The House may refer a message of the President to a select committee, and may specify its number, instruct it, and give it power to send for persons and papers. Volume **V,** sections **6633, 6634.**

Instance wherein a President's message was referred on motion to a select committee. Volume **IV,** section **4402.**

Instance wherein the House referred a message of the President. Volume **IV,** section **4216.**

In 1858 the House declined to refer a message of the President relating to Kansas to the Committee on Territories and referred it to a select committee with instructions. Volume **IV,** section **4518.**

A motion to refer a presidential message is privileged. Volume **VIII,** section **3348.**

The reference of a message from the President to committees may be changed by unanimous consent. Volume **VIII,** section **3351.**

While the annual message of the President is customarily referred by the House, special messages usually are referred by the Speaker, but it has been held that any Member may object and offer a motion for a different reference. Volume **VIII,** section **3348.**

A presidential message may be divided for reference and portions relating to one topic referred to one committee while portions dealing with other subjects are referred to other committees. Volume **VIII,** section **3348.**

(26) Of the President's Message.—The Annual or General Message.

The President's annual message is usually referred by the House to the committee of the Whole House on the state of the Union. Volume **V,** section **6631.**

The annual message of the President is usually referred when read to the Committee of the Whole House on the state of the Union, whence it is distributed by action of the House to appropriate committees. Volume **V,** sections **6621, 6622.**

While the President's annual message is usually referred entire to the Committee of the Whole at once, yet a portion of it has been referred to a select committee. Volume **V,** section **6628.**

The Committee of the Whole in distributing the President's message may refer portions to a standing or select committee with instructions. Volume **V,** sections **6626, 6627.**

REFERENCE—Continued.

(27) With Instructions.

The ordinary motion to commit may be amended, as by adding instructions. Volume **V,** section **5521.**

It has been held not in order to move to instruct a committee on the first reference of a matter to it. Volume **V,** sections **5522–5525.**

When it is proposed to refer with instructions an amendment to the instructions should be germane thereto. Volume **V,** section **6888.**

The House may take from its files papers of a preceding Congress and refer them to a committee with instructions. Volume **V,** section **7261.**

It is in order to refer a matter already under consideration to a committee with instructions to report a bill forthwith, and such bill, being reported, is in order for immediate consideration. Volume **V,** section **5550.**

(28) In General.

A select committee that has reported finally and become dissolved may be revived as to all its original powers by the action of the House in referring in open House a new matter to it. Volume **IV,** sections **4404, 4405.**

The proper method of rejecting a petition is by refusal to refer, rather than by use of the question of consideration. Volume **V,** section **4964.**

The House may refer to a committee a report made in a preceding Congress. Volume **IV,** section **4679.**

The question of consideration may not be raised against a proposition before the House for reference merely. Volume **V,** section **4964.**

All documents referred to committees or otherwise disposed of are printed unless otherwise specially ordered. Volume **V,** section **7315.**

A conference report was held to have precedence of the question on the reference of a Senate bill, even though an attempt had been made to take the yeas and nays and had failed from the lack of a quorum on a preceding day. Volume **V,** section **6457.**

Discussion of the procedure in the presentation and reference of reports from commissions created by law and from joint committees of the two Houses. Volume **VI,** section **371.**

Instance wherein the House investigated delay in the reference and transmission of paper to a committee. Volume **VI,** section **371.**

The House having agreed to the introduction of a bill after adjournment, the Speaker announced its reference to a committee. Volume **VII,** section **1030.**

REFLECTIONS ON THE HOUSE OR MEMBERS.

The House declines to receive from executive departments communications reflecting upon the House or any Member thereof. Volume **VI,** section **437.**

While it is in order to discuss proceedings of conference committees, it has been held improper to criticize the conferees of the other House in such a manner as to reflect on them in their official capacity. Volume **VI,** section **568.**

Proceedings in the Senate reflecting on the dignity of the House or affecting the comity between the Houses were held to justify a resolution calling the attention of the Senate to the infringement of the rule. Volume **VI,** section **568.**

Charges published as newspaper advertising that "Bad bills pass without reading" and "Steals are attempted" were held so to reflect upon the integrity of the proceeding of the House as to support a question of privilege. Volume **VI,** section **576.**

A resolution reflecting on the official conduct of a Member of the House was expunged from the Record. Volume **VI,** section **582.**

Expression of opinion reflecting on a Member or his State, however offensive, if not directed against the Member in his representative capacity, do not involve a question of privilege. Volume **VI,** section **593.**

Statements on the floor reflecting on the conduct of a Member in official capacity, whether made directly or in quotation, involve a question of privilege. Volume **VI,** section **594.**

REFLECTIONS ON THE HOUSE OR MEMBERS—Continued.

An expression of opinion characterizing actions of a Member without reflecting upon him in his representative capacity do not give rise to a question of privilege. Volume **VI,** section **595.**

Charges made through the newspapers by a Member reflecting on the efficiency of another Member in his representative capacity do not support a question of privilege. Volume **VI,** section **605.**

In discussing a question of privilege a Member is confined to charges reflecting on him in his capacity as a Representative and may not digress to charges reflecting on him in a business capacity. Volume **VI,** section **606.**

Wide latitude is allowed the press in the criticism of Members of Congress, and such criticism, unless reflecting on a Member in his representative capacity, does not present a question of privilege. Volume **VI,** section **611.**

Newspaper charges that a Member has used departmental employees while in the service of the Government in a political campaign were held to reflect on him in his representative capacity. Volume **VI,** section **615.**

Although a newspaper article reflecting on a Member may not mention him by name, yet if from the implication the identity of the Member referred to is unmistakable it is sufficient to warrant recognition on a question of privilege. Volume **VI,** section **616.**

REFORM IN THE CIVIL SERVICE, COMMITTEE ON.

Creation and history of the Committee on Reform in the Civil Service. Volume **IV,** section **4296.**

The rule gives to the Committee on Reform in the Civil Service jurisdiction of subjects relating "to reform in the civil service." Volume **IV,** section **4296.**

The Committee on Reform in the Civil Service has exercised a general jurisdiction over bills relating to the status of officers, clerks, and employees in the civil branches of the Government. Volume **IV,** section **4297.**

Matters relating to the Civil Service Commission and alleged violations of the law have been reported by the Committee on Reform in the Civil Service. Volume **IV,** section **4298.**

REFRIGERATING PLANT.

An appropriation for installation of a refrigerating plant at the District of Columbia morgue was held to be in order as in continuance of a work in progress. Volume **VII,** section **1359.**

REFUGE STATIONS.

Bills relating to the Life-Saving Service and refuge stations in the Arctics have been reported by the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4107.**

REFUNDS.

An appropriation to refund amounts erroneously collected from corporations and covered into the Treasury is not in order unless authorized by specific law. Volume **VII,** section **1290.**

The Committee on Ways and Means has exercised jurisdiction over bills providing for refund of duties collected on imports. Volume **VII,** section **1731.**

Bills authorizing the refund of customs duties have been reported by the Committee on Claims. Volume **VII,** section **1997.**

REGAR, ROBERT S., Third Assistant Postmaster General.

Decisions on questions of order relating to—Franking privilege. Volume **VI,** section **219.**

REGENTS.

Vacancies and appointments on the Board of Regents of the Smithsonian Institution. Volume **V,** sections **7338, 7339.**

Resignation and expulsion from the Board of Regents of the Smithsonian Institution. Volume **V,** sections **7340, 7341.**

REGENTS—Continued.

Visitors to academies, regents, directors, and trustees of public institutions, appointed by the Speaker under the law, are not regarded as officers within the meaning of the constitutional inhibition. Volume **I,** section **493.**

REGISTER.

A register of persons other than Members who are entitled to the privileges of the floor was authorized in 1853. Volume **V,** section **7291.**

REGISTERING.

The licensing, registering, etc., of pleasure yachts are subjects within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4143.**

The general subject of shipbuilding, admission of foreign-built ships, registering and licensing of vessels are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4134.**

Registration and supervision of motor vehicles engaged in interstate commerce and the licensing of operators thereof are subjects within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1819.**

REGISTRATION OF VOTERS. See "Elections."

REGULAR ORDER.

As a request for unanimous consent to consider a bill is in effect a request to suspend the order of business temporarily, a demand for the regular order may be made at any time and is equivalent to an objection. Volume **IV,** section **3058.**

A motion to discharge the Committee of the Whole from the consideration of a matter committed to it is not privileged as against a demand for the regular order. Volume **IV,** section **4917.**

The motion to fix the day to which the House shall adjourn is not privileged against a demand for the regular order, but if not objection is made may be entertained and agreed to by the House. Volume **VIII,** section **2611.**

Five minutes having been consumed in debate in favor of a motion to strike out the enacting clause in Committee of the Whole and five minutes against the motion, further debate was held to be precluded by a demand for the regular order. Volume **VIII,** section **2627.**

A motion for a recess is not privileged against a demand for the regular order regardless of whether there is a question under debate in the House. Volume **VIII,** section **3355.**

While the motion to recess is not privileged against a demand for the regular order, it is frequently entertained by consent. Volume **VIII,** section **3356.**

A proposition to amend the rules is not privileged for consideration as against a demand that business proceed in the regular order. Volume **VIII,** section **3376.**

Reservation of a point of order is by unanimous consent only and must be made or waived on demand for the regular order. Volume **VIII,** section **3429.**

Debate under reservation of a point of order is by unanimous consent and may be terminated at any time by a demand for the regular order. Volume **VIII,** section **3430.**

A point or order may be reserved but must be decided or withdrawn on the demand of any Member for the regular order. Volume **VIII,** section **3430.**

A resolution proposing assignment of rooms in the House Office Building is not privileged against a demand for the regular order. Volume **VIII,** section **3654.**

REGULATIONS.

The Senate recognizes the power of the party or the State to provide regulations governing party primaries. Volume **VI,** section **165.**

The law empowering the Commissioners of the District of Columbia to make building regulations was held to authorize the appointment of building inspectors. Volume **VII,** section **1191.**

REGULATIONS—Continued

A law providing for establishment of specific regulations authorizes appointment of agents to enforce such regulations, and in the absence of legislative limitation on the number to be appointed, an appropriation for any number is in order on an appropriation bill. Volume **VII,** section **1191.**

A proposition to regulate the public service by transferring funds and activities from one department to another is not in order in an appropriation bill. Volume **VII,** section **1469.**

Provision that no alteration be made in certain Army regulations unless accomplished without expense to the Government was held not to retrench expenditure with sufficient certainty to come within the exception. Volume **VII,** section **1490.**

Legislation prescribing regulations and pay for laborers unlading vessels in the Customs Service has been reported by the Committee on Ways and Means. Volume **VII,** section **1735.**

Matters relating to the investigation and regulation of trusts and corporations are within the jurisdiction of the Judiciary Committee. Volume **VII,** section **1764.**

A bill limiting effects of regulating Interstate and Foreign Commerce was transferred to the Committee on the Judiciary. Volume **VII,** section **1776.**

Jurisdiction over legislation providing for regulation of interstate telegraph and telephone facilities and ocean cables has been given to the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1804.**

Legislation relating to the financing, valuation, operation, and regulation of common carriers is within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1805.**

Subjects relating to the creation and activities of the United States Shipping board including the adjustment and payment of claims arising under the administration and the regulation if vessels under its jurisdiction are reported by the Committee on Merchant Marine and Fisheries. Volume **VII,** section **1849.**

Bills pertaining to the regulation of common carriers by water have been considered by the Committee on the Merchant Marine and Fisheries. Volume **VII,** section **1859.**

The Committee on Agriculture has reported as to the regulation of importation and inspection of livestock and dairy products, and the establishment and maintenance of quarantine stations for that purpose. Volume **VII,** section **1862.**

Subjects relating to the health of the District, sanitary and quarantine regulations, etc., have been within the jurisdiction of the Committee on the District of Columbia. Volume **VII,** section **2008.**

A bill regulating the importation of drugs and utilizing the customs office in that connection was held not to come within the rule. Volume **VIII,** section **2279.**

REHABILITATION.

The Committee on Education retains jurisdiction over legislative propositions relating to the vocational education and rehabilitation of persons not discharged from the military or naval forces. Volume **VII,** section **1976.**

REID.

In the Indiana election case of Reid v. Julian in the Forty-first Congress. Volume **II,** sections **881, 882.**

REIMBURSEMENT.

The Senate having invalidated the election of a Senator, no action was taken on a proposition to reimburse him for expenses incurred in defense of title to his seat. Volume **VI,** section **109.**

An appropriation to reimburse officials for services and expenses, however valid, is an appropriation for a private claim and is not in order on an appropriation bill. Volume **VII,** section **1184.**

REIMBURSEMENT—Continued.

The fact that the Government is to be reimbursed for an unauthorized expenditure does not make it in order on an appropriation bill. Volume **VII,** section **1228.**

While bills relating to individual claims of postmasters for reimbursement for unavoidable losses belong to the jurisdiction of the Committee on Claims, general legislation providing for disposition of such claims has been reported by the Committee on the Post Office and Post Roads. Volume **VII,** section **1994.**

REJECTION.

(1) Of petitions.
(2) Of bills.—In general.
(3) Of bills.—Laid on the table.
(4) Of bills.—Postponed indefinitely.
(5) Of bills.—When the two Houses disagree as to amendments.
(6) Of bills.—When the other House rejects.
(7) Of bills.—When conference reports fail.

(1) Of Petitions.

The question on reception being put, the House has frequently declined to receive petitions which did not meet its approval. Volume **IV,** sections **3351–3356.**

For a time a rule was in force providing that no petition on a certain subject should be received by the House or entertained in any way whatever. Volume **IV,** sections **3347, 3348.**

The House has usually refused to receive the petitions of the subjects of a foreign power not residing in the United States. Volume **IV,** sections **3330–3335.**

The proper method of rejecting a petition is by refusal to refer, rather than by use of the question of consideration. Volume **V,** section **4964.**

(2) Of Bills.—In General.

A bill having been rejected by the House, a similar but not identical bill on the same subject was afterwards held to be in order. Volume **IV,** section **3384.**

The refusal of the House to consider a bill does not amount to its rejection and does not prevent its being brought before the House again. Volume **V,** section **4940.**

Striking out the enacting words of a bill constitutes its rejection. Volume **V,** section **5326.**

Instance wherein the House, having stricken out the enacting clause of a Senate bill, informed the Senate that they had rejected the bill. Volume **IV,** section **3423.**

The House having determined in the negative the question on the engrossment and third reading of a bill, a motion to commit is not in order under the rule for the previous question. Volume **V,** sections **5602, 5603.**

(3) Of Bills.—Laid on the Table.

A resolution laid non the table by the House may be presented again in similar but not identical form. Volume **IV,** section **3385.**

Senate bills are sometimes laid on the table in the House. Volume **IV,** sections **3418, 3419.** Volume **V,** section **5437.**

A motion to lay on the table a House bill returned with Senate amendments is in order. Volume **V,** sections **6201–6203.**

A bill laid on the table is not technically rejected. Volume **V,** section **5437.**

(4) Of Bills.—Postponed Indefinitely.

Instance where a House bill returned with Senate amendments adhered to was postponed indefinitely. Volume **V,** section **6200.**

REJECTION—Continued.

(4) Of Bills.—Postponed Indefinitely—Continued.

Early instances where one House postponed to an indefinite time bills returned from the other with amendments disagreed to and requests for a conference. Volume **V,** section **6199.**

(5) Of Bills.—When the Two Houses Disagree as to Amendments.

The inability of the two Houses to agree on even the slightest amendment to a bill causes the loss of the bill. Volume **V,** sections **6233–6240.**

In many instances bills have been lost by the adherence of both Houses, sometimes in earlier days, when no effort at adjustment by conference had been made. Volume **V,** sections **6233–6240.**

Bills on which one House had adhered have been lost by the expiration of the Congress, even while the roll was being called on a motion to recede that might have passed the bill. Volume **V,** sections **6230–6232.**

Instance of the loss of an appropriation bill through adherence of both Houses to their attitudes of disagreement over a section containing legislation. Volume **V,** section **6325.**

Instance of prolonged disagreement resulting in the loss of a bill. Volume **V,** sections **6324, 6325.**

(6) Of Bills.—When the Other House Rejects.

In Congress the rejection by one House of a bill from the other is made the subject of a message to the originating House. Volume **V,** section **6601.**

One House having rejected a bill of the other, the fact was made known by message. Volume **IV,** section **3422.**

A rare instance wherein the House asked a conference as to a proposition which had been rejected by the Senate. Volume **V,** section **6258.**

(7) Of Bills.—When Conference Reports Fail.

A conference report being made up but not acted on at the expiration of a Congress, the bill is lost. Volume **V,** section **6309.**

The rejection of a conference report leaves the matter in the position it occupied before the conference was asked. Volume **V,** section **6525**

Amendments between the Houses once disagreed to do not, on the rejection of a conference report, return to their former state so that they may be required to go to Committee of the whole. Volume **V,** section **6589.**

Under the later practice when a conference report is ruled out of order the Senate is informed by message that the report has been rejected. Volume **V,** sections **6409–6413.**

REJECTION OF BILLS.

The question on the engrossment and third reading being decided in the negative, the bill is rejected. Volume **IV,** sections **3420, 3421.**

RELEVANCY OF DEBATE.

It has always been held, and generally quite strictly, that in the House the Member must confine himself to the subject under debate. Volume **V,** sections **5043–5048.**

It is the rule, well established in the practice of the House for many years, that the Member need not confine himself to the subject during general debate in the Committee of the Whole House on the state of the Union. Volume **V,** sections **5233–5238.**

In general debate in Committee of the Whole House the Member must confine himself to the subject. Volume **V,** section **5239.**

In debate under the five-minute rule the Member must confine himself to the subject. Volume **V,** sections **5240–5256.**

On a motion to strike out the enacting clause a Member may debate the merits of the bill, but must confine himself to its provisions. Volume **V,** section **5336.**

A Member making a statement in a matter of personal privilege should confine his remarks to the matter which concerns himself personally. Volume **V,** section **5078.**

RELEVANCY OF DEBATE—Continued.

In discussing questions of order the rule of relevancy is strictly construed and debate is confined to the point of order and does not admit reference to the merits of the pending proposition. Volume **VIII,** section **3449.**

In discussing a question of personal privilege based upon newspaper charges personal letters refuting such charges were admitted as relevant. Volume **VIII,** section **2479.**

In addressing himself to a question of personal privilege the Member may not under guise of defending himself against accusations introduce matter attacking another even though relevant to the matter under discussion. Volume **VIII,** section **2482.**

On a proposition relating to the abolition of slavery in a particular locality or county debate at large on the subject of slavery was held not to be relevant. Volume **V,** sections **5200, 5201.**

To a proposition to censure a Member for presenting a petition on the subject of slavery debate on the opinions of statesmen of former times on the general subject of slavery was held to be irrelevant. Volume **V,** section **5195.**

In debating a proposition to impeach the President of the United States a wide latitude was permitted to a Member in preferring charges. Volume **V,** section **5093.**

RELICS.

Bills relating to historic documents, relics, and buildings have been reported by the Houses branch of the Joint Committee on the Library. Volume **VII,** section **2086.**

RELIEF.

General Legislation for the relief of Government employees injured in the discharge of their official duties is within the jurisdiction of the Committee on the Judiciary and not the Committee on claims. Volume **VII,** section **1777.**

The relief of Government employees for losses sustained by reason of unmerited discharge or the undeserved infliction of penalties is a subject within the jurisdiction of the Committee on claims. Volume **VII,** section **1995.**

Measures authorizing relief of distress in foreign countries have been reported by the Committee on Foreign Affairs. Volume **VII,** section **1886.**

RELIGION.

Reed Smoot's membership in a religious hierarchy that united church and state contrary to the spirit of the Constitution was held by the majority of the Senate committee a reason for vacating his seat. Volume **I,** section **482.**

A majority of the Senate committee considered Reed Smoot's membership in a religious hierarchy that countenanced and encouraged polygamy a reason for removing him from the Senate. Volume **I,** section **482.**

REMAINS.

Bills relating to the removal of the remains of distinguished men have been within the jurisdiction of the House branch of the Joint Committee on the Library. Volume **IV,** section **4345.**

REMOVAL.

(1) From office.—Of an elective officer of the House.

(2) From office.—Of an appointed officer of the House.

(1) From Office.—Of an Elective Officer of the House.

The House by resolution dismissed its Clerk, who had been found guilty of misappropriation of public funds. Volume **I,** section **287.**

It being alleged that the Clerk was guilty of official misconduct a resolution removing him from office was presented and entertained. Volume **I,** section **286.**

A report from the Committee on Accounts having impeached the integrity of the Doorkeeper, the House removed him. Volume **I,** section **290.**

REMOVAL—Continued.

(1) From Office.—Of an Elective Officer of the House—Continued.

Because of the misconduct of the incumbent the office of Doorkeeper has been declared vacant, and the duties have devolved upon the Sergeant-at-Arms. Volume **I,** sections **288, 289.**

Charges against the Postmaster being sustained, his office was declared vacant, and his assistant was directed to perform the duties temporarily. Volume **I,** section **292.**

The resignation of the Postmaster was laid before the House while a resolution of dismissal was pending and was disregarded. Volume **I,** section **292.**

Instance wherein the Senate by resolution removed its Sergeant at Arms. Volume **VI,** section **37.**

On the removal of the Sergeant at Arms, the Deputy Sergeant at Arms succeeded to the duties of the office as Assistant Sergeant at Arms, without action by the Senate. Volume **VI,** section **37.**

(2) From office.—Of an Appointed Officer of the House.

The Speaker supervises the work of the official reporters and stenographers, and may remove for cause. Volume **V,** section **6958.**

Questions have arisen as to the power of the Speaker in regard to the removal of stenographers to committees (footnote). Volume **V,** section **6958.**

The House declined to interfere with the Clerk's power of removing his subordinates. Volume **I,** section **249.**

A proposition to remove an officer of the House presents a question of privilege. Volume **VI,** section **35.**

One Congress may not, even by statute, provide officers or employees for the service of its successor. One House may continue the tenure of an officer after the Congress for which he was appointed has expired, but a subsequent House may remove such officer and appoint another in his stead. Volume **VI,** section **36.**

It is within the power of the officers of the House to remove at will employees subject to appointment by them, and to refrain from appointing their successors. Volume **VI,** section **36.**

REPAIRS. See "Appropriations, Continuation of public work."

REPEAL. See also "Appropriations, Legislation on appropriation bills."

The effect of the repeal of a repealing act is regulated by statue. Volume **IV,** section **3389.**

Committee reports on measures repealing or amending a statute shall include the text of such statue and a comparative print of the measure showing by typographical devices the omissions or insertions proposed. Volume **VIII,** section **2234.**

In order to fall within the purview of the rule requiring indication of proposed changes in existing law by typographical device, a bill must repeal or amend a statute in terms, and general reference to the subject treated in a statute without proposing specific amendment is not sufficient. Volume **VIII,** section **2235.**

A proposition to repeal law is legislation and is not in order in a appropriation bill. Volume **VII,** section **1403.**

A proposition to repeal law authoring employment of officers was held to effect a reduction of the number and salary of officers of the United States and to be in order on an appropriation bill. Volume **VII,** section **1514.**

A law fixing amount of salary is not repealed by a provision in an appropriation bill that amounts their appropriated shall be "in full compensation for services for the fiscal year." Volume **VII,** section **1406.**

A provision that no part of an appropriation should be expended for a designated purpose was held to retrench expenditure, but a proposal, in effect repealing the law under which appropriations for that purpose where authorized was held not to come within the exception. Volume **VII,** section **1486.**

REPEAL—Continued.

The power to modify a law infers the power to repeal it, and a proposition to repeal a section of a law establishing certain offices, is in order on an appropriation bill. Volume **VII,** section **1567.**

REPETITION OF MOTIONS.

(1) The motion to adjourn.
(2) The motion to fix the day to which the House shall adjourn.
(3) Other motions.

(1) The Motion to Adjourn.

There must be intervening business before a motion to adjourn may be repeated. Volume **V,** section **5373**

A motion to adjourn may be repeated after debate, although no question may have been put or decided in the meantime. Volume **V,** section **5374.**

Ordering the yeas and nays is such intervening business as to justify the repetition of the motion to adjourn. Volume **V,** sections **5376, 5377.**

A decision of the Chair on a question of order is such intervening business as permits the repetition of a motion to adjourn. Volume **V,** section **5378.**

The reception of a message from the Senate, the making of an announcement by a Member, and the submitting of a motion in relation thereto were held to constitute sufficient intervening business to permit a motion to adjourn to be repeated. Volume **V,** section **5375.**

When a quorum falls on a vote to second a motion to suspend the rules, a second motion to adjourn is not considered a dilatory motion within the prohibition of the rule. Volume **V,** sections **5745, 5746.**

(2) The Motion to Fix the Day to Which the House Shall Adjourn.

When privileged the motion to fix the day to which the House shall adjourn may be repeated after intervening business. Volume **V,** sections **5383, 5384.**

A motion to adjourn is not of itself such intervening business as to allow the repetition of a motion to fix the day to which the House shall adjourn. Volume **V,** sections **5385, 5386.**

(3) Other Motions.

The ordering of the previous question on a resolution does not carry the business to such new stage as to justify the repetition of a motion to lay on the table. Volume **V,** section **5709.**

Interpretation of the rule which forbids the repetition of the motions to postpone or refer at the same stage of the question. Volume **V,** section **5591.**

A motion to request a conference on disagreeing votes of the two Houses having been rejected may not be repeated at the same stage of the question, even though a recess of Congress may have intervened. Volume **V,** section **6325.**

Amendments being in issue between the Houses, the motion to recede may be repeated at a new stage of the proceedings. Volume **V,** section **6207.**

The motion to go into Committee of the Whole House to consider business on the Private Calendar, being decided into the negative, may not be repeated on the same day. Volume **IV,** section **3275.**

As to the repetition of the motion to rescind under general parliamentary law. Volume **V,** section **5325.**

REPLICATION. See "Impeachment."

REPORTERS.

(1) Of debates and committee stenographers.
(2) For the press.—Admission to floor and gallery.
(3) For the press—Expulsion of.

REPORTERS—Continued.

(1) Of Debates and Committee Stenographers.

The Speaker appoints the official reporters of debates and stenographers of committees. Volume **V**, section **6958.**

Instances wherein the Speaker announced to the House his appointment of reporters (footnote). Volume **V**, section **6958.**

The Speaker supervises the work of the official reporters and stenographers and may remove for cause. Volume **V**, section **6958.**

The office of reporter of debates is created by resolution reported from the Committee on Accounts and agreed to by the House. Volume **V,** sections **6960, 6961.**

Origin of the employment of committee stenographers. Volume **V,** section **6958.**

Since the reporters of debates have become officers of the House a correction of the Congressional Record has been held to be a question of privilege. Volume **V,** sections **7014–7016.**

No rule requires the official reporters to insert in full in the Record every resolution or other proposition offered by a Member, regardless of the attendant circumstances. Volume **V,** sections **6967–6969.**

A Member is not entitled to inspect the reporter's notes of remarks, not reflecting on himself, delivered by another Member and withheld for revision. Volume **V,** section **6964.**

A Member may not, in a controversy over a proposed correction of the Record, demand the reading of the reporter's notes of the preceding day. Volume **V,** section **6967.**

The proceedings of an impeachment trial are reported like the legislative proceedings. Volume **III,** section **2090.**

The Speaker exercises jurisdiction over the Official Reporters of the House and the committee stenographers and their assistants and substitutes. Volume **VIII,** section **3459.**

(2) For the Press.—Admission to Floor and Gallery.

Stenographers and reporters, other than the official reporters, are admitted by the Speaker to the gallery over the Speaker's chair under such regulations as he may prescribe. Volume **V,** section **7304.**

Portions of the gallery over the Speaker's chair are set aside for the use of reporters and correspondents who are admitted thereto by the Speaker under such regulations as he may prescribe. Volume **VIII,** section **3642.**

At first the representatives of the press were admitted to the floor, but later the present practice of assigning to them the use of a gallery under certain regulations was adopted. Volume **V,** sections **7305–7310.**

Representatives of the press have been admitted by permission of the Speaker. Volume **V,** sections **7305–7310.**

Representatives of certain specified news associations are admitted to the floor of the House under regulations prescribed by the Speaker. Volume **V,** section **7304.**

Accredited members of the press having seats in the gallery and employees of the House may go upon the floor of the House until within fifteen minutes of the hour of meeting. Volume **V,** section **7346.**

(3) For the Press.—Expulsion of.

A resolution as to an alleged false and scandalous report of the proceedings of the House by one of its reporters presented as a matter of privilege. Volume **II,** section **1631.**

Alleged misconduct of an occupant of the press gallery, although occurring during a former Congress, brought before the House as a matter of privilege. Volume **III,** section **2627.**

The House arrested and arraigned at the bar a newspaper reporter for alleged statements reflecting on the integrity of a Member. Volume **II,** section **1635.**

For the publications affecting the reputations of Members reporters have been expelled from the House. Volume **II,** sections **1636, 1637.**

REPORTERS—Continued.

(3) For the Press.—Expulsion of—Continued.

For improper conduct in connection with legislation reporters have been expelled from the House. Volume **II,** sections **1638, 1639.**

Expulsion of a reporter from the floor for improper conduct. Volume **II,** section **1634.**

In 1855 the House expelled from the floor William B. Chace, a reporter, who refused to testify before a committee. Volume **II,** section **1632.**

Instance wherein a newspaper correspondent was expelled from the House for an offense connected with pending legislation. Volume **III,** section **1669.**

In 1929 a Senate committee recommended the denial of the privilege of the floor to a newspaper reporter charged with publication of the proceedings of an executive session. Volume **VI,** section **334.**

REPORTS. See "Committees, Reports From," "Committee of the Whole, Reports From," "Conference, Reports of Managers."

REPUBLICAN FORM OF GOVERNMENT.

Reference to inquiry as to existence of a republican form of government in a State. Volume **I,** section **346.**

REQUEST. See also "Conference" and "Unanimous Consent."

A Member may have a bill, resolution, or memorial recorded as introduced "by request." Volume **IV,** section **3366.**

The President requested a duplicate copy of a bill, lost after transmission to him, by a message addressed to the House in which the bill originated. Volume **VII,** section **1093.**

A Senate bill having been lost in the House, a resolution requesting of the Senate a duplicate copy was entertained by unanimous consent. Volume **VII,** section **1073.**

Form of resolution requesting of the Senate a duplicate copy of one of its bills. Volume **VII,** section **1073.**

REQUISITION.

Stationery, blank books, and other papers necessary to legislation are furnished to the House and Senate and their committees on requisition of the Clerk of the House and Secretary of the Senate, respectively. Volume **V,** section **7322.**

RES ADJUDICATA. See "Elections."

RES GESTAE. See "Elections."

RESCIND, MOTION TO.

(1) Not privileged under rules of the House.
(2) Use of, in reference to entries in the Journal.
(3) In General.

(1) Not Privileged Under Rules of the House.

The motion to rescind is not privileged and may be entertained only by unanimous consent. Volume **IV,** section **3383.**

A motion to rescind a special order is not privileged under the rules regulating the order of business. Volume **IV,** sections **3173, 3174.**

A motion to rescind a special order was decided by the House not to be privileged under the rules. Volume **V,** section **5323.**

A motion which in effect rescinded a rule of the House, having been offered without objection and agreed to by the House, was held to be in force as against the rule. Volume **V,** section **6764.**

Under general parliamentary law, before the adoption of rules, the motion to rescind is used. Volume **V,** section **5324.**

Use of the motion to rescind in proceedings for organization of the House. Volume **I,** section **222.**

RESCIND, MOTION TO—Continued

(1) Not Privileged Under Rules of the House—Continued.

As to the repetition of the motion to rescind under general parliamentary law. Volume **V,** section **5325.**

(2) Use of, in Reference to Entries in the Journal.

The House has rescinded a resolution recorded in the Journal of a preceding Congress. Volume **IV,** section **2792, 2793.**

Because of the rule requiring every motion made and not withdrawn to be entered on the Journal, it was held not in order to amend the Journal by striking out a resolution actually offered. Volume **IV,** section **2789.**

The House has nullified an order by rescinding the record of it in the Journal. Volume **IV,** section **2787.**

The House expunged from the Journals of preceding Congresses its censure of Simon Cameron and John Young Brown. Volume **IV,** section **2792, 2793.**

Reference to the consideration of the resolution expunging from the Senate Journal the censure of President Jackson (footnote). Volume **IV,** section **2730.**

(3) In General.

Instance wherein a concurrent resolution fixing the time of final adjournment was rescinded by action of the two House. Volume **V,** section **6700.**

The Senate, overruling the Chief Justice, held in order a motion to rescind its rule governing the voting on the articles of impeachment in the Journal trial. Volume **III,** section **2442.**

The Senate rescinded its order prescribing the method of voting on the articles in the Johnson trial, although it was partially executed. Volume **III,** section **2442.**

One of the managers in an impeachment trial may not move to rescind an order of the Senate as to the conduct of the trial. Volume **III,** section **2136–2139.**

In a single instance the Senate annulled its action in expelling a Senator. Volume **II,** section **1243.**

The Committee on Rules may report a resolution rescinding or modifying a special order of business. Volume **VIII,** section **3390.**

By concurrent resolution, the action of the Speaker and the Vice President in signing an enrolled bill was rescinded and the bill amended. Volume **VII,** section **1078.**

The action of the Speaker in signing an enrolled bill was rescinded and the bill was amended by a concurrent resolution. Volume **VII,** section **1080.**

RESERVATION.

Subjects relating to public reservations and parks within the District of Columbia, including Rock Creek Park, are within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV,** section **4236.**

Legislation relating to the establishment and care of nationals cemeteries, national military parks, and provisions for roads, walks, and curbs within and for such reservations, and the marking of graves of Confederate soldiers is within the jurisdiction of the Committee on Military Affairs. Volume **VIII,** section **1891.**

A bill providing for agricultural entries of coal lands in Alaska was held to be privileged as a reservation of the public lands for actual settlers. Volume **VIII,** section **2290.**

The granting of easement across military reservations is a subject requiring consideration in the Committee of the Whole. Volume **VII,** section **2403.**

The construction of a bridge on an Indian reservations was held not to be a work in progress justifying on an appropriation bill. Volume **VII,** section **1341.**

The improvement of a private road, though long in use and on a Government reservation, is not a work in progress within the terms of the rule. Volume **VII,** section **1341.**

Appropraitions for the improvement of an Indian reservation were held to be authorized if for construction of roads within the reservation, and unauthorized if for construction of roads beyond the reservation. Volume **VII,** section **1221.**

RESERVATION—Continued.

An appropriation for construction of bridges on Indian reservations was held not to be in continuation of work in progress. Volume **VII,** section **1385.**

A law permitting Indians to remove timber from reservations does not authorized an appropriations for that purpose. Volume **VII,** section **1204.**

RESERVING POINTS OF ORDER. See "Points of Order."

RESIDENCE. See "Elections."

RESIDENT COMMISSIONER.

The Resident Commissioner to the United States from Porto Rico has the privilege of the floor. Volume **V,** section **7283.**

The Resident Commissioner to the United States from Porto Rico and the Philippine Islands have the privilege of the floor. Volume **VIII,** section **3634.**

The privilege of the floor with the right to debate were extended to Resident Commissioners in the Sixtieth Congress. Volume **VI,** section **244.**

By general acquiescence the Resident Commissioners of the Philippine Islands have been permitted the privilege of debating. Volume **VI,** section **246.**

By order of the House the Resident Commissioner of the Philippine Islands were granted the right of debate, and assigned to offices in the House Office Building. Volume **VI,** section **245.**

The rules give to the Resident Commissioner of Porto Rico the status of a Delegate in the House, and assign to him an additional place on the Committee on Insular Affairs. Volume **II,** section **1306.**

Form of resignation of a Resident Commissioner and notification of the appointment of his successor. Volume **VI,** section **231.**

RESIGNATION.

(1) Of Members.—Forms of.
(2) Of Members.—Not accepted or withdrawn.
(3) Of Members.—Appointing a future day for.
(4) Of Members.—Information as to.
(5) Of Members.—As related to explusion and censure.
(6) Of Members.—As related to incompatible offices.
(7) Of Members.—As related to election and qualification.
(8) Of Members.—Withdrawal and declination.
(9) Of Members.—In general.
(10) Of Delegates and Resident Commissioners.
(11) Of Members-elect.
(12) Of the Speaker.
(13) Of other officers of the House.
(14) Of Member from committee service.
(15) In general.

(1) Of Members.—Forms of.

In recent as well as early practice a Member frequently informs the House by letter that his resignation has been sent to the State executive, such letter being presented as a privileged question. Volume **II,** section **1167–1176.**

The resignation of a Member may be addressed either to the House or to the Governor of the State from which returned. In which latter event the House is advised by the Member or the Governor. Volume **VII,** section **2170.**

A Member may resign his seat by a letter transmitted to the House alone. Volume **II,** section **1181–1186.** Volume **VI,** section **226.**

While not required, it is customary for a Member to notify the House of his resignation. Volume **VI,** section **226.**

RESIGNATION—Continued.

(1) Of Members.—Forms of—Continued.

In a few instances Members have announced their resignations to the House verbally. Volume **II,** sections **1179, 1180.**

In exceptional cases old Members have expressed in their letters of resignation their feeling toward the House. Volume **II,** sections **1215–1217.**

Forms of letters tendering a Member's resignation to the House or the Governor of a State and informing the House thereof. Volume **II,** sections **1117, 1178.**

A Member having resigned during vacation, transmitted to the Clerk's a letter of notification which was laid before the House when Congress reconvened. Volume **VI,** section **227.**

The Speaker having been elected Vice President and a Member of the succeeding Congress at the same election, transmitted to the Governor of his State his resignation as a Member elect. Volume **VI,** sections **230, 453.**

The executive of a State sometimes informs the House that he has received the resignation of a Member. Volume **VI,** section **232.**

(2) Of Members.—Not Accepted or Withdrawn.

A member may resign without the consent of the House. Volume **II,** section **1273.**

The resignation of a Member, whether presented to the Governor of the State or to the Speaker of the House, becomes immediately effective and may not be withdrawn. Volume **VI,** section **65.**

Acceptance of the resignation of a Member of the House is unnecessary and the refusal of a governor to accept a resignation can not operate to continue membership in the House. Volume **VI,** section **65.**

When received, a resignation is laid before the House by the Speaker and no action by the House is required. Volume **VI,** section **226.**

The House very early found the law of Parliament inapplicable in the case of a resignation. Volume **II,** section **1230.**

Only in a single exceptional case has the House taken action in the direction of accepting the resignation of a Member. Volume **II,** section **1214.**

A Member who had resigned was not permitted by the House to withdraw the resignation. Volume **II,** section **1213.**

The Speaker being official notified that a Member who was addressing the House had resigned, caused him to cease and declined to recognize him further. Volume **II,** section **1273**.

The House declined to consider as privileged a resolution that a former Member be permitted to withdraw his letter announcing his resignation and resume his seat. Volume **II,** section **1213.**

The Speaker declined to consider as privileged a resolution that a former Member be permitted to withdraw his letter announcing his resignation and resume his seat. Volume **II,** section **1273.**

An exceptional instance wherein a Member having notified the House by letter of his resignation to take effect at a future date was permitted to withdraw the communication. Volume **VI,** section **229.**

(3) Of Members.—Appointing a Future Day for.

Instance wherein a Member tendered his resignation to take effect at a future date. Volume **II,** section **1177.** Volume **VI,** sections **226, 227.**

Members have presented their resignations to take effect at a future date, and until that time have sometimes participated in the proceedings. Volume **II,** sections **1220–1225.**

Instance wherein a Member, having appointed a future day for his resignation to take effect, remained and participated in the proceedings of the House before the arrival of that date. Volume **I,** section **488.**

A Member who has tendered his resignation to take effect at a future date in entitled to exercise all rights of membership prior to that time. Volume **VI,** section **228.**

A Senator may resign, appointing a future day for the resignation to take effect, and the State legislature may fill the vacancy before that date. Volume **II,** section **1229.**

RESIGNATION—Continued.

(3) Of Members.—Appointing a Future Day for—Continued.

A Senator may resign, appointing a future day for his resignation to take effect, and the State executive may by appointment fill the vacancy before that date. Volume **II,** section **1228.**

After full consideration the Senate decided that a Member might resign, appointing a future date for his retirement. Volume **II,** section **1227.**

Instance wherein a Senator resigned, appointing a future date for the resignation to take effect. Volume **II,** section **1226.**

A Senator tendered his resignation to take effect at a future day. Volume **II,** section **1197.**

(4) Members.—Information as to.

A Member's name remains on the roll until the House is officially notified of his resignation or takes action respecting it. Volume **II,** section **1207.**

The resignation of a Member appears satisfactorily from his letter directed to the governor of his State. Volume **V,** sections **465, 566.**

A letter from a Member stating that his resignation has been forwarded to the governor of his State is satisfactory evidence of his resignation. Volume **I,** section **567.**

The fact of a Member's resignation not appearing either from the credentials of his successor or otherwise, the House ascertained the vacancy from information given by other Members. Volume **II,** section **1208.**

Sometimes the House learns of the resignation of a Member only by means of the credentials of his successor. Volume **II,** section **1195.**

An instance wherein the State executive transmitted the resignation of a Member with the credentials of his successor. Volume **II,** section **1196.**

The executive of a State may inform the House that he has received the resignation of a Member. Volume **II,** sections **1193, 1194.** Volume **VI,** section **232.**

When a Member resigns directly to the House it is the practice to inform the State executive of the vacancy. Volume **II,** sections **1187–1192.**

An inquiry of the Clerk having elicited from the State executive the fact that a Member had resigned, the Speaker directed his name to be stricken from the roll. Volume **II,** section **1209.**

Instance wherein the Senate was informed by the governor of a State that one of the Senators of that State had resigned. Volume **II,** section **1282.**

On unofficial information that a Member's resignation had been accepted and a successor elected the Senate held that the Member's seat was vacated. Volume **II,** section **1197.**

(5) Of Members.—As Related to Expulsion and Censure.

A Member threatened with expulsion have resigned, the House nevertheless adopted resolutions censuring his conduct. Volume **II,** section **1275.**

Whether or not it was proper to censure a Member who had resigned was held to be a question for the House and not the Chair. Volume **II,** section **1275.**

A Member for whom the House had voted censure announced that he had sent his resignation to the governor of his State, but the House nevertheless voted to inflict punishment. Volume **II,** section **1656.**

A committee of investigation appointed by the House, having declared a Member guilty of conduct of grave impropriety and warranting censure, the Member resigned and the House discontinued the proceeding. Volume **VI,** section **398.**

B. F. Whittemore, being reelected to the same House from which he had resigned to escape expulsion for crime, was excluded from taking the oath and his seat. Volume **I,** section **464.**

A Senator having resigned, the Senate desisted from proceedings to declare his seat vacant or to expel him. Volume **II,** section **1279.**

A Senator's term having expired before a pending resolution of expulsion was agreed to, the Senate discontinued the proceedings. Volume **II,** section **1276.**

RESIGNATION—Continued.

(5) Of Members.—As Related to Expulsion and Censure—Continued.

A Senator convicted in the courts resigned after the Senate had ordered an inquiry. Volume **II,** section **1282.**

(6) Of Members.—As Related to Incompatible Offices.

Although a Member had resigned, the House proceeded to inquire whether or not his acceptance of an incompatible office had vacated his title to the seat. Volume **III,** section **2590.**

A Member having informed the House of his acceptance of an incompatible office, the House has assumed or declared the seat vacant. Volume **I,** sections **501, 502.**

A Member-elect who held a commission in the Army and had not taken the oath or his seat in the House, having resigned, a question arose as to when the compensation of this successor should begin. Volume **I,** section **500.**

(7) Of Members.—As Related to Election and Qualification.

A Member having resigned, a question as to his right to his seat was not entertained as a question of privilege. Volume **III,** section **2590.**

Sitting Member having resigned, the House did not regard it necessary formally to pass upon the question of his election. Volume **VI,** section **94.**

A Member whose qualifications were being investigated by a special committee having resigned, the committee was discharged. Volume **VI,** section **238.**

Instance wherein an election contest abated by resignation of sitting Member for a new appeal to the people. Volume **I,** section **805.**

Instance wherein, pending decision on an election case, the sitting Member resigned for a new appeal to the people. Volume **I,** section **805.**

Instance wherein a contest was maintained and contestant seated, although the returned Member had resigned before taking his seat. Volume **II,** section **985.**

A Senator having resigned apparently to escape being unseated for bribery, was not readmitted on credentials showing appointment by an acting governor. Volume **I,** section **694.**

A Senator threatened with loss of his seat for bribery, having resigned, the proceedings abated. Volume **I,** section **693.**

During the discussion of the qualifications of a Senator, he presented his resignation, but the Senate disregarded it and proceeded to declare his election void. Volume **I,** section **440.**

The election of a Senator being thoroughly tainted with bribery, the Senate was proceeding to unseat him when he resigned. Volume **II,** section **1279.**

Instance wherein a Senator, following an inquiry vindicating his title to this seat, resigned. Volume **VI,** section **74.**

Instance wherein returned Member, while a contest was pending in committee, stated to the House that he was not elected. Volume **I,** section **742.**

(8) Of Members.—Withdrawal and Declination.

As to what acts constitute a declination of the office of Member of the House. Volume **I,** section **500.**

Instance wherein a person declined to take a seat assigned him after a contest as to final right. Volume **I,** section **650.**

An instance wherein one who had been declared elected to a seat in the House declined to accept it. Volume **II,** section **1234.**

Instance wherein a Senator-elect notified the Senate that he had formally declined to accept an appointment to be a Senator. Volume **II,** section **1235.**

The withdrawal of Members caused by the secession of States. Volume **II,** section **1218.**

Senators having withdrawn from the Senate, the Secretary was directed to omit their names from the roll. Volume **II,** section **1219.**

The Journal of the Senate made no mention of the withdrawal of Senators by reason of the secession of their States. Volume **II,** section **1219.**

The withdrawal of a Senator to join the foes of the Government was held to create a vacancy which a legislature could recognize, although the Senate had not expelled him. Volume **I,** section **383.**

RESIGNATION—Continued.

(9) Of Members.—In General.

The practice is not uniform as to whether or not a Member's letter of resignation should appear in full in the Journal. Volume **IV,** sections **2868–2872.**

Instance where a Member resigned his seat, sought reelection, and appeared again to be sworn in during the same Congress. Volume **II,** section **1256.**

Instances wherein Members have been reelected to fill the vacancies occasioned by their own resignations. Volume **II,** sections **1210–1212.**

The question as to the pay of a Member-elect after the beginning of the term of the Congress to fill a vacancy caused by a declination or resignation of effect on the day the term of the Congress began. Volume **II,** section **1155.**

A Member convicted in the courts resigned after the House had ordered an inquiry. Volume **VI,** section **238.**

Resignations addressed to the Speaker or the House may be withdrawn at any time before action is taken thereon. Volume **VII,** section **1270.**

Instance in which a teller resigned and suggested the appointment of a successor. Volume **VI,** section **446.**

(10) Of Delegates and Resident Commissioners.

A Delegate resigns his seat in a communication addressed to the Speaker. Volume **II,** section **1304.**

Form of resignation of a resident commissioner and notification of the appointment of his successor. Volume **VI,** section **231.**

(11) Of Members-elect.

The Clerk takes notice of the deaths or resignations of Members-elect and informs the House thereof at the time of organization. Volume **I,** sections **26–28.**

A Member-elect may resign before taking the oath. Volume **II,** section **1230.**

A Member-elect having resigned, the House decided that the person elected as his successor was entitled to the seat. Volume **II,** section **1230.**

An instance of the resignation of a Member who had not taken his seat. Volume **II,** section **1231.**

A Member-elect's letter of resignation, transmitted to the Speaker before the election of that officer, was laid before the House after organization. Volume **II,** section **1232.**

A Senator-elect has resigned before taking the oath. Volume **II,** section **1233.**

(12) Of the Speaker.

Rising in his place, Mr. Speaker Clay addressed the House, announcing his resignation. Volume **I,** section **231.**

In 1820, at the beginning of a second session, the Clerk called the House to order and after ascertaining the presence of a quorum presented a letter of resignation from the Speaker. Volume **I,** section **232.**

In 1834 the Speaker, intending to resign, arose in his place and informed the House, setting a future day for the act. Volume **I,** section **233.**

The Speaker, having announced his resignation, made a farewell address and left the chair. Volume **I,** section **233.**

The Speaker called a Member to the chair and, taking the floor, tendered his resignation verbally. Volume **I,** section **225.**

Mr. Speaker Colfax, having been elected Vice-President, resigned his Speakership on the last day of the Congress. Volume **I,** section **225.**

The Speaker having resigned no action of the House excusing him from service is taken. Volume **I,** section **232.**

Mr. Speaker Clay announced to the House his resignation of the Speakership, but his resignation as a Member appears only from the credentials of his successor. Volume **II,** section **1356.**

RESIGNATION—Continued.

(12) Of the Speaker—Continued.

Instance wherein the Speaker, following a vote upon an essential question indicating a change in the party control of the House, announced that under the circumstances it was incumbent upon the Speaker either to resign or to recognize for a motion declaring vacant the office of Speaker. Volume **VI,** section **35.**

(13) Of Other Officers of the House.

An officer of the House having resigned the House voted to proceed to the election of his successor. Volume **I,** sections **264, 265.**

The Clerk having resigned the House, after some intervening business, elected his successor. Volume **I,** section **239.**

The Sergeant-at-Arms having resigned, the House instructed the Doorkeeper to perform the duties of the office until the beginning of the next session of Congress. Volume **I,** section **268.**

The resignation of the Postmaster was laid before the House while a resolution of dismissal was pending and was disregard. Volume **I,** section **292.**

Communications announcing resignations of employees of the House from statutory offices are read and ordered to be laid on the table. Volume **VI,** section **33.**

The House does not pass upon the acceptance of resignations from statutory positions, even when it is authorized to fill such offices. Volume **VI,** section **33.**

The House does not act upon resignations from statutory offices even when power to fill vacancies in such offices rests with the House or the Speaker. Volume **VII,** section **2169.**

(14) Of Member From Committee Service.

Forms of resignations from committees. Volume **VIII,** section **2197.**

Instance wherein a Member submitted his resignation from a committee on grounds of disqualifying personal interest. Volume **VIII,** section **3074.**

Forms of resignations and of resolutions providing for election of Members to fill vacancies on joint committees. Volume **VII,** section **2170.**

A Member may decline to serve on a committee only with permission of the House. Volume **IV,** sections **4490–4493.**

The request of a Member that he be relieved from service on a committee is submitted to the House for approval. Volume **IV,** section **4507.**

The Speaker may not relieve a Member from service on a committee to which he has appointed him. Volume **IV,** section **4511.**

While the House has usually granted requests of Members that they be excused from committee service, it has sometimes refused. Volume **IV,** sections **4494–4505.**

The chairman of a committee, with the permission of the House, may resign as chairman, still remaining a member of the committee. Volume **IV,** sections **4531, 4532.**

The request of a Member that he be excused from committee service has generally been treated as privileged, but as debatable to a very limited extent only. Volume **IV,** sections **4508–4510.**

The resignation of a member from a joint select committee created by law is made either to the House or to the committee and, while the House has no power either to accept or to refuse to accept such resignation, it may fill the vacancy so occasioned. Volume **VI,** section **371.**

A member of a joint commission created by law may resign without leave of the House; but announcement of such resignation is properly transmitted to the Speaker. Volume **VII,** section **2168.**

While the House is without power to remove members of joint committees created by law, or to accept or reject resignations from such offices, such resignations are properly addressed to the joint committee or to the House having authority to fill these vacancies. Volume **VII,** section **2170.**

RESIGNATION—Continued.

(14) Of Member From Committee Service—Continued.

The resignation of a member as conferee is properly addressed to the Speaker, but is acted on by the House, and, being accepted, the Speaker appoints a successor. Volume **VIII,** section **3224.**

It has long been the practice for a manager of a conference to be excused only by authority of the House. Volume **VIII,** section **3227.**

A Senator having resigned from all committee assignments, the Senate accepted his resignation and elected successors to the vacancies thus created. Volume **VIII,** section **2200.**

(15) In General.

Resignation and explusion from the Board of Regents of the Smithsonian Institution. Volume **V,** sections **7340, 7341.**

Resignation of member of board of managers of National Home for Disabled Volunteer Soldiers. Volume **V,** section **7337.**

A Senator, member of a joint commission created by law and appointed by the Presiding Officers, of the two Houses, respectively, tendered his resignation in the Senate. Volume **IV,** section **4446.**

RESOLUTIONS. See also "Inquiry" and "Investigations."

(1) Forms of.—Of the House alone.
(2) Forms of.—Concurrent.
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(4) Uses of.—Of the House alone.
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(1) Forms of.—Of the House Alone.

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(2) Forms of.—Concurrent.

Form of concurrent resolutions of the two Houses terminating a session of Congress. Volume **V,** section **6722.**

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(3) Forms of.—Joint.

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The statutes prescribe the form of the resolving clause of a joint resolution. Volume **IV,** section **3367.** Volume **VII,** section **1034.**

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RESOLUTIONS—Continued.

(4) Uses of.—Of the House Alone.

The House expresses facts, principles, and opinions by "resolutions." Volume **IV,** section **3380.**

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Illustration of the use of resolutions instead of orders in giving direction to the business of the House. Volume **IV,** sections **3376, 3426, 3454.**

The two Houses by simple and separate resolutions sometimes appoint committees to confer and report. Volume **III,** section **1936.**

Joint committees of ceremony are provided for by simple and not concurrent resolution. Volume **V,** section **7176.**

When a joint committee is authorized by simple resolution the resolution itself does not have the concurrent action of the two Houses. Volume **IV,** section **4411.**

A question of the privilege of the House is presented in the form of a resolution. Volume **VI,** section **86.**

Instance wherein the Senate by resolution removed its Sergeant at Arms. Volume **VI,** section **37.**

While the House may by simple resolution establish or abolish offices in its service, a joint resolution is required for such action affecting offices in the joint service of the House and Senate. Volume **VI,** section **36.**

Where the oath has been administered away from the House and by another than the Speaker, the House has by resolution received and accepted the oath. Volume **VI,** section **14.**

A newspaper correspondent who violated the privileges of the House was, by resolution, excluded from that portion of the Capitol under the jurisdiction of the House for a period of 10 days. Volume **VI,** section **553.**

(5) Uses of.—Concurrent.

Joint committees should be authorized by concurrent and not by joint resolutions. Volume **III,** sections **1998, 1999.**

A joint committee should be provided for by a concurrent and not a joint resolution, and the resolution should not prescribe rules for the proceedings of either House. Volume **IV,** section **4409.**

A commission which acted and reported during the lifetime of a Congress was created by concurrent resolution. Volume **IV,** section **4703.**

Congress by concurrent resolution directs executive officers to make investigations in river and harbor matters. Volume **II,** section **1593.**

Instances wherein concurrent resolutions were used to express the opinions of Congress on public questions. Volume **II,** sections **1566, 1567.**

A bill sent to the President but not yet signed by him was recalled by concurrent resolution. Volume **VII,** section **1091.**

A concurrent resolution to send to the President for approval bills which had passed both Houses in the previous session of the same Congress but which for want of time failed to reach him was treated as privileged. Volume **VII,** section **1086.**

The action of the Speaker in signing an enrolled bill was rescinded and the bill was amended by a concurrent resolution. Volume **VII,** section **1080.**

By concurrent resolution, the action of the Speaker and the Vice President in signing an enrolled bill was rescinded and the bill amended. Volume **VII,** section **1078.**

A concurrent resolution authorized the presiding officers of the two Houses to cancel their signatures to an enrolled bill failing to conform to commendations of the Secretary of War. Volume **VII,** section **1077.**

By concurrent resolution, conferees were authorized to amend a bill in conference. Volume **VII,** section **1071.**

RESOLUTIONS.—Continued.

(5) Uses of.—Concurrent.—Continued

Authority of correct an error in enrolling a bill was conferred on the Clerk by concurrent resolution. Volume **VII,** sections **1068, 1069.**

A concurrent resolution and not a simple resolution is required to authorize correction, however trivial, of a bill agreed to by both Houses. Volume **VII,** section **1042.**

The two Houses by concurrent resolution provided for the meeting to count the electoral vote. Volume **VI,** section **443.**

In 1920 the Senate requested the concurrence of the House in a resolution proposing the restrict the power of the President in the negotiation of foreign affairs. Volume **VI,** section **327.**

In 1909 the House originated, and the Senate agreed to, a resolution requesting the President to negotiate by treaty or otherwise with a foreign government. Volume **VI,** section **323.**

(6) Uses of.—Joint.

The relative uses of bills and joint resolutions discussed. Volume **IV,** sections **3370–3373.**

Joint resolutions proposing amendments to the Constitution are, when passed, filed with the Secretary of State by the Committee on Enrolled Bills. Volume **V,** section **7041.**

The act of the Government in intervening to stop the war in Cuba was authorized by a joint resolution. Volume **V,** section **6321.**

Notice to a foreign government of the abrogation of a treaty is authorized by a joint resolution. Volume **V,** section **6270.**

Missouri was admitted to the Union by a joint resolution. Volume **IV,** section **4471.**

An error in a bill that has gone to the President of the United States may be corrected by a joint resolution. Volume **IV,** section **3519.**

Self-appropriating orders for printing extra copies of bills, documents, etc., are required to be by joint resolution. Volume **V,** section **7319.**

Managers of the National Home for Disabled Volunteer Soldiers are elected by joint resolution of Congress. Volume **V,** section **7336.**

Louis Kossuth was welcomed by a joint resolution signed by the President. Volume **V,** section **7083.**

The Congress, by joint resolution approved by the President, invited Lafayette to visit America (footnote). Volume **V,** section **7082.**

Joint resolutions are not required for calling for information from the Executive Departments. Volume **III,** section **1876.**

An error in a bill that has gone to the President of the United States may be corrected by a joint resolution. Volume **VII,** section **1092.**

(7) The Preamble.

The preamble of a bill or joint resolution may be agreed to most conveniently after the engrossment and before the third reading. Volume **IV,** section **3414.**

A bill sometimes has a preamble. Volume **IV,** sections **3413, 3414.**

When a bill is considered for amendment the preamble is taken up after the body of the bill has been gone through. Volume **IV,** section **3411.**

Reference to illustration of mode of disposing of a preamble (footnote). Volume **IV,** section **3411.**

On the passage of a joint resolution with a preamble a separate vote may not be demanded on the preamble. Volume **V,** section **6148.**

A preamble may be laid on the table without affecting the status of accompanying resolutions already agreed to by the House. Volume **V,** section **5430.**

A resolution may be laid on the table without carrying with it a connected resolution already agreed to or a preamble not yet acted on. Volume **V,** section **5428.**

(8) Effect of Concurrent.

A concurrent resolution is binding upon neither House until agreed to by both. Volume **IV,** section **3379.**

RESOLUTIONS—Continued.

(8) Effect of Concurrent—Continued.

A concurrent resolution is without force and effect beyond the confines of the Capitol. Volume **VII,** section **1037.**

Committees of the two Houses acting jointly to devise a plan for the electoral count of 1821 reported different propositions, whereat misunderstanding arose. Volume **III,** section **1936.**

(9) Consideration of.—In General.

A joint resolution is a bill within the meaning of the rules. Volume **IV,** section **3375.** Volume **VII,** section **1036.**

A joint resolution may be changed to a bill by amendment. Volume **IV,** section **3374.**

A joint resolution was substituted for a bill in amending the census cat. Volume **VII,** section **1040.**

A joint resolution may be changed to a simple resolution by amendment. Volume **VII,** section **1047.**

A joint resolution may be changed to a concurrent resolution by amendment. Volume **VII,** sections **1043, 1044, 1046.**

A concurrent resolution may be changed to a joint resolution by amendment. Volume **VII,** sections **1037, 1045.**

A resolution of the House may not by amendment be changed to a bill. Volume **VIII,** section **3446.**

A proposition in the form of a bill may not be offered as a substitute for a proposition in the form of a simple resolution. Volume **VIII,** section **3446.**

A Senate joint resolution changed by amendment of the House to a concurrent resolution is still a Senate measure and the enacting clause conforms to that requirement. Volume **VII,** section **1044.**

Under rules of the House which have not disappeared it was held that a resolution of the House might not by amendment be changed to a joint resolution or a bill. Volume **IV,** sections **3376, 3377.**

To a bill proposing one mode of arranging the Presidential succession an amendment proposing a joint resolution for submitting a constitutional amendment on a plan differing as to details was held germane. Volume **V,** section **5582.**

A joint resolution may not be divided for reference. Volume **IV,** section **4376.**

The filing with the Secretary of State and the transmission to the States of joint resolutions proposing amendments to the Constitution. Volume **V,** section **7041.**

Joint resolutions proposing amendments to the Constitution, although not requiring the approval of the President, have their several readings and are enrolled and signed by the Speaker (footnote). Volume **V,** section **7029.**

Bills and resolutions presented in the House for reference under the rule are entered in the Journal and Record by title only. Volume **IV,** section **2853.**

A division of the question may not be demanded on the passage of a joint resolution. Volume **V,** sections **6145, 6146.**

A resolution may be divided if it contains more than one section which standing alone would constitute a substantive proposition. Volume **VIII,** section **3163.**

A resolution need not necessarily be divided because it affects the titles of the seats of two Senators from different States with different questions involved. Volume **V,** section **6119.**

On a motion to strike out a resolution and insert several connected resolutions a division of the question so as to vote separately on each substantive proposition of the matter to be inserted was decided not to be in order (Speaker overruled). Volume **V,** sections **6124, 6125.**

Substitute resolutions offered as an amendment are not divisible, but when agreed to a division of the original as amended may be demanded. Volume **V,** sections **6127, 6128.**

RESOLUTIONS—Continued.

(9) Consideration of.—In General—Continued.

A bill or resolution must be considered and voted on by itself. Volume **IV,** section **3408.**

A resolution laid on the table by the House may be presented again in similar but not identical form. Volume **IV,** section **3385.**

A proposed amendment to a pending bill being laid on the table, the bill goes there also. Volume **V,** section **5423.**

A Member has the right to withdraw a resolution before a decision thereon, and may modify the proposition in the House, but not in the committee. Volume **VI,** section **570.**

(10) Consideration of.—Relations to the Previous Question and Motion to Refer.

The previous question may be moved on a series of resolutions, but after it is ordered a separate vote may be had on each resolution. Volume **V,** section **5468.**

The previous question being ordered on a series of resolutions, a division was permitted, so as to vote separately on each resolution. Volume **V,** section **6149.**

An early decision, since reversed, held that the previous question when ordered on a resolution with a preamble did not apply to the preamble (footnote). Volume **V,** sections **5469, 5470.**

The motion to recommit a simple resolution may be made at any time before the question is put on the passage of the resolution and is not in order after the resolution has been agreed to. Volume **VIII,** section **2748.**

The motion to commit after the previous question is ordered applies to resolutions, the word "bill" in the rule being a generic term applying to all legislative propositions. Volume **V,** section **5572.**

The motion to commit provided for in the rule for the previous question applies not only to bills, but to resolutions of the House alone. Volume **V,** section **5573.**

The motion to refer under Rule XVII may be made pending the demand for the previous question on the passage, whether a bill or resolution be under consideration. Volume **V,** section **5576.**

The motion to commit after the ordering of the previous question, as provided by section 1 of Rule XVII, applies to simple resolutions as well as to bills and joint resolutions. Volume **VIII,** section **2742.**

The motion to recommit may not be made while another has the floor, and a Member proposing a resolution is entitled to one hour for debate, during which time the motion may not be offered without his consent. Volume **VIII,** section **2742.**

Before the adoption of rules, while the House was acting under general parliamentary law, it was held that the motion to recommit was in order pending the motion for the previous question or after it had been ordered on a resolution. Volume **VIII,** section **2755.**

When the previous question has been ordered on a simple resolution (as distinguished from a joint resolution) and a pending amendment the motion to commit should be made after the vote on the amendment. Volume **V,** sections **5585–5588.**

(11) Certification of, and Approval by the President.

The Clerk is required to certify to the passage of all bills and joint resolutions. Volume **I,** section **251.**

In general orders, resolutions, and votes in which the concurrence of the two Houses is necessary must be presented to the President on the same condition as bills. Volume **IV,** section **3482.**

The question as to whether or not concurrent resolutions should be sent to the President for his signature. Volume **IV,** section **3484.** Volume **VII,** section **1084.**

Although the requirement of the Constitution seems specific, the practice of Congress has been to present to the President for approval only such concurrent resolutions as are legislative in effect. Volume **IV,** section **3483.**

A concurrent resolution providing for final adjournment of the two Houses is not presented to the President for approval. Volume **IV,** section **3482.**

Resolutions—Continued.

(11) Certification of, and Approval by the President—Continued.

It has been conclusively settled that a joint resolution proposing an amendment to the Constitution should not be presented to the President for his approval. Volume **V,** section **7040.**

(12) Printing of.

Unless ordered by the House, no bill, resolution, or other proposition reported by a committee shall be printed unless placed on the Calendar. Volume **V,** section **7315.**

Extra copies of bills may be ordered printed by simple resolution of the House if the cost does not exceed $500, or by concurrent resolution if the cost exceeds that sum. Volume **V,** section **7319.**

The Secretary of the Senate and Clerk of the House have a discretionary power to order the reprinting of bills, resolutions, documents, etc. Volume **V,** section **7319.**

Motions to print additional numbers of a bill, report, resolution, or document shall be referred to the Committee on Printing and the report thereon must be accompanied by an estimate of cost. Volume **V,** section **7315.**

The statutes require the binding for the files of copies of bills and resolutions of each Congress. Volume **V,** sections **7325, 7326.**

(13) In General.

The right of a claims committee to report, with the status of a private bill, a resolution providing for sending a series of specified claims to the Court of Claims has been affirmed. Volume **IV,** section **3297.**

The Speaker having ruled a resolution out of order and an appeal having been taken from the decision, it was held that the resolution should appear in the Journal in full. Volume **IV,** section **2843.**

A Member was censured for presenting a resolution insulting to the House. Volume **II,** section **1246.**

Resolutions of State legislatures and of primary assemblies of the people are received as memorials. Volume **IV,** sections **3326, 3327.**

Joint resolutions of State legislatures intended as communications to Congress are treated as memorials. Volume **IV,** section **3312.**

The term "bill" is a generic one and includes resolutions. Volume **VII,** section **1036.**

Two or more Members may not jointly introduce a bill, petition, or resolution. Volume **VII,** section **1029.**

RESOLVING CLAUSE.

Forms of resolving clauses of concurrent resolutions. Volume **IV,** section **3378.**

The statutes prescribe the form of the resolving clause of a joint resolution. Volume **IV,** section **3367.**

Forms of resolving clauses used in joint resolutions proposing amendments to the Constitution (footnote). Volume **V,** section **7029.**

RESTAURANT.

References to the practice governing management of the House restaurant, especially as to the sale of intoxicating liquors. Volume **V,** section **7244.**

Discussion of various services of the House, including the House restaurant, House barber shops, and stationery and mileage allowances to Members. Volume **VI,** section **216.**

Subjects relating to the House restaurant and kitchen have been within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV,** section **4237.**

Subjects relating to the House restaurant and kitchen, formerly within the jurisdiction of the Committee on Public Buildings and Grounds, have been transferred by the House to the jurisdiction of the Committee on Accounts. Volume **VII,** section **2054.**

RESTAURANT—Continued.

A resolution from the Committee on Accounts relating to management of the House restaurant was not received as a matter of privilege. Volume **III,** section **2636.**

RESULT OF AN ELECTION. See "Elections."

RETIRED LIST.

An opinion of the Judiciary Committee that persons on the retired list of the Army do not hold office under the United States in the constitutional sense. Volume **I,** section **494.**

RETIREMENT.

The Committee on the Civil Service exercises exclusive jurisdiction of subjects relating to the retirement of employees in the classified civil service. Volume **VII,** section **2021.**

RETRENCHMENT. See also "Appropriations."

The examination of the accounts of the Departments, proper application of public moneys, enforcement of payment of money due the Government, and economy and retrenchment generally are within the jurisdiction of the several committees on expenditures. Volume **IV,** section **4315.**

The examination of the accounts of the departments, independent establishments, and commissions of the Government, proper application of public moneys, enforcement of payment of money due the Government, and economy and retrenchment generally are within the jurisdiction of the Committee on Expenditures in the Executive Departments. Volume **VII,** section **2041.**

RETURN OF BILL.

One House sometimes asks of the other the return of a message. Volume **V,** sections **6609–6611.**

A request of the Senate for the return of a bill is treated as privileged in the House. Volume **IV,** section **3481.**

The mere request for the other House to return a bill, no error or impropriety being involved, has not been regarded as a privileged matter. Volume **IV,** section **3477.**

A request of one House for the return of a bill by the other is complied with as a matter of routine. Volume **VII,** section **1081.**

The request of the Senate for the return of a bill may be agreed to in the House by unanimous consent only. Volume **VII,** section **1082.**

A request of the Senate for the return of a bill was denied by the House, unanimous consent being refused. Volume **VII,** section **1082.**

A resolution directing return of a bill to the Senate, with notice of refusal of the House to grant the Senate's request relating thereto, was held not to present a question involving the privilege of the House. Volume **VII,** section **1083.**

Dicta to the effect that a request of the Senate for cancellation of the Speaker's signature and the return of an enrolled bill could be taken up for consideration under suspension of the rules. Volume **VII,** section **1083.**

The return of a bill which has gone to the President of the United States is requested by concurrent resolution, and such resolution when received from the Senate is treated as privileged. Volume **VII,** section **1090.**

Overruling a decision of the Chair, the Senate held it was not in order to request the House to return papers in possession of the conferees. Volume **VIII,** section **3324.**

RETURN OF MEMORIAL

An instance wherein a memorial was returned to the memorialists. Volume **IV,** section **3349.**

RETURNED MEMBER. See "Elections."

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REVENUE.

(1) Bills relating to, originate in the House.—The rule of the Constitution.
(2) Bills relating to, originate in the House.—Senate's power to amend revenue bills.
(3) House's prerogatives as to revenue treaties.
(4) Questions of privilege over alleged invasions of House's prerogatives.
(5) Jurisdiction of committees over subjects relating to.
(6) Privilege of bills relating to.
(7) Consideration of bills relating to, in Committee of the Whole.
(8) In general.

(1) Bills Relating to, Originate in the House.—The Rule of the Constitution.

Revenue bills must originate in the House, but the Senate may concur with amendments. Volume **II,** section **1480.**

In 1930 the House insisted on its exclusive right to originate revenue measures and returned to the Senate a Senate concurrent resolution characterized as an infringement on its constitutional prerogative. Volume **VI,** section **319.**

Discussion of the privilege of the House and Senate, respectively, in relation to revenue bills. Volume **II,** section **1488.**

Discussion of the right of the House to originate revenue legislation. Volume **VI,** section **321.**

The term "raising revenue," while broadly construed to cover bills relating to the revenue, does not apply to bills remotely affecting the revenue, as bills extending time of payment of foreign debts. Volume **VIII,** section **2278.**

Arguments in the Senate as to the limits of the prerogatives of the House in relation to revenue legislation. Volume **II,** section **1494.**

After a full but unconclusive conference with the Senate the House reaffirmed its own exclusive right to originate revenue measures. Volume **II,** sections **1487, 1488.**

A bill proposing an increase in rates of postage is a revenue bill within the constitutional requirement as to revenue bills. Volume **VI,** section **317.**

In 1830 a bill affecting the revenue was presented in the Senate and withdrawn after a discussion of the constitutional question. Volume **II,** section **1482.**

A bill to abolish a duty was refused consideration in the Senate, one objection being that the Senate had no right to originate such a measure. Volume **II,** section **1483.**

Instance wherein the Senate declined to consider a bill challenged as an infringement on the right of the House to originate revenue measures. Volume **VI,** section **320.**

Decision by the Senate holding a bill proposing a gasoline tax in the District of Columbia to be a revenue producing measure and that under the Constitution it should originate in the House. Volume **VI,** section **315.**

A point of order that a Senate bill proposing an increase in postage rates contravened the prerogative of the House was not sustained by the Senate. Volume **VI,** section **317.**

The Senate having added certain revenue amendments to a nonrevenue House bill, the House ordered the bill to be returned to the Senate. Volume **II,** section **1495.**

The House having questioned a Senate amendment providing a tax on incomes on a non-revenue bill, the Senate withdrew the amendment. Volume **II,** section **1486.**

The Senate having passed a bill with incidental provisions relating to revenue, the House returned the bill, holding it to be an invasion of prerogative. Volume **II,** section **1494.** Volume **VI,** section **317.**

The Senate having insisted on its right to add a revenue amendment to an appropriation bill, the House declined to proceed further with the bill. Volume **II,** section **1485.**

Instance, wherein a Senate amendment affecting the revenue was not objected to until the stage of conference. Volume **II,** section **1492.** Volume **VI,** section **314.**

REVENUE—Continued.

(1) Bills Relating to, Originate in the House.—The Rule of the Constitution—Continued.

The House, while disclaiming the establishment of a precedent, sent to conference a bill declared to involve a question of infringement of the constitutional prerogative of the House in the origination of revenue legislation. Volume **VI,** section **318.**

In 1874 the House declined to take issue with the Senate over an amendment of that body authorizing certain Government obligations. Volume **II,** section **1490.**

Early instances of Senate and House participation in revenue legislation. Volume **II,** section **1484.**

A bill raising revenue incidentally was held not to infringe upon the constitutional prerogative of the House to originate revenue legislation. Volume **VI,** section **315.**

Discussion of differentiation between bills for the purpose of raising revenue and bills which incidentally raise revenue. Volume **VI,** section **315.**

(2) Bills Relating to, Originate in the House.—Senate's Power to Amend Revenue Bills.

The Senate may concur in a House revenue bill with amendments. Volume **II,** section **1480.**

In 1872 the House and Senate, after discussion, disagreed as to limitations of Senate amendments to a revenue bill of the House. Volume **II,** section **1489.**

Instances wherein the Senate has acquiesced in the constitutional requirement as to revenue bills, while holding to a broad power of amendment. Volume **II,** sections **1497–1499.**

In 1889 the Senate amendments to a House revenue bill were questioned in the House as an infringment of the House's privilege. Volume **II,** section **1496.**

In 1883 the House raised but did not press a question as to certain Senate amendments relating to the revenue. Volume **II,** section **1491.**

In 1807 the House refused to agree to Senate amendments enlarging the scope of a revenue bill. Volume **II,** section **1481.**

Instance wherein proposed Senate amendments to a revenue bill were questioned in the House as an invasion of the constitutional prerogatives in relation to revenue legislation. Volume **VI,** section **322.**

(3) House's Prerogative as to Revenue Treaties.

The House has at times advised the Executive in regard to treaties affecting the revenue. Volume **II,** sections **1520–1522.**

In 1871 the House asserted its right to a voice in carrying into effect treaties on subjects submitted by the Constitution to the power of Congress. Volume **II,** section **1523.**

In 1880 the House declared that the negotiation of a treaty affecting the revenues was an invasion of its prerogatives. Volume **II,** section **1524.**

In 1881 the House Committee on Foreign Affairs, discussing the treaty-making power, concluded that the House had no share in it. Volume **II,** section **1525.**

In 1884 and 1886 the Ways and Means Committee assumed that the right of the House to a voice in making treaties affecting the revenue had been conceded. Volume **II,** sections **1526, 1527.**

After long and careful consideration the Judiciary Committee of the House decided, in 1887, that the executive branch of the Government might not conclude a treaty affecting the revenue without the assent of the House. Volume **II,** sections **1528–1530.**

Provisions of the tariff act of 1897 in reference to reciprocity treaties. Volume **II,** section **1533.**

In 1844 the Senate took the view that the constitutional method of regulating duties was by act of Congress rater than by treaty. Volume **II,** section **1532.**

Argument that duties are more properly regulated with the publicity of Congressional action than by treaties negotiated by the Executive and ratified by the Senate in secrecy. Volume **II,** section **1532.**

Reference to discussion in the Senate over right of the House to a voice in making treaties affecting the revenue (footnote). Volume **II,** section **1528.**

REVENUE—Continued.

(3) House's Prerogative as to Revenue Treaties—Continued.

Discussion by a Senate committee as to the jurisdiction of the Senate over revenue treaties. Volume **II,** section **1533.**

Argument that the treaty-making power is subject to the authority and power to originate revenue legislation specially delegated by the Constitution to the House. Volume **VI,** section **324.**

The question raised in the House as to whether a treaty modifying or repealing laws providing for revenue may be negotiated without action on the part of the House. Volume **VI,** section **324.**

(4) Questions of Privilege Over Alleged Invasions of House's Prerogatives.

An alleged invasion by the Senate of the House's constitutional prerogative of originating revenue legislation has been held in the later practice to present a question of privilege. Volume **III,** sections **2559–2562.**

Alleged infringement by the treaty-making power on the constitutional right of the House to originate revenue measures presents a question of privilege. Volume **III,** section **2564.**

It is for the House and not the Speaker to decide whether or not a Senate amendment on the subject of revenue violates the privileges of the House. Volume **II,** sections **1320, 1322.**

To justify a question of privilege an invasion of the prerogatives of the house must be alleged to be actual, not prospective. Volume **III,** section **2556.**

As to time of making points of order on constitutional questions. Volume **II,** section **1322.**

The question of the constitutional right of the House to originate revenue measures is properly raised at any time after the measure infringing the right has been massaged to the House. Volume **VI,** section **318.**

A question relating to the invasion of the constitutional prerogative of the House by a Senate amendment comes too late after the bill has been sent to conference. Volume **VI,** section **314.**

Instance of a conference over the prerogatives of the two Houses respecting revenue legislation. Volume **II,** section **1485.**

There being a difference between the two Houses as to the right of the Senate to originate a revenue bill, the subject was committed to a conference. Volume **II,** sections **1487, 1488.**

Instance wherein the House referred to the managers of a conference the examination of the question whether or not the Senate amendments in disagreement invaded the House's prerogative of originating revenue bills. Volume **V,** section **6405.**

(5) Jurisdiction of Committees Over Subjects Relating to.

The rules confer on the Ways and Means Committee the jurisdiction of subjects relating to the revenue and bonded debt of the United States. Volume **IV,** section **4020.** Volume **VII,** section **1723.**

The rule gives to the Committee on Industrial Arts and Expositions jurisdiction of "all matters (except those relating to the revenue and appropriations) referring to the centennial of the Louisiana Purchase and to proposed expositions." Volume **IV,** section **4353.**

The Committee on Ways and Means has exercised jurisdiction as to the seal herds and other revenue-producing animals of Alaska. Volume **IV,** section **4025.**

The Committee on Ways and Means no longer exercises jurisdiction as to the seal herds and other revenue producing animals of Alaska. Volume **VII,** section **1725.**

The revenue relations of the United States with Porto Rico and the Philippines are within the jurisdiction of the Committee on Ways and Means. Volume **IV,** section **4024.**

REVENUE—Continued.

(5) Jurisdiction of Committees Over Subjects Relating to—Continued.

The rule gives to the Committee on Insular Affairs jurisdiction of all subjects, other than revenue and appropriations, relating to the islands which came to the United States by the Spanish treaty of 1899. Volume **IV,** section **4213.** Volume **VII,** section **1947.**

Legislation relating to Porto Rico, with the exception of matters of revenue and appropriations, are within the jurisdiction of the Committee on Insular Affairs. Volume **VII,** section **1949.**

The Committee on Insular Affairs exercises a general jurisdiction of subjects relating to the Virgin Islands, with the exception of matters of revenue and appropriations. Volume **VII,** section **1950.**

The Ways and Means Committee has exercised jurisdiction over the subjects of customs unions, reciprocity treaties, and conventions affecting the revenues. Volume **IV,** section **4021.**

The Committee on Foreign Affairs has exercised jurisdiction of the subjects of commercial treaties and reciprocal arrangements. Volume **IV,** section **4174.**

The jurisdiction of the Committee on the Revision of the Laws, the House affirmed the claim of the former committee. Volume **IV,** section **4029.**

Reference to early jurisdiction of the Committee on Manufactures as to tariff bills. Volume **IV,** section **4221.**

The subjects of tonnage taxes and fines and penalties on vessels are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4131.**

In the later practice of the House subjects relating to transportation of dutiable goods, ports of entry and delivery, and customs collection districts have been reported by the Committee on Ways and Means. Volume **IV,** section **4026.**

Jurisdiction of Committees on Ways and Means and Interstate and Foreign Commerce over bills relating to ports of entry and delivery. Volume **IV,** section **4027.**

The Committee on Interstate and Foreign Commerce has jurisdiction of bills affecting domestic and foreign commerce, except such as may affect the revenue. Volume **IV,** section **4097.**

Bills to discourage fictitious and gambling transactions in farm products have been considered within the jurisdiction of the Committee on Agriculture, even when an internal revenue question was included. Volume **IV,** section **4161.** Volume **VII,** section **1861.**

Bills imposing an internal revenue tax on olemargeine are, by action of the House, included within the jurisdiction of the Committee on Agriculture. Volume **IV,** section **4156.**

A bill affecting the internal revenue tax on olemargeine has been reported from the Committee on Agriculture. Volume **II,** section **1455.**

While the Committee on Agriculture has jurisdiction of revenue legislation affecting olemargeine, the Ways and Means Committee has retained jurisdiction as to revenue bills affecting tobacco, lard, cheese, etc. Volume **IV,** section **4022.**

A bill relating to the number of internal-revenue collectors and collection districts was held to be a revenue bill within the meaning of the rule giving such bills privilege. Volume **VIII,** section **2233.**

(6) Privilege of Bills Relating to.

Revenue and general appropriation bills, river and harbor bills, certain bills relating to the public lands, for the admission of new States, and general pension bills may be reported at any time. Volume **IV,** section **4621.** Volume **VIII** section **2251.**

To come within the privilege given the Committee on Ways and Means to report at any time a bill must show on its face that it relates to the raising of revenue. Volume **VIII,** section **2280.**

The right to report at any time a bill raising revenue belongs only to the Ways and Means Committee. Volume **IV,** section **4628.**

REVENUE—Continued.

(6) Privilege of Bills Relating to—Continued.

The words "raising revenue" in the rule giving privilege to the Ways and Means Committee are broadly construed to cover bills relating to the revenue. Volume **IV,** sections **3076, 4624.**

Under later decisions the words "raising revenue" in the rule giving privilege to the Ways and Means Committee are broadly construed to cover bills relating to the revenue. Volume **IV,** section **4625.**

Bills relating to allowances on internal-revenue duties are reported by the Committee on Ways and Means. Volume **VII,** section **1734.**

A bill providing for a tariff commission was held not to be a revenue bill within the meaning of the rule giving such bills privilege. Volume **IV,** section **4626.**

A declaratory resolution on a subject relating to the revenue is not within the privilege given the Ways and Means Committee to report at any time. Volume **IV,** section **4627.**

A bill merely affecting the revenue incidentally does not come within the privilege of the Ways and Means Committee to report at any time. Volume **VIII,** section **2279.**

A bill relating to the method of packing dutiable tobacco for parcel-post shipment was held not to be a revenue bill within the meaning of the rule giving such bills privilege. Volume **VIII,** section **2280.**

Where the major feature of a bill relates to the raising of revenue, lesser provisions incidental thereto but not strictly revenue producing do not destroy its privilege when reported by the Committee on Ways and Means. Volume **VIII,** section **2280.**

(7) Consideration of Bills Relating to, in Committee of the Whole.

The motion to go into Committee of the Whole House on the state of the Union to consider a revenue or general appropriation bill may, when authorized by a committee, be made at any time after the Journal is read. Volume **IV,** section **3072.**

A motion to go into Committee of the Whole House on the state of the Union is most highly privileged only for revenue and appropriation bills. Volume **IV,** section **3073.**

The motion to go into Committee of the Whole House on the state of the Union to consider revenue or appropriation bills may designate the particular bill to be considered. Volume **IV,** section **3074.**

When the House agrees to the privileged motion to go into Committee of the Whole to consider a particular revenue or appropriation bill, the Committee of the Whole may not consider a different bill. Volume **IV,** section **4734.**

The motion to go into Committee of the Whole to consider revenue bills and the motion to do the same to consider general appropriation bills are of equal privilege. Volume **IV,** sections **3075, 3076.**

The privileged motion to go into the Committee of the Whole to consider revenue or appropriation bills may be made on a "suspension day" as on other days. Volume **IV,** section **3080.**

The motion to go into Committee of the Whole to consider revenue and general appropriation bills is in order on Monday as on other days. Volume **VII,** section **876.**

The motion to go into the Committee of the Whole for the consideration of revenue or appropriation bills is not in order on Wednesday. Volume **VII,** section **904.**

The call of the Consent Calendar on days devoted to its consideration by the rules takes precedence of the motion to go into Committee of the Whole to consider revenue or appropriation bills. Volume **VII,** section **986.**

Under a former condition of rule it was held that a motion to go into Committee of the Whole to consider a general appropriation bill was not privileged as against business in order on District of Columbia day. Volume **IV,** section **3305.**

The motion to go into the Committee of the Whole to consider revenue bills has precedence on Monday of a motion to go into the Committee of the Whole to consider a bill reported by the Committee on the District of Columbia. Volume **VI,** section **718.**

REVENUE—Continued.

(7) Consideration of Bills Relating to, in Committee of the Whole—Continued.

Former method of securing precedence of revenue, general appropriation, and river and harbor bills in Committee of the Whole. Volume **IV,** section **4729.**

Apppropriation and revenue bills are considered in Committee of the Whole by paragraphs; other bills by sections. Volume **IV,** sections **4739, 4740.**

A bill increasing the rate of postage has been held to affect the revenues and, therefore, to require consideration in Committee of the Whole. Volume **IV,** section **4861.**

A bill providing for payment of money into the Treasury and also making an appropriation of the same, requires consideration in Committee of the Whole. Volume **IV,** section **4834.**

Taxes relating to bank circulation have not been considered such "tax or charge upon the people" as require consideration in Committee of the Whole. Volume **IV,** sections **4854, 4855.**

All propositions involving a tax or charge on the people are considered in Committee of the Whole. Volume **IV,** section **4792.**

Where the purpose of a bill is to raise revenue, even though that purpose is affected indirectly, the bill should be considered in Committee of the Whole. Volume **VIII,** section **2399.**

While under the practice of the House appropriation bills and revenue bills are read for amendment by paragraphs and other bills by sections, the Chairman has on occasion authorized the reading of such other bills by paragraphs where the text of the bill was such as to warrant it. Volume **VIII,** section **2340.**

Instance wherein the Committee of the Whole, disregarding the suggestion of the Chairman, determined to read a revenue bill by paragraphs and not by sections. Volume **VIII,** section **2350.**

(8) In General.

Forms of special order for considering in Committee of the Whole and the House, within certain limits of time, a general tariff bill. Volume **IV,** sections **3258, 3259.**

A revenue amendment is not germane to an appropriation bill. Volume **V,** section **5852.**

In 1885 the House, after learned debate, declined to investigate the power of the Senate to originate bills appropriating money. Volume **II,** section **1501.**

A revenue amendment is not germane to an appropriation bill. Volume **VIII,** section **3038.**

An amendment offered to a revenue bill proposing a tax for any other purpose than that of securing revenue is not germane. Volume **VIII,** section **3039.**

To a section of a revenue bill relating to tax returns required by the bill an amendment relating to all tax returns was held not to be germane. Volume **VIII,** section **3044.**

REVENUE CUTTERS.

Bills authorizing the construction of revenue cutters and auxiliary craft of the customs service are reported by the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4108.**

Bills relating to personnel of the Revenue-Cutter Service have been given to the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1818.**

REVERSED DECISIONS.

Instance wherein the Speaker reversed as erroneous a decision made in a previous session. Volume **VIII,** section **2794.**

An instance wherein the Chair after announcing a decision subsequently reversed the opinion. Volume **VIII,** section **3435.**

Instance wherein the House reversed the ruling of a United States Federal District Court. Volume **VI,** section **147.**

REVISION OF THE LAWS, COMMITTEE ON.

The creation and history of the Committee on Revision of the Laws. Section 35 of Rule XI. Volume **IV,** section **4293.**

REVISION OF THE LAWS, COMMITTEE ON—Continued.

Recent history of the Committee on Revision of the Laws, section 29 of Rule XI. Volume **VII,** section **2014.**

The rule gives to the Committee on Revision of the Laws jurisdiction of subjects relating "to the revision and codification of the statutes of the United States." Volume **VI,** section **4293.**

Examples of jurisdiction of the Committee on Revision of the Laws over bills embodying codifications. Volume **IV,** section **4294.** Volume **VII,** section **2015.**

The jurisdiction of the Committee on Ways and Means over tariff matters being challenged on behalf of the Committee on Revision of the Laws, the House affirmed the claim of the former committee. Volume **IV,** section **4029.**

In exceptional cases the Committee on Revision of the Laws has exercised jurisdiction over bills embodying changes of law rather than revisions or codification. Volume **IV,** section **4295.**

The Committee on the Revision of the Laws has reported bills incidental to its jurisdiction over revision and codification of laws. Volume **VII,** section **2016.**

REWARD.

Provision for payment of reward for information as to violation of a statute was reported by the Committee on the Judiciary. Volume **VII,** section **1758.**

REYNOLDS.

The Pennsylvania election case of Reynolds v. Shonk in the Fifty-second Congress. Volume **I,** section **682.**

The Missouri election case of Reynolds v. Butler in the Fifty-eighth Congress. Volume **I,** section **685.**

The Senate election case of Reynolds v. Hamilton, of Texas, in the Forty-second Congress. Volume **I,** section **395.**

RHEA.

The Kentucky case of Hunter v. Rhea in the Fifty-fifth Congress. Volume **I,** section **746.**

The Virginia election case of Walker v. Rhea in the Fifty-sixth Congress. Volume **II,** section **1118.**

The Virginia election case of Walker v. Rhea in the Fifty-seventh Congress. Volume **I,** section **737.**

The Kentucky election case of Moss v. Rhea in the Fifty-seventh Congress. Volume **II,** sections **1120, 1121.**

RHODE ISLAND.

Objection was made to the manner of appointment of one of the electors of Rhode Island in 1877, but the two Houses decided to count the vote. Volume **III,** section **1978.**

House election case from: Forty-ninth Congress.—Page v. Pirce. Volume **II,** sections **1003, 1004.**

Senate election case from: Twenty-third Congress.—Asher Robbins. Volume **I,** section **627.**

RICE.

The Massachusetts election case of Sleeper v. Rice in the Thirty-eighth Congress. Volume **II,** section **849.**

The Kentucky election case of Zigler v. Rice in the Forty-first Congress. Volume **I,** section **460.**

The Senate election case of Jones and Garland v. McDonald and Rice, from Arkansas, in the Fortieth Congress. Volume **I,** section **389.**

RICHARD.

The Michigan election case of Biddle v. Richard in the Eighteenth Congress. Volume **I,** section **421.**

The election case of Biddle and Richard v. Wing, from Michigan Territory, in the Nineteenth Congress. Volume **I,** section **777.**

RICHARDS.

The Pennsylvania election case of Morris v. Richards in the Fourth Congress. Volume **I,** section **554.**

RICHARDSON.

The South Carolina election case of Richardson v. Rainey in the Forty-fifth Congress. Volume **II,** section **925.**

The South Carolina election case of Lee v. Richardson in the Forty-seventh Congress. Volume **II,** sections **982, 983.**

The prima facie case of Belknap v. Richardson, from Michigan, in the Fifty-third Congress. Volume **I,** section **56.**

The Michigan election case of Belknap v. Richardson in the Fifty-third Congress. Volume **II,** section **1042.**

The South Carolina election cases of Richardson v. Lever, Prioleau v. Legare, and Myers v. Patterson, in the Sixty-first Congress. Volume **VI,** section **128.**

RICHARDSON, JAMES D., of Tennessee, Speaker Pro Tempore and Chairman.

Decisions on questions of order relating to—

Amendments germane. Volume **V,** section **5846.**

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The investigation into the conduct of Augustus J. Ricks, United States judge for the northern district of Ohio. Volume **III,** section **2520.**

RIDER RULE. See also "Appropriations, Legislation on General Appropriation Bills."

A rule forbids in a general appropriation bill any appropriation not previously authorized by law, unless for continuation of works or objects in progress. Volume **IV,** section **3578.**

The old form of rule which admitted on appropriation bills legislation intended to retrench expenditures. Volume **IV,** section **3578.**

Instance of introduction of amendments carrying legislation under the old "rider" rule. Volume **IV,** section **3892.**

RIDING PAGE.

No page, except chief pages and riding pages, shall be under 12 or more than 18 years of age. Volume **V,** section **7233.**

RIGHT OF PETITION.

References to discussions of the right of petition. Volume **IV,** section **3343.**

Incidental discussion of the right of the House to decline to receive a petition. Volume **V,** section **4964.**

While slavery existed the House declared that slaves did not possess the right of petition. Volume **IV,** section **3342.**

The rule requiring petitions to be sent to the Clerk's desk is no invasion of the constitutional right of petition. Volume **IV,** section **3314.**

RINAKER.

The Illinois election case of Rinaker v. Downing in the Fifty-fourth Congress. Volume **II,** sections **1069, 1070.**

RIPLEY.

The Maine election case of Washburn v. Ripley in the Twenty-first Congress. Volume **I,** section **779.**

RIVER AND HARBOR BILL.

The river and harbor bill is not a general appropriation bill. Volume **IV,** section **4219.**

The river and harbor bill not being one of the general appropriation bills, the rule relating to legislation on such bills does not apply to it. Volume **IV,** sections **3897–3903.**

A subject of which the River and Harbor Committee has jurisdiction may be reported in the river and harbor bill. Volume **IV,** section **4119.**

A proposition to improve the harbor of a foreign country was held not to be germane to the river and harbor bill. Volume **IV,** section **4121.**

To a bill providing generally for the improvement of rivers and harbors an amendment providing for an additional harbor was held to be germane. Volume **IV,** section **4120.**

An amendment providing for a system of irrigating arid lands was held not to be germane to the river and harbor bill. Volume **IV,** section **4128.**

An amendment prohibiting the employment of nonresident foreigners on certain river and harbor works was held not to be germane to the river and harbor bill. Volume **IV,** section **4127.**

River and Harbor improvements not authorized or placed under contract may not be appropriated for in the sundry civil appropriation bill. Volume **IV,** sections **4122–4124.**

The Committee on Rivers and Harbors does not have jurisdiction of the subject of canals and may not include provisions therefor in the river and harbor appropriation bill. Volume **IV,** section **4219.**

Former method of securing precedence of revenue, general appropriation, and river and harbor bills in Committee on the Whole. Volume **IV,** section **4729.**

RIVERS.

Bills declaring as to whether or not streams are navigable and for preventing hindrances to navigation are reported by the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4101.**

The rule gives to the Committee on Rivers and Harbors the jurisdiction of subjects relating "to the improvement of rivers and harbors." Volume **IV,** section **4118.**

The preservation of public works for the benefit of navigation and the use of water power on improved streams have been within the jurisdiction of the Committee on Rivers and Harbors. Volume **IV,** section **4125.**

The Appropriations Committee may report appropriations in fulfillment of contracts authorized by law for the improvement of rivers and harbors. Volume **IV,** section **4036.**

A bill authorizing an appropriation for the straightening and broadening of a river for the purpose of relieving flood conditions was referred to the Committee on Flood Control. Volume **VII,** section **2073.**

Bills providing for preliminary surveys of rivers and harbors are classed as private bills. Volume **VII,** section **1027.**

RIVERS AND HARBORS.

Congress, by concurrent resolution, directs executive officers to make investigations in river and harbor matters. Volume **II,** section **1593.**

Revenue and general appropriation bills, river and harbor bills, certain bills relating to the public lands, for the admission of new States, and general pension bills may be reported at any time. Volume **VIII,** section **2251.**

Overruling the decision of the Chairman, the Committee of the Whole decided that the river and harbor bill should be read by sections. Volume **VIII,** section **2347.**

RIVERS AND HARBORS, COMMITTEE ON.

The creation and history of the Committee on Rivers and Harbors. Section 8 of Rule XI. Volume **IV,** section **4118.**

Recent history of the Committee on Rivers on Rivers and Harbors, section 8 of Rule XI. Volume **VII,** section **1832.**

The Committees on Rules, Elections, Ways and Means, Appropriations, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing, and Accounts may report at any time on certain matters. Volume **IV,** section **4621.** Volume **VIII,** section **2251.**

The right of the Committee on Rivers and Harbors to report at any time is confined to river and harbor bills, and matter not germane to such bills, although within the jurisdiction of the committee, is subject to a point of order. Volume **VIII,** section **2286.**

The privilege of the Committee on Rivers and Harbors to report at any time is confined to legislative propositions for the improvement of rivers and harbors and does not extend to provisions for the improvement of canals or artificial waterways. Volume **VIII,** section **2287.**

The rule gives to the Committee on Rivers and Harbors the jurisdiction of subjects relating "to the improvement of rivers and harbors." Volume **IV,** section **4118.**

The Committee on Interstate and Foreign Commerce considers bills relating to dams on navigable streams unless they are related to improvements under jurisdiction of the Committee on Rivers and Harbors. Volume **IV,** section **4100.**

A provision relating to a commission to investigate the conditions and uses of water adjacent to an international boundary line was ruled out of the river and harbor bill as not being within the jurisdiction of the Committee on Rivers and Harbors. Volume **IV,** section **4165.**

The Committee on Rivers and Harbors has reported on the subject of an international arrangement as to the use of water at the outlet of the Great Lakes. Volume **IV,** section **4126.**

The preservation of public works for the benefit of navigation and the use of water power on improved streams have been within the jurisdiction of the Committee on Rivers and Harbors. Volume **IV,** section **4125.**

The subject of canals is not within the jurisdiction of the Committee on Rivers and Harbors. Volume **IV,** section **4220.** Volume **VIII,** section **2287.**

The Committee on Rivers and Harbors does not have jurisdiction of the subject of canals and may not include provisions therefor in the river and harbor appropriation bill. Volume **IV,** section **4219.**

The investigation of watersheds of streams under improvement and the survey and investigation of dams on such streams are subjects within the jurisdiction of the Committee on Rivers and Harbors. Volume **VII,** section **1833.**

The construction of locks on navigable streams is a subject within the jurisdiction of the Committee on Rivers and Harbors rather than that of the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1834.**

The construction and maintenance, but not the rental, of equipment necessary for river improvement are subjects within the jurisdiction of the Committee on Rivers and Harbors. Volume **VII,** section **1835.**

RIVERS AND HARBORS, COMMITTEE ON—Continued.

The pollution of navigable waters is a subject within the jurisdiction of the Committee on Rivers and Harbors. Volume **VII,** section **1839.**

The preservation of Niagara Falls and the control and regulation of the Niagara River are subjects which have been reported by the Committee on Rivers and Harbors. Volume **VII,** section **1842.**

Navigation of International boundary streams and the construction of aids thereto have been considered by the Committee on Rivers and Harbors. Volume **VII,** section **1843.**

The subjects of construction, maintenance, and operation of locks and dry locks are subjects within the jurisdiction of the Committee on Rivers and Harbors. Volume **VIII,** section **2286.**

The Committee on Rivers and Harbors and not the Committee on Flood Control was deemed to have jurisdiction over proposed legislation relating to the erosion of banks along navigable streams. Volume **VII,** section **1838.**

Bills relating to intrastate inland waterways have been held to fall within the jurisdiction of the Committee on Rivers and Harbors rather than that of the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1840.**

The printing of reports by the Board of Engineers relating to rivers and harbors is a subject within the jurisdiction of the Joint Committee on Printing and not the Committee on Rivers and Harbors. Volume **VII,** section **2095.**

Plans for flood protection and the extent to which the United States should cooperate with the States therein are subjects within the jurisdiction of the Committee on Flood Control rather than of the Committee on Rivers and Harbors. Volume **VII,** section **2071.**

The Committee on Rivers and Harbors has exercised jurisdiction over proposed legislation pertaining to drainage districts and levees, but may not report a bill relating to control of clerks of the War Department in the administration of such legislation. Volume **VII,** section **1844.**

The building, maintenance, and operation of bridges across navigable waters or artificial waterways in process of construction is not within the jurisdiction of the Committee on Rivers and Harbors. Volume **VII,** section **1846.**

Authorization of interstate agreements relating to river improvements is a subject not within the jurisdiction of the committee on Rivers and Harbors. Volume **VII,** section **1845.**

Under the statute exempting appropriations for rivers and harbors from the operation of the law requiring unexpended balances to be covered into the Treasury, a provision that an appropriation for flood control should remain available until expended was held to be in order. Volume **VII,** section **1401.**

ROACH.

In the case of William N. Roach, charged with a crime alleged to have been committed before his election, the Senate discussed its power in such a case but took no action. Volume **II,** section **1289.**

ROADS, COMMITTEE ON.

The creation and history of the Committee on Roads, Section 38 of Rule XI. Volume **VII,** section **2065.**

The rule gives to the Committee on Roads jurisdiction of "Matters relating to the construction or maintenance of roads, other than appropriations therefor." Volume **VII,** section **2065.**

Legislation authorizing Federal aid to the States in the construction of rural post roads and Federal highways is within the jurisdiction of the Committee on Roads. Volume **VII,** section **2066.**

The construction and maintenance of post roads are subjects within the jurisdiction of the Committee on Roads and not the Committee on the Post Office and Post Roads. Volume **VII,** section **2067.**

ROADS, COMMITTEE ON—Continued.

A bill providing for the establishment of a Memorial National Highway and authorizing Federal aid therefor was held to belong to the Committee on Roads and not the Committee on Agriculture. Volume **VII,** section **2068.**

The rule provides that it shall not be in order for any bill providing general legislation in relation to roads to contain any provisions for any specific road, not for any bill in relation to a specific road to embrace a provision in relation to any other specific road. Volume **VII,** section **2065.**

The subject of a highway commission has been considered by the Committee on Agriculture. Volume **IV,** section **4153.**

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The Alabama election case of Aldrich v. Robbins in the Fifty-fourth Congress. Volume **II,** sections **1064, 1065.**

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The Rhode Island election case of Asher Robbins, in the Senate, in the Twenty-third Congress. Volume **I,** section **627.**

ROBERTS.

The case of Brigham H. Roberts in the Fifty-sixth Congress. Volume **I,** sections **474–480.**

ROBERTSON.

The Louisiana election case of Smith v. Robertson in the Forty-seventh Congress. Volume **I,** section **750.**

ROBINSON.

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ROBINSON, GEORGE D., of Massachusetts, Chairman.

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Decisions on questions of order relating to—

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ROCKWELL.

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Decisions on questions of order relating to—Appropriations. Volume **VII,** sections **1183, 1185, 1186, 1332, 1454.**

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The Speaker has the disposal of the unappropriated rooms in that part of the Capitol assigned to the use of the House. Volume **VI,** section **261.**
The control of the Speaker extends only to the "unappropriated rooms" of the House Wing, and the House itself controls the disposition of the other rooms. Volume **V,** sections **7273–7281.**
The Doorkeeper has the custody of all the furniture, books, and public property in the committee and other rooms under his charge. Volume **I,** section **261.**
A resolution assigning a room to a committee presents a question of privilege. Volume **V,** section **7273.**
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The assignment of committee and other rooms in the House Wing, custody of documents, etc., have been considered by the Committee on Accounts. Volume **IV,** section **4330.**
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ROSE, JOHN M., of Pennsylvania, Chairman.
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RULES.

(1) Power of the House to make.—Conferred by the Constitution.
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(1) Power of the House to Make.—Conferred by the Constitution.

The Constitution confers on the House the power to determine the rules of its proceedings. Volume **V,** section **6741.**

The constitutional right of the House to "determine the rules of its proceeding" may not be impaired or destroyed by the indefinite repetition of dilatory motions. Volume **V,** sections **5707, 5708.**

Discussion by the Supreme Court of the power of the House to make its own rules. Volume **V,** section **6755.**

In exercising its constitutional power to change its rules the House has confined itself within certain limitations. Volume **V,** section **6756.** Volume **VIII,** section **3376.**

A motion which in effect rescinded a rule of the House having been offered without objection and agreed to by the House was held to be in force as against the rule. Volume **V,** section **6764.**

A proposition which would in effect change a rule of the House was held to be a change of existing law and not in order on an appropriation bill. Volume **IV,** section **3819.**

A proposition to impose upon an officer of the House duties in addition to those prescribed by the rules is in effect an amendment of the rules, and should be acted on in the way prescribed for such amendment (Speaker overruled). Volume **V,** section **6769.**

(2) Power of the House to Make.—As Related to the Constitution and Laws.

Mr. Speaker Macon, following the example of Mr. Speaker Trumbull, exercised his constitutional right to vote, although the rule forbade. Volume **V,** sections **5966, 5967.**

Congress may not by law interfere with the constitutional right of a future House to make its own rules. Volume **I,** section **82.**

A law passed by a prior Congress may not authorize legislation—like the specifying of contracts—on a general appropriation bill as against a rule of the existing House forbidding such legislation. Volume **IV,** section **3579.**

The question as to whether or not the House, in its procedure, is bound by a law passed by a former Congress. Volume **IV,** section **3298.**

The validity of a law passed by a preceding Congress which proposes to govern the House as to its rules or its organization is doubtful. Volume **V,** sections **6765, 6766.**

The House has held, notwithstanding the law of 1789, that it may adopt rules before electing a Clerk. Volume **I,** section **245.**

A question has arisen as to whether or not the House, in the face of the provision of law, may proceed to business before the election of a Clerk. Volume **I,** section **243.**

It has been decided that notwithstanding the requirements of the act of 1789 the House may proceed to business before the election of a Clerk. Volume **I,** section **242.**

A law passed by the then existing Congress was recognized by the House as of binding force in matters of procedure. Volume **V,** sections **6767, 6768.**

The Speaker held it his duty to proceed in accordance with the mandatory provision of a law, in the enactment of which the then existing House had concurred. Volume **II,** section **1341.**

RULES—Continued.

(2) Power of the House to Make.—As Related to the Constitution and Laws—Continued.

A law providing that a committee of the House be "chosen" the Speaker never appointed without special sanction of the House. Volume **IV,** sections **4465, 4466.**

The Joint Committee on the Library is a creature of the laws rather than the rules, the statutes providing for it originally and conferring on it several duties. Volume **IV,** section **4337.**

It was held in order to refer a matter to a joint committee, although a law directed that such matters be referred to the House members of the said joint committee. Volume **IV,** section **4433.**

The two Houses, by concurrent resolution, have assumed to extend the powers of a joint committee beyond the adjournment of Congress, but later action seems to recognize a law as to the proper instrumentality for such purpose. Volume **IV,** sections **4437–4444.**

Under the present practice reports from the Court of Claims under the Bowman Act, which are also reported by a House committee and sent to the Private Calendar, do not remain on that calendar during a succeeding Congress. Volume **IV,** sections **3299, 3302.**

While the House gives priority to the consideration of business made privileged by constitutional mandate, it determines by its rules the procedure of such consideration. Volume **VI,** section **48.**

(3) Power of the House to Make.—Not Binding on a Succeeding House.

The rules of one House of Representatives are not binding on a succeeding House, directly or indirectly, unless adopted by the latter House. Volume **V,** section **6002.**

The rules and orders of a previous Congress are not in effect until adopted by the sitting House. Volume **VIII,** section **3383.**

The attempt to establish the theory that one House might prescribe rules for its successor and the end thereof. Volume **I,** section **187.**

For a time the rules provided for their own continuance in a new Congress, thus affording a rule for election of officers. Volume **V,** section **6743.**

The theory that a House might make its rules binding on the succeeding House was at one time much discussed and even followed. Volume **V,** sections **6744–6747.**

Discussion as to whether or not the rules of one House remain the rules of the next House until changed. Volume **I,** section **210.**

Although the House becomes functus officio at the end of its term, yet in practice certain rules and regulations have extended beyond that time. Volume **V,** sections **6748–6751.**

The House in a rule continuing the Clerk in the office until the election of his successor assumed to perpetuate its authority beyond its own existence. Volume **I,** section **235.**

The House has made rules which have been followed through other Congresses by the Executive Departments, although the authority for the rules has been considered doubtful. Volume **V,** sections **6752–6754.**

A rule, which, however, is not operative at the time the House is organized, provides that the Clerk shall call the new House to order and preside until the election of a Speaker. Volume **I,** section **64.**

A rule, which, however, is not in force at the time of organization, provides that all the elective officers except the Speaker shall be chosen by viva voice vote. Volume **I,** section **187.**

Instance wherein a joint rule provided a joint committee for the next Congress. Volume **IV,** section **4445.**

(4) Power of the House to Make.—Standing Orders.

The resolution of the House fixing the hour of daily meeting is a standing order rather than a rule. Volume **I,** sections **116, 117.**

At the beginning of each session the House fixes by resolution the daily hour of meeting. Volume **I,** sections **104–109.**

RULES—Continued.

(4) Power of the House to Make.—Standing Orders—Continued.

In the early practice a motion to change the hour of daily meeting was made at any time, but as the order of business grew more rigid the motion lost its privilege. Volume **I,** section **110–115**.

(5) Power of the House to Make.—Special Orders. See also "Special Orders of Business."

A special order suspends the regular order of business for the time being and a motion to proceed to the regular order is not in order. Volume **IV,** sections **3170–3172**.

Although a special order may set apart a day for a special purpose, yet the House may transact other business by unanimous consent. Volume **V,** section **7246.**

Special orders are made either by vote of the House on a report from the Committee on Rules, by suspension of the rules, or by unanimous consent. Volume **IV,** sections **3152, 3153.**

A special order being in effect a change of the rules establishing the regular order of business may be made only in the manner prescribed for making a change of the rules. Volume **IV,** sections **3161, 3162.**

Where a motion not in order under the rules is made without objection and agreed to by the House by majority vote, the action is binding on the House and the Speaker. Volume **IV,** section **3177.**

Special orders are sometimes made by unanimous consent without awaiting the process required for changing the rules. Volume **IV,** sections **3165, 3166.**

Although a rule may confine a certain session of the House to a specified course of business, yet if a quorum be present and no objection be made effective a special order may be made binding on the House at a future session. Volume **IV,** sections **3167, 3168.**

In the early practice a committee might not present a special order to be adopted by majority vote. Volume **IV,** section **3153.**

In the earlier years of the House special orders were made by a two-thirds vote on a motion to suspend the rules. Volume **IV,** sections **3161, 3162.**

Instance in 1875, wherein by suspension of the rules a rule was adopted that the Speaker should entertain no dilatory motions. Volume **V,** section **6775.**

A special order providing for the consideration of a particular bill is properly reported from the Committee on Rules. Volume **IV,** section **3160.**

In 1886 the former custom of permitting the various committees to propose special orders for the consideration of business reported by them began to cease, the function being absorbed by the Committee on Rules. Volume **V,** section **6774.**

A resolution from the Committee on Rules providing for the consideration of a bill relating to a certain subject may not be amended by a proposition providing for the consideration of another and not germane subject. Volume **V,** sections **5834–5836.**

A special order fixing a day for particular business has been held to be so far in the nature of a change of rules as to permit the Committee on Rules to report it under its leave to report it at any time. Volume **V,** section **6774.**

A special order reported by the Committee on Rules is agreed to by majority vote. Volume **IV,** section **3169.**

Construction of a special order limiting time for making motions to suspend the rules. Volume **IV,** section **3230.**

At an extraordinary session the House sometimes adopts a rule limiting the business to be considered. Volume **IV,** sections **3064–3068.**

The House may by majority vote on a resolution reported from the Committee on Rules revoke a unanimous-consent agreement. Volume **VIII,** section **3390.**

(6) Power of the House to Make.—As to Administration of Oaths.

The authority to administer oaths should be given by law rather than by rule of either House. Volume **III,** sections **1823, 1824.**

Abandonment by the Senate of the earlier theory that an officer might be empowered by rule to administer oaths. Volume **III,** sections **2079, 2303, 2479.**

RULES—Continued.

(7) The General System and the "Reed Rules."

Each House has usually adopted the rules of its predecessor, sometimes with additions or changes, thus building up what has become in fact a permanent system. Volume **V,** section **6742.**

The "Reed rules" as related to the general system of rules of the House (footnote). Volume **V,** section **6742.**

The House is governed by the rules of Jefferson's Manual in all cases in which they are applicable and in which they are not inconsistent with the standing rules and orders of the House. Volume **V,** section **6757.**

Reference to an early criticism of the rules as too strict in relation to freedom of debate (footnote). Volume **V,** section **5043.**

References to discussion and criticism of defects in the rules in former days (footnote). Volume **V,** section **6742.**

Instance of a practice which survived after the rule creating it had been inadvertently dropped. Volume **V,** section **6727.**

A proposition to ensure a Member for violating the rules of the House involves a question of privilege. Volume **III,** section **2651.**

(8) As Related to Jefferson's Manual.

Discussion of the importance of Jefferson's Manual as an authority in congressional procedure. Volume **VIII,** section **2518.**

Discussion of the authority and importance of Jefferson's Manual in the law of the House. Volume **VII,** section **1049.**

The rules of parliamentary practice in Jefferson's Manual govern the House in all cases to which they are applicable and in which they are not inconsistent with standing rules and orders. Volume **VII,** section **1029.**

The House is governed by the rules of Jefferson's Manual in all cases where they are applicable and in which they are hot inconsistent with the standing rules and orders of the House. Volume **VIII,** section **3330.**

Jefferson's Manual is recognized, in as far as applicable, as a part of the rules of the Senate. Volume **VIII,** section **2501.**

Although not formally adopted as a part of the rules of the Senate, Jefferson's Manual has been cited as authoritative in Senate decisions on parliamentary procedure. Volume **VIII,** section **2517.**

(9) Joint.

In 1876 the joint rules were abrogated, the action being accompanied by discussion in both Houses, and subsequent efforts to restore them have failed. Volume **V,** sections **6782–6787.**

History of certain of the joint rules and their abrogation in 1876. Volume **IV,** section **3430.**

When enrolled bills are printed on parchment in accordance with the provisions of joint rules confirmed by statute. Volume **IV,** sections **3433–3437.**

The printing, enrolling, signing, and certification of bills on their passage between the two Houses are governed by usages founded on former joint rules. Volume **IV,** section **3430.**

A joint rule formerly prescribed the method of presenting a joint address of the Houses to the President. Volume **V,** section **6630.**

The manner of delivering and receiving messages between the two Houses was early arranged by a joint rule. Volume **V,** section **6595.**

Practice as to the reception in the House of messages from the Senate as founded on former joint rules. Volume **V,** section **6592.**

In the days of reconstruction the two Houses by joint rule excluded Members-elect with credentials in due form, some entirely, others until the States were declared by law entitled to representation. Volume **I,** section **361.**

RULES—Continued.

(9) Joint—Continued.

A concurrent resolution suspending a joint rule is agreed to by majority vote. Volume **V,** sections **6788, 6789.**

All proposed action touching joint rules is referred to the Committee on Rules. Volume **V,** section **6770.**

(10) In Committee of the Whole.

The rules of proceeding in the House shall be observed in Committee of the Whole so far as they may be applicable. Volume **IV,** section **4737.** Volume **VIII,** section **2605.**

(11) Committee on.—Origin of Its Functions.

The creation and history of the Committee on Rules. Section 53 of Rule XI. Volume **IV,** section **4321.** Volume **VII,** section **2047.**

A discussion of the jurisdiction and functions of the Committee on Rules. Volume **VIII,** section **3396.**

Origin of the practice whereby the Speaker has become a member of the Committee on Rules. Volume **IV,** section **4321.**

The first step by which the Committee on Rules became an instrumentality through which the House may exercise special power for a particular piece of legislation. Volume **V,** section **6780.**

The use of the motion to suspend the rules has gradually been restricted, while the functions of the Committee on Rules have been enlarged. Volume **V,** section **6790.**

The gradual abolition of the motion with one day's notice as a means of changing the rules. Volume **V,** section **6790.**

It was established in practice, even when a rule suggested otherwise, that a proposition to change the rules in order to be agreed to by majority vote should be referred to and reported by the Committee on Rules. Volume **V,** sections **6772, 6773.**

In 1875 the function of the Committee on Rules in reporting rules for special purposes was so little used that there was doubt as to its validity without a two-thirds vote. Volume **V,** section **6775.**

An illustration of the functions of the Committee on Rules in affording the House a method of suspending the rules by majority vote. Volume **V,** section **6777.**

The Committee on Rules may report a resolution for the consideration of a bill, even though the effect be to discharge a committee and bring before the House a bill not yet reported. Volume **V,** section **6771.**

The House sometimes, by agreeing to a resolution reported by the Committee on Rules, authorizes on a general appropriation bill legislative provisions. Volume **IV,** sections **3839–3843.**

Pending the engrossment of a general appropriation bill an amendment proposing legislation may be authorized by the adoption of a report from the Committee on Rules. Volume **IV,** section **3844.**

A resolution changing or construing a standing rule or order is in order only when presented in the manner prescribed for changing the rules. Volume **V,** sections **6777, 6779.**

(12) Committee on.—Sits During Sessions of the House.

No committee, except the Committee on Rules, may without leave sit during the sitting of the House. Volume **IV,** section **4546.**

(13) Committee on.—Privilege of Reports From.

The Committee on Rules, Elections, Ways and Means, Appropriations, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing, and Accounts may report at any time on certain matters. Volume **IV,** section **4621.** Volume **VIII,** section **2251.**

A report by the Committee on Rules on matters within its jurisdiction is in order at any time. Volume **VIII,** section **2253.**

RULES—Continued.

(13) Committee on.—Privilege of Reports From—Continued.

The right of the Committee on Rules to report at any time is confined strictly to reports pertaining to the rules, joint rules, and order of business. Volume **VIII,** section **2254.**

The privilege of the Committee on Rules to report at any time is restricted to specified subjects, and reports on subjects other than the rules, joint rules, and order of business do not come within the privilege. Volume **VIII,** section **2255.**

Reports from the Committee on Rules are privileged only when on matters touching the rules, joint rules, and order of business. Volume **VIII,** section **2256.**

A resolution which does not relate to rules, join rules, or order of business is not privileged when reported by the Committee on Rules. Volume **VII,** section **1044.**

The right of the Committee on Rules to report at any time is limited to reports on subjects within its jurisdiction and the incorporation of extraneous matter destroys the privilege. Volume **VIII,** section **2257.**

A report from the Committee on Rules has a special and high privilege, and one motion to adjourn but no other dilatory motion may be entertained during its consideration. Volume **IV,** section **4621.**

In the early practice the privilege of the Committee on Rules was specially given for each Congress. Volume **IV,** section **4650.**

In 1841 it was held that as the House had given the Committee on Rules leave to report at all times it might report in part at different times. Volume **V,** section **6780.**

A special order fixing a day for particular business has been held to be so far in the nature of a change of rules as to permit the Committee on Rules to report it under its leave to report it at any time. Volume **V,** section **6774.**

A report from the Committee on Rules, though highly privileged, is not in order after the House has voted to go into Committee of the Whole. Volume **V,** section **6781.**

A conference report has precedence of a report from the Committee on Rules on which the yeas and nays and the previous question have been ordered. Volume **V,** section **6449.**

A rule requires the presentation of privileged reports from the Committee on Rules within three legislative days from the time ordered to be reported by the committee. Volume **VIII,** section **2269.**

A question of privilege takes precedence of a report from the Committee on Rules. Volume **VIII,** section **3491.**

(14) Committee on.—Consideration of Reports From.

Reports from the Committee on Rules shall be presented within three legislative days and if not immediately considered shall be referred to the calendar and if not called up by the Member reporting them within seven legislative days may be called up by any member of the committee. Volume **VIII,** section **2268.**

Unless agreed to by a two-thirds vote, a report from the Committee on Rules shall not be called up on the same day on which presented except on the last three days of the session. Volume **VIII,** section **2260.**

Consideration of a report from the Committee on Rules on the day on which report is not in order until the House has by a two-thirds vote authorized consideration. Volume **VIII,** section **2261.**

Special orders reported by the Committee on Rules are not divisible. Volume **VIII,** section **3164.**

A division of the question may be demanded on a privileged report from the Committee on Rules containing more than one substantive proposition. Volume **VIII,** section **2271.**

A division of the question was denied on a privileged resolution reported by the Committee on Rules wherein the structural relation of the clauses containing several propositions was such as to render them interdependent and indivisible. Volume **VIII,** section **2275.**

The motion to recommit is not admitted after the previous question has been ordered on a report from the Committee on Rules. Volume **VIII,** section **2270, 2750.**

RULES—Continued.

(15) Committee on.—No Dilatory Motions Pending Report From.

Pending consideration of a report from the Committee on Rules the Speaker is forbidden to entertain dilatory motions. Volume **V,** section **5738.**

Construction of the rule permitting one motion to adjourn and thereafter on other dilatory motion pending consideration of a report from the Committee on Rules. Volume **V,** sections **5740–5742.**

Although the decisions conflict, those last made do not admit the motion to commit after the previous question has been ordered on a report from the Committee on Rules. Volume **V,** sections **5593–5601.**

Pending consideration of a report from the Committee on Rules appeals and the motion to reconsider have been ruled out as dilatory within the meaning of the rule. Volume **V,** section **5739.**

A report from the Committee on Rules has a special and high privilege, and one motion to adjourn, but no other dilatory motion may be entertained during its consideration. Volume **VIII,** section **2260.**

(16) Committee on.—Question and Consideration Not To Be Raised Against Report of.

In the later but not in the earlier practice it has been held that the question of consideration may not be raised against a report from the Committee on Rules relating to the order for considering individual bills. Volume **V,** sections **4961–4963.**

The question of consideration may not be raised against a report from the Committee on Rules relating to the order of considering individual bills. Volume **VIII,** section **2440.**

(17) Committee on.—Jurisdiction of.—In General.

The rule gives to the Committee on Rules jurisdiction of "all proposed action touching the rules, joint rules, and order of business." Volume **IV,** section **4321.**

Subjects relating to the rules are referred to the Committee on Rules, which has high privilege for its reports. Volume **V,** section **6770.**

It was held as early as 1876 that a proposition to change the rules might be referred only to the Committee on Rules. Volume **V,** section **6776.**

It was established in practice, even when a rule suggested otherwise, that a proposition to change the rules, in order to be agreed to by a majority vote, should be referred to and reported by the Committee on Rules. Volume **V,** sections **6772, 6773.**

Orders or resolutions directing committees of the House to make investigations are considered by the Committee on Rules. Volume **IV,** section **4322.** Volume **VII,** section **2048.**

Resolutions or orders for the creation of select committees to make investigations are within the jurisdiction of the Committee on Rules. Volume **IV,** section **4322.** Volume **VII,** section **2048.**

A direction to a committee to make an investigation, being an addition to its duties and therefore a change of the rules, should be referred to the Committee on Rules. Volume **IV,** sections **4323, 4324.**

Resolutions providing appointment of special committees fall within the jurisdiction of the Committee on Rules. Volume **VII,** section **2049.**

Jurisdiction over proposals for the creation of joint committees and commissions has been held, but not invariably, to rest with the Committee on Rules. Volume **VII,** section **2050.**

Propositions relating to the hour of daily meeting and the days on which the House shall sit are considered by the Committee on Rules. Volume **IV,** section **4325.**

Orders relating to the use of the galleries of the House during the electoral count are within the jurisdiction of the Committee on Rules. Volume **IV,** section **4327.**

The House library is under the control and direction of the Librarian of Congress, and the House librarian and his assistants are removable only for cause and with the approval of the Committee on Rules. Volume **V,** section **7269.**

Rules of the House may be suspended by resolutions reported from the Committee on Rules. Volume **VII,** section **775.**

RULES—Continued.

(17) Committee on.—Jurisdiction of.—In General—Continued.

An instance of the exercise of the function of the Committee on Rules in affording the House a method of suspending the rules by majority vote. Volume **VIII,** section **3393.**

Resolutions providing for investigations in the departments of the Government come within the jurisdiction of the several expenditures committees and not the Committee on Rules. Volume **VI,** section **2045.**

A resolution providing for investigation with a view to impeachment was transferred from the Committee on Rules to the Committee on the Judiciary. Volume **VII,** section **1787.**

(18) Committee on.—Jurisdiction of.—As to Special Orders.

History of the evolution of the special order as made on a report from the Committee on Rules. Volume **IV,** section **3152.**

In 1883 the House first began the practice of making a special order by majority vote on a report from the Committee on Rules. Volume **IV,** section **3160.**

In 1886 the former custom of permitting the various committees to propose special orders for the consideration of business reported by them began to cease, the function being absorbed by the Committee on Rules. Volume **V,** section **6774.**

Special orders providing for the consideration of individual bills or classes of bills are reported by the Committee on Rules. Volume **IV,** section **4326.**

The Committee on Rules may report a resolution for the consideration of a bill, even though the effect be to discharge a committee and bring before the House a bill not yet reported. Volume **V,** section **6771.**

The Committee on Rules may report orders of procedure subject to two limitations only: it may not provide for abrogation of the Calendar Wednesday rule except by two-thirds vote or for denial of the motion to recommit while the previous question is pending on final passage. Volume **VIII,** section **2262.**

No resolution shall be reported by the Committee on Rules to set aside Calendar Wednesday by a vote of less than two-thirds of the Members voting. Volume **VIII,** section **2260.**

While the Committee on Rules is forbidden to report special orders abrogating the Calendar Wednesday rule or excluding the motion to recommit after ordering of the previous question, a resolution making possible that ultimate result was on one occasion held in order. Volume **VIII,** section **2267.**

The Committee on Rules shall report no provision excluding the motion to recommit after the previous question has been ordered on the passage of a bill or joint resolution. Volume **VIII,** sections **2260, 2263.**

A resolution reported by the Committee on Rules authorizing the Speaker to appoint conferees "without intervening motion" was held to be in conflict with the limitation placed upon the Committee on Rules in section 56 of Rule XI. Volume **VIII,** section **2264.**

A resolution reported by the Committee on Rules providing that a House bill with Senate amendments be taken from the Speaker's table, Senate amendments disagreed to, conference agreed to, and that Speaker "without intervening motion" appoint conferees, was held not to be in violation of the second paragraph of section 56 of Rule XI, since opportunity would be afforded to offer the motion to recommit on the conference report. Volume **VIII,** section **2266.**

The limitation on the Committee on Rules in reporting orders of business operating to prevent the motion to recommit while the previous question is pending, applies to resolutions for the consideration of bills only and not to a resolution designating a day to be devoted to motions to suspend the rules. Volume **VIII,** section **2265.**

The Committee on Rules may not report any order of business under which it shall not be in order to offer the motion to recommit after the previous question is ordered on the passage of the bill. Volume **VIII,** section **2264.**

The Committee on Rules may report a resolution rescinding or modifying a special order of business. Volume **VIII,** section **3390.**

RULES—Continued.

(18) Committee on.—Jurisdiction of.—As to Special Orders—Continued.

The Committee on Rules may originate a resolution for the consideration of a bill regardless of whether the subject matter has been referred to it by the House. Volume **VIII,** section **3389.**

The Committee on Rules may report a resolution authorizing consideration of a bill on which suspension of the rules has been denied by the House. Volume **VIII,** section **3392.**

The Committee on Rules may report a resolution providing for the consideration of a bill which has not yet been introduced. Volume **VIII,** section **3388.**

(19) Adoption and Amendment of.

In 1839 the House declined to adopt rules until the Members had been sworn in according to the Constitution and law of 1789. Volume **I,** section **140.**

Before the election of a Speaker the House has adopted a rule regulating debate. Volume **I,** sections **94, 95.**

Instance wherein the rules were adopted immediately after the election of the Speaker. Volume **I,** section **93.**

It was held in 1881 that the administration of the oath to Delegates was of higher privilege than the adoption of rules. Volume **I,** section **180.**

On a resolution for the adoption of a series of rules which were not presented as a part of the resolution, it was held not in order to demand a separate vote on each rule. Volume **V,** section **6159.**

The previous question having been demanded on a resolution adopting rules for the House, a demand for the reading of the rules, which were not a part of the resolution, was overruled. Volume **V,** section **5297.**

Memorandum of a program to be followed in the adoption of rules, agreed upon preliminary to the organization of the House. Volume **VI,** section **24.**

A proposition to amend the rules is not privileged for consideration as against a demand that business proceed in the regular order. Volume **VIII,** section **3376.**

A proposition to amend the rules is not privileged for immediate consideration. Volume **VIII,** section **3378.**

(20) Forms and History of, Severally.

(Due to the addition of new rules and sections the numbers of many of the rules and sections have been changed since Hinds' Precedents was issued. In order to provide a cross-index between the present rules and the rules as numbered at the time Hinds' Precedents was published, the following table lists, in the first column, the rule and section numbers as of the date of publication of Cannon's Precedents (Seventy-fourth Congress); in the second column the rule and section numbers as of the date of publication of Hinds' Precedents (Sixtieth Congress); in the third column the citation to Hinds' Precedents; and in the fourth column the citation to Cannon's Precedents.)

Rule and section No. according to Manual of Seventy-fourth Congress		Rule and section No. according to Manual of Sixtieth Congress		Volume and section No. Hinds' Precedents		Volume and section No. Cannon's Precedents	
Rule	Section	Rule	Section	Volume	Section	Volume	Section
I	1	I	1	II	1310	.....	.....
I	2	I	2	II	1343	.....	.....
I	3	I	3	II	1354	.....	.....
I	4	I	4	II	1313	.....	.....
I	5	I	5	II	1311	.....	.....
I	6	I	6	V	5964	.....	.....

RULES—Continued.

(20) Forms and History of, Severally—Continued.

Rule and section No. according to Manual of Seventy-fourth Congress		Rule and section No. according to Manual of Sixtieth Congress		Volume and section No. Hinds' Precedents		Volume and section No. Cannon's Precedents	
Rule	Section	Rule	Section	Volume	Section	Volume	Section
I	7	I	7	II	1377	VI	263
II	.....	II	.....	I	187	.....	.....
III	1	III	1	I	64	.....	.....
III	2	III	2	I	252	.....	.....
III	3	III	3	I	251	VI	27
III	4	.....	.....	.....	.....	VI	25
IV	1	IV	1	I	257	.....	.....
IV	2	IV	2	II	1346	.....	.....
V	1	V	1	I	260	.....	.....
V	2	V	2	I	261	.....	.....
V	3	V	3	V	7295	.....	.....
VI	.....	VI	.....	I	270	.....	.....
VII	.....	VII	.....	I	272	.....	.....
VIII	1	VIII	1	V	5941	.....	.....
VIII	2	VIII	2	V	5981	.....	.....
IX	.....	IX	.....	III	2521	.....	.....
X	1	X	1	IV	4448	VIII	2171
X	2	X	2	IV	4470	VIII	2192
X	3	X	3	IV	4470	VIII	2201
X	4	.....	.....	.....	.....	VIII	2178
X	5	X	4	IV	4533	VIII	2206
XI	1	XI	1	IV	4019	VII	1721
XI	2	XI	2	IV	4020	VII	1723
XI	3	XI	3	IV	4032	VII	1741
XI	4	XI	4	IV	4054	VII	1746
XI	5	XI	5	IV	4082	VII	1789
XI	6	XI	6	IV	4090	VII	1797
XI	7	XI	7	IV	4096	VII	1803
XI	8	XI	8	IV	4118	VII	1832
XI	9	XI	9	IV	4129	VII	1847
XI	10	XI	10	IV	4149	VII	1860
XI	11	XI	11	IV	4162	VII	1878
XI	12	XI	12	IV	4179	VII	1890
XI	13	XI	13	IV	4189	VII	1906
XI	14	XI	14	IV	4190	VII	1914
XI	15	XI	15	IV	4194	VII	1923
XI	16	XI	16	IV	4204	VII	1933
XI	17	XI	17	IV	4208	VII	1941
XI	18	XI	18	IV	4213	VII	1946
	.....	XI	19	IV	4217	VII	1952
	.....	XI	20	IV	4221	.....	.....
XI	19	XI	21	IV	4223	VII	1954
XI	20	XI	22	IV	4231	VII	1962
	.....	XI	23	IV	4239	.....	.....
	.....	XI	24	IV	4239	.....	.....

RULES—Continued.

(20) Forms and History of, Severally—Continued.

Rule and section No. according to Manual of Seventy-fourth Congress		Rule and section No. according to Manual of Sixtieth Congress		Volume and section No. Hinds' Precedents		Volume and section No. Cannon's Precedents	
Rule	Section	Rule	Section	Volume	Section	Volume	Section
XI	21	XI	25	IV	4242	VII	1973
XI	22	XI	26	IV	4244	VII	1977
	.....	XI	27	IV	4252	.....	.....
XI	23	XI	28	IV	4254	VII	1983
XI	24	XI	29	IV	4258	VII	1987
XI	25	XI	30	IV	4260	VII	1989
XI	26	XI	31	IV	4262	VII	1991
XI	27	XI	32	IV	4269	VII	2002
	.....	XI	33	IV	4273	.....	.....
XI	28	XI	34	IV	4276	VII	2004
XI	29	XI	35	IV	4293	VII	2014
XI	30	XI	36	IV	4296	VII	2017
XI	31	XI	37	IV	4299	VII	2023
	.....	XI	38	IV	4305	VII	2029
XI	32	XI	39	IV	4307	VII	2031
XI	33	XI	40	IV	4309	VII	2036
	.....	XI	41	IV	4313	.....	.....
XI	34	XI	42–52	IV	4315	VII	2041
XI	35	XI	53	IV	4321	VII	2047
XI	36	XI	54	IV	4328	VII	2051
	.....	XI	55	IV	4336	.....	.....
XI	37	.....	.....	.....	.....	VII	2060
XI	38	.....	.....	.....	.....	VII	2065
XI	39	.....	.....	.....	.....	VII	2069
XI	40	.....	.....	.....	.....	VII	2077
XI	40a	.....	.....	.....	.....	VII	2080
XI	41	XI	56	IV	4337, 4338	VII	2081
XI	42	XI	57	IV	4347	VII	2092
XI	43	XI	58	IV	4350	VII	2099
	.....	XI	59	IV	4351	.....	.....
	.....	XI	60	IV	4353	.....	.....
XI	44	.....	.....	.....	.....	VII	2100
XI	45	XI	61	IV	4621	VIII	2251, 2260
	.....	.....	.....	.....	.....	.....	2268
XI	46	XI	62	IV	4546	.....	.....
XI	47	.....	.....	.....	.....	VIII	2277
XI	48	.....	.....	.....	.....	VIII	2208
XI	49	.....	.....	.....	.....	VIII	2251
XI	1	XII	1	II	1297	.....	.....
XII	2	XII	2	II	1306	.....	.....
XIII	1	XIII	1	IV	3115	VI	742
XIII	2	XIII	2	IV	3116	.....	.....
XIII	2a	.....	.....	.....	.....	VIII	2234
XIII	3	.....	.....	.....	.....	VII	972
XIII	4	.....	.....	.....	.....	.....	.....

RULES—Continued.

(20) Forms and History of, Severally—Continued.

Rule and section No. according to Manual of Seventy-fourth Congress		Rule and section No. according to Manual of Sixtieth Congress		Volume and section No. Hinds' Precedents		Volume and section No. Cannon's Precedents	
Rule	Section	Rule	Section	Volume	Section	Volume	Section
XIII	5	.....	.....	.....	.....	VI	743
XIV	1	XIV	1	V	4979	.....	.....
XIV	2	XIV	2	V	4978	.....	.....
XIV	3	XIV	3	V	4996	.....	.....
XIV	4	XIV	4	V	5175	.....	.....
XIV	5	XIV	5	V	5177	.....	.....
XIV	6	XIV	6	V	4991	.....	.....
XIV	7	XIV	7	II	1136	.....	.....
XIV	8	.....	.....	.....	.....	.....	.....
XV	1	XV	1	V	6046	.....	.....
XV	2	XV	2	IV	2982	.....	.....
XV	3	XV	3	IV	2905	.....	.....
XV	4	XV	4	IV	3041	VI	690
XVI	1	XVI	1	V	5300	.....	.....
XVI	2	XVI	2	V	5304	.....	.....
XVI	3	XVI	3	V	4936	.....	.....
XVI	4	XVI	4	V	5301	VIII	2757
XVI	5	XVI	5	V	6740	.....	.....
XVI	6	XVI	6	V	6107	VIII	2175, 3164
XVI	7	XVI	7	V	5767	.....	.....
XVI	8	XVI	8	V	5743	VIII	2823
XVI	9	XVI	9	IV	3072	.....	.....
XVI	10	XVI	10	V	5706	.....	.....
XVII	1	XVII	1	V	5443–5446	.....	.....
XVII	2	XVII	2	V	5447	.....	.....
XVII	3	XVII	3	V	5448	.....	.....
XVIII	1	XVIII	1	V	5605	.....	.....
XVIII	2	XVIII	2	V	5647	.....	.....
XIX	.....	XIX	.....	V	5753	.....	.....
XX	1	XX	1	IV	4796	.....	.....
XX	2	.....	.....	.....	.....	VII	1571
XXI	1	XXI	1	IV	3391	.....	.....
XXI	2	XXI	2	IV	3578	VII	1125
XXI	3	XXI	3	IV	4380	VII	2129
XXI	4	.....	.....	.....	.....	.....	.....
XXII	1, 2, 3	XXII	1, 2, 3	IV	3312, 3364, 3365	.....	.....
XXII	4	XXII	4	IV	3366	.....	.....
XXII	5	XXII	5	III	1856	.....	.....
XXIII	1	XXIII	1	IV	4704	.....	.....
XXIII	2	XXIII	2	IV	2966	.....	.....
XXIII	3	XXIII	3	IV	4792	.....	.....
XXIII	4	XXIII	4	IV	4729	.....	.....
XXIII	5	XXIII	5	V	5221	.....	.....

RULES—Continued.

(20) Forms and History of, Severally—Continued.

Rule and section No. according to Manual of Seventy-fourth Congress		Rule and section No. according to Manual of Sixtieth Congress		Volume and section No. Hinds' Precedents		Volume and section No. Cannon's Precedents	
Rule	Section	Rule	Section	Volume	Section	Volume	Section
XXIII	6	XXIII	6	V	5224	.....	.....
XXIII	7	XXIII	7	V	5326	.....	.....
XXIII	8	XXIII	8	IV	4737	.....	.....
XXIV	1	XXIV	1	IV	3056	.....	.....
XXIV	2	XXIV	2	IV	3089	.....	.....
XXIV	3	XXIV	3	IV	3112	.....	.....
XXIV	4	XXIV	4	IV	3118	.....	.....
XXIV	5	XXIV	5	IV	3134	.....	.....
XXIV	6	XXIV	6	IV	3267	VII	846
XXIV	7	.....	.....	.....	.....	VII	881
XXIV	8	.....	.....	.....	.....	VII	872
XXV	.....	XXV	.....	IV	3061	.....	.....
	.....	XXVI	1	IV	3266	.....	.....
	.....	XXVI	2	IV	3281	.....	.....
	.....	XXVI	3	IV	3304	.....	.....
XXVI	.....	XXVII	.....	V	6727	.....	.....
XXVII	1	XTVIII	1	V	6790	.....	.....
XXVII	2	XXVIII	2	V	6797	.....	.....
XXVII	3	XXVIII	3	V	6821	.....	.....
XXVII	4	.....	.....	.....	.....	VII	1007
XXVIII	1a	XXIX	1	V	6443	.....	.....
XXVIII	1½a	.....	.....	.....	.....	.....	.....
XXVIII	1b	XXIX	1	V	6443	.....	.....
XXVIII	2	XXIX	2	V	6516	.....	.....
XXIX	.....	XXX	.....	V	7247	.....	.....
XXX	.....	XXXI	.....	V	5257	.....	.....
[1] XXXI	1, 2	XXXII	.....	I	119	.....	.....
XXXII	.....	XXXIII	.....	V	7270	.....	.....
XXXIII	1	XXXIV	1	V	7283	VIII	3634
XXXIII	2	XXXIV	2	V	7346	VIII	3634
XXXIV	.....	XXXV	.....	V	7302	.....	.....
XXXV	1	XXXVI	1	V	6958	.....	.....
XXXV	2	XXXVI	2	V	7304	.....	.....
XXXVI	.....	XXXVII	.....	III	1825	.....	.....
XXXVII	.....	XXXVIII	.....	V	7260	.....	.....
XXXVIII	.....	XXXIX	.....	V	7256	.....	.....
XXXIX	.....	XL	.....	V	6003	VIII	3106
XL	.....	XLI	.....	V	6593	.....	.....
XLI	.....	XLII	.....	IV	3573	.....	.....
XLII	.....	XLIII	.....	V	7227	.....	.....
XLIII	.....	XLIV	.....	V	6757	.....	.....
	.....	XLV	.....	V	7315	.....	.....

[1] This rule,"Drawing of Seats," was omitted in adoption of rules in the Sixty-Third Congress but is still carried in the Manual and assigned a number.

RULES—Continued.

(21) Procedure Before the Adoption of.—In General.

Before the adoption of rules the House proceeds under general parliamentary law. Volume **VIII** section **3383.**

Before the completion of the organization of the House in 1923 the Clerk decided questions of order and enforced, in as far as applicable, the rules of the preceding Congress. Volume **VI,** section **623.**

Before rules are adopted the House is governed by general parliamentary law, but the Speakers have been inclined to give weight to the precedents of the House in modifying the usual constructions of that law. Volume **V,** sections **6758–6760.**

While the House is governed by general parliamentary usage prior to the adoption of rules, the Speakers have been inclined to give weight to the precedents of the House in the interpretation of that usage. Volume **VIII,** section **3384.**

Before the adoption of rules the House proceeds under general parliamentary law, founded on Jefferson's Manual and modified by the practice of American legislative assemblies, especially of the House of Representatives. Volume **V,** sections **6761–6763.**

Before the adoption of rules, while the House is proceeding under general parliamentary law, the provisions of the House's accustomed rules are not necessarily followed. Volume **V,** section **5509.**

Reference to the rules and practices of the House as persuasive authority on general parliamentary law. Volume **V,** section **5604.**

Prior to the adoption of rules by the House, those rules which embody practices of long established custom will be enforced as if already in effect. Volume **VI,** section **191.**

Prior to the adoption of rules the House proceeds under general parliamentary law, but the Speaker has followed as closely as practicable the customs and practices of the House under former rules. Volume **VIII,** section **3386.**

During the interim preceding the election of Speaker and adoption of rules the Journal of the proceedings is read and approved daily. Volume **VI,** section **623.**

(22) Procedure Before the Adoption of.—Call of the House, Preservation of Order, etc.

A call of the House is in order both under the general parliamentary law and the Constitution. Volume **IV,** section **2981.**

Before the election of officers or the adoption of rules the House has made a rule for enforcing order in the galleries. Volume **I,** section **102.**

Before the adoption of rules the House sometimes authorizes the Speaker to appoint certain necessary committees. Volume **IV,** sections **4455, 4456.**

(23) Procedure Before the Adoption of.—As to Certain Motions.

The motion to lay on the table is admitted under general parliamentary law. Volume **V,** section **5390.**

The motion to lay on the table an appeal from a decision of the Chair may be made under general parliamentary law before the adoption of rules. Volume **V,** section **5440.**

Before the adoption of rules the motion to commit has been admitted after the ordering of the previous question. Volume **V,** section **6758.**

Before the adoption of rules, while the House was acting under general parliamentary law, it was held that the motion to commit was in order pending the motion for the previous question or after it had been ordered on a resolution. Volume **V,** section **5604.**

Before the adoption of rules, while the House was acting under general parliamentary law, it was held that the motion to recommit was in order pending the motion for the previous question or after it had been ordered on a resolution. Volume **VIII,** section **2755.**

Before the adoption of rules, while the House proceeds under general parliamentary law, the motion for the previous question is admissible. Volume **V,** section **5450.**

Before the adoption of rules the previous question has been admitted, although in the earlier practice it was conceived to differ somewhat from the previous question of the rules. Volume **V,** sections **5451–5455.**

RULES—Continued.

(23) Procedure Before the Adoption of.—As to Certain Motions—Continued.

Prior to adoption of rules, the motion for the previous question is admissible under general parliamentary law, but if ordered without prior debate the 40 minutes' debate prescribed by the rules of the previous Congress is not in order. Volume **VIII,** section **3386.**

Before the adoption of rules the previous question of general parliamentary law does not permit forty minutes of debate on questions on which there has been no debate. Volume **V,** section **5509.**

As to the repetition of the motion to rescind under general parliamentary law. Volume **V,** section **5325.**

Under general parliamentary law, before the adoption of rules, the motion to rescind is used. Volume **V,** section **5324.**

Before the adoption of rules, and consequently before there is a rule prescribing an order of business, a Member may offer for immediate consideration a special order. Volume **V,** section **5450.**

Before the adoption of rules and the consequent establishment of an order of business it was held in order, without unanimous consent, to offer on the floor, and consider at once a proposition relative to the transaction of business. Volume **IV,** section **3060.**

While the House was acting under the general parliamentary law, before rules had been adopted, a Member offered from the floor a special order for the consideration of a bill. Volume **V,** section **4971.**

(24) Procedure Before the Adoption of.—Debate, Voting, etc.

Before the adoption of rules, while the House was proceeding under general parliamentary law, it was held that a Member having the floor in debate might not yield the floor to another without losing the right to resume. Volume **V,** sections **5038–5040.**

Before the adoption of rules, while the House was proceeding under the general parliamentary law, the Speaker held that a Member in debate on an election case might not have read, as a matter of right, the record of testimony. Volume **V,** section **5259.**

Before the adoption of rules, while the House was acting under the general parliamentary law, it was held that the right to demand tellers did not exist. Volume **V,** section **6002.**

Before the adoption of rules, while the House was proceeding under general parliamentary law, the Speaker held that Members might not remain near the Clerk's desk during a vote. Volume **VI,** section **191.**

Before the adoption of rules the Speaker has declined to record the vote of a Member who failed to qualify as being in the Hall and listening when his name was called. Volume **VIII,** section **3386.**

(25) Suspension of.—Provision of the Rule for.

No rule may be suspended except by a two-thirds vote. Volume **V,** section **6790.**

Motions to suspend the rules may be entertained by the Speaker on the first and third Mondays of each month and on the last six days of a session. Volume **V,** section **6790.**

Instance wherein a motion to suspend the rules was by unanimous consent entertained on a day other than a suspension day. Volume **V,** section **6795.**

(26) Suspension of.—Duty of and Limitations on the Speaker as to Entertaining Motions for.

Recognition for motions to suspend the rules is within the discretion of the Speaker. Volume **VIII,** section **3403.**

Recognition to move suspension of the rules on days on which the motion is in order is within the discretion of the Speaker. Volume **VIII,** section **3402.**

In the later practice it has been held that the rules permit but do not require the Speaker to entertain motions to suspend the rules. Volume **V,** sections **6791–6794.**

The admission of the motion to suspend the rules on a committee suspension day is a matter of recognition by the Chair. Volume **V,** section **6845.**

RULES—Continued.

(26) Suspension of.—Duty of and Limitations on the Speaker as to Entertaining Motions for—Continued.

The Speaker is forbidden to entertain a request for the suspension of the rule relating to the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

The Speaker is forbidden to recognize for motions to suspend the rule prohibiting the introduction of persons in the galleries. Volume **VI,** section **197.**

The rule forbidding the Speaker to entertain requests for the suspension of the rule relating to admission to the floor is held to apply also to the Chairman of the Committee of the Whole. Volume **V,** section **7285.**

The Speaker is forbidden to entertain a motion for a suspension of the rule relating to the use of the Hall of the House. Volume **V,** section **7270.**

Instance wherein the Speaker near the end of a session requested that Members desiring to be recognized to move to suspend the rules submit their request in writing. Volume **VIII,** section **3402.**

(27) Suspension of.—Precedence of Motion.—As Related to Questions of Privilege.

A proposition involving a question of constitutional privilege may supersede a pending motion to suspend the rules. Volume **III,** section **2553.**

A question of high privilege being before the House, the Speaker held that a motion to suspend the rules and pass a bill was not in order. Volume **V,** sections **6825, 6826.**

A question of privilege takes precedence over business in order under the rule on "suspension day." Volume **VI,** sections **553, 565.**

(28) Suspension of.—Precedence of Motion.—As Related to Special Orders.

A motion to suspend the rules is not in order during consideration of a bill under a special order. Volume **V,** section **6838.**

While the House was acting under a special order a motion to suspend the rules to enable a Member to exceed the hour rule of debate was admitted. Volume **V,** section **6839.**

(29) Suspension of.—Precedence of Motion.—As Related to Previous Question.

In the later but not the earlier practice the motion to suspend the rules has been admitted after the previous question has been moved. Volume **V,** sections **6831–6833.**

A motion to suspend the rules may be entertained, although a bill on which the previous question has been ordered may be pending. Volume **V,** section **6827.**

While the previous question was operating on a series of Senate amendments to a House bill it was held not in order to move to suspend the rules to admit a motion to take the vote on the amendments in gross. Volume **V,** sections **6828–6830.**

(30) Suspension of.—Precedence of Motion.—As Related to Other Pending Matters.

In the early practice the motion to suspend the rules was used only to enable a matter to be taken up, and was not permitted when a subject was already before the House. Volume **V,** sections **6852, 6853.**

A motion to suspend the rules may be entertained although a bill on which the previous question has been ordered may be pending. Volume **VII,** section **3418.**

A motion to suspend the rules may be entertained although the yeas and nays may have been demanded on a motion highly privileged under the rules. Volume **V,** section **6835.**

A motion to suspend the rules and approve the Journal was held in order, although the Journal had not been read and the then highly privileged motion to fix the day to which the House should adjourn was pending. Volume **IV,** section **2758.**

While one matter is before the House the motion to suspend the rules, if in order on the day, may be applied to the consideration of that matter, but it may not be used to displace it with a new matter. Volume **V,** section **5278.**

A Member who had submitted a motion to refer, which was pending, was permitted to move to suspend the rules to consider an entirely different matter. Volume **V,** section **6834.**

RULES—Continued.

(30) Suspension of.—Precedence of Motion.—As Related to Other Pending Matters— Continued.

When the rules are suspended to enable a matter to be considered, another motion to suspend the rules may not be made during that consideration. Volume **V,** sections **6836, 6837.**

(31) Suspension of.—Form and Nature of the Motion.

Reference to a discussion as to the function and importance of the motion to suspend the rules. Volume **VIII,** section **3412.**

Under the later practice it is possible by one motion both to bring a matter before the House and pass it under suspension of the rules. Volume **V,** sections **6846, 6847.**

The rules may be suspended by a single motion and vote, so as to permit the House to vote first on a specified amendment to a bill and then on the bill itself. Volume **V,** section **6851.**

A motion to suspend the rules may include in its provisions both the discharge of a committee from the consideration of a bill and the final passage of it. Volume **V,** section **6850.**

It was held in order by one motion and vote to suspend the rules so as to permit several bills to be reported. Volume **V,** section **6857.**

Illustration of the earlier practice of moving to suspend the rules in order to introduce for consideration under the rules a proposition that might not otherwise be admissible in the order of business. Volume **V,** sections **6854, 6855.**

Illustration of the earlier use of the motion to suspend the rules in order to permit the making of a motion not otherwise in order under the rules. Volume **V,** sections **6828–6830.**

The rules having been suspended simply for the introduction of a matter, that matter may be amended. Volume **V,** section **6842.**

Where the rules have been suspended simply to enable a proposition to be introduced, it has been the practice to permit motions to amend it during consideration. Volume **V,** section **6856.**

Suspenson of the rules to pass a bill suspends all rules inconsistent with its purpose and the provision of clause 5 of Rule XXI admitting a question or order at any time is not applicable to the motion. Volume **VIII,** section **3426.**

A motion to suspend the rules and agree to a conference report proposes suspension of all rules inconsistent with the adoption of the report, including the rule requiring printing before consideration. Volume **VIII,** section **3423.**

A motion to suspend the rules and pass a bill with amendments is a proposal to suspend all rules and it is not necessary to read the bill in its original form. Volume **VIII,** section **2871.**

(32) Suspension of.—When in Order.

In making motions to suspend the rules individuals have the preference on the first Monday of the month and committees on the third. Volume **V,** section **6790.**

On committee-suspension days the Speaker has in rare instances called the committees in regular order for motions to suspend the rules, but this method is not required. Volume **V,** sections **6810–6811.**

The motion to suspend the rules on a committee-suspension day must be authorized formally and specifically by a committee. Volume **V,** sections **6805–6807.**

If on a committee-suspension day an individual motion to suspend the rules is made and seconded it is then too late to make a point of order. Volume **V,** section **6809.**

After a motion to suspend the rules has been seconded and debate has begun it is too late to make the point of order that the motion has not been authorized by a committee. Volume **V,** section **6808.**

A bill offered for passage on a committee-suspension day may carry with it only such amendments as are authorized by the committee. Volume **V,** section **6812.**

On a committee-suspension day a committee may not move to suspend the rules and pass a bill over which it has not jurisdiction. Volume **V,** section **6848.**

RULES—Continued.

(32) Suspension of.—When in Order—Continued.

On a committee-suspension day a committee may not present a motion to suspend the rules and pass a bill which has not been referred to it. Volume **V,** section **6813.**

The rule providing for the call of the Consent Calendar on the first and third Mondays does not preclude recognition within the discretion of the Speaker for a motion to suspend the rules, and such motion is in order before the calendar is called or at any time before the call is completed. Volume **VIII,** section **3405.**

The last six days of a session, in which motions to suspend the rules may be entertained under the rule, can not be determined, other than at the last session of a Congress, until a resolution fixing the date of adjournment has been agreed to in both Houses, and the fact that such resolution has been passed by one House is not to be construed as admitting the motion until the resolution has been adopted by the other House. Volume **VIII,** section **3397.**

(33) Suspension of.—Application of.—In General.

A motion to suspend the rules applies to the parliamentary law of Jefferson's Manual as well as to the rules of the House. Volume **V,** section **6796.**

During the Johnson trial the House considered matters pertinent thereto under suspension of the rules. Volume **III,** section **2043.**

Instance wherein, on a motion to suspend the rules, the House ordered the Clerk to incorporate in the engrossment of a general appropriation bill already passed a provision embodying legislation. Volume **IV,** section **3845.**

The House on a motion to suspend the rules may authorize another motion to suspend the rules on a future day not a suspension day under the ordinary rules (footnote). Volume **IV,** section **3845.**

The right of the member to have read a paper on which the House is to vote may be abrogated by a suspension of the rules. Volume **V,** sections **5278–5284.**

Under the later decisions it is held that the right of a Member to have read a paper on which the House is to vote may not be abrogated by a suspension of the rules. Volume **VIII,** section **3400.**

On one motion to suspend the rules a vote whereby a resolution had been passed was reconsidered, the resolution amended, and as amended passed. Volume **V,** section **6849.**

Instance wherein a motion to suspend the rules was utilized in taking a bill from the Speaker's table and agreeing to Senate amendments. Volume **VIII,** section **3425.**

The fact that a proposition is subject to points of order does not preclude its passage under a suspension of the rules. Volume **VIII,** section **3424.**

A motion to suspend the rules and pass a conference report does not admit the point of order that the conference report contains matter not in disagreement between the two Houses. Volume **VIII,** section **3406.**

Pending the decision of a question of order raised against a conference report it is in order to move to suspend the rules and agree to the report. Volume **VIII,** section **3422.**

A motion to suspend the rules may provide for the passage of a bill regardless of whether it has been reported or referred to any calendar or even previously introduced. Volume **VIII,** section **3421.**

Adopton of a motion to suspend the rules suspends all rules, including the unwritten law and practice of the House. Volume **VIII,** section **3406.**

(34) Suspension of.—Application of.—For Change of the Rules.

It has long been established that one of the standing rules of the House may be changed by a two-thirds vote on a motion to suspend the rules. Volume **V,** section **6862.**

When the pressure of business began to make necessary a rigid rule for the order of business the motion to suspend the rules began to be used frequently to modify the rigors of that rule (footnote). Volume **V,** section **6820.**

RULES—Continued.

(34) Suspension of.—Application of.—For Change of the Rules—Continued.

A motion to suspend the rules and pass a bill being seconded and under consideration was held to suspend all rules inconsistent with this purpose, including a rule requiring a recess to be taken. Volume **V,** section **5752.**

The use of the motion to suspend the rules has gradually been restricted, while the functions of the Committee on Rules have been enlarged. Volume **V,** section **6790.**

(35) Suspension of.—Application of.—For Making Special Orders.

A special order may be made under suspension of the rules. Volume **IV,** section **3154.**

The first special orders were made by unanimous consent or suspension of the rules. Volume **IV,** sections **3155–3159.**

(36) Suspension of.—The Demand for a Second.

A motion to suspend the rules is not submitted to the House until seconded by a majority on a vote by tellers. Volume **V,** section **6797.**

When a motion to suspend the rules is entertained the Speaker is accustomed to ask at once, "Is a second demanded?" Volume **V,** section **6800.**

On a motion to suspend the rules a demand for a second is not in order until the bill has been read. Volume **VIII,** section **3413.**

On a motion to suspend the rules it is the right of a Member to demand a second, but not the duty of the Chair to call for it. Volume **V,** section **6801.**

On a motion to suspend the rules a member of the committee which reported the bill is entitled to priority over other opponents of the bill in demanding a second. Volume **V,** sections **6802–6804.**

On a motion to suspend the rules the Speaker in recognizing a Member to demand a second gives priority to one opposed to the motion, but if no one rises in opposition, recognizes for that purpose a Member favoring the proposition. Volume **VIII,** section **3407.**

On a motion to suspend the rules a member of the committee opposing the bill is entitled to priority in demanding a second, but members of the committee favoring the bill yield to its opponents in the right to demand a second. Volume **VIII,** section **3408.**

On motion to suspend the rules one opposed to the bill has prior right to recognition to demand a second over a member of the committee reporting the bill who favors the motion. Volume **VIII,** section **3409.**

While the Speaker in recognizing members to demand a second on a motion to suspend the rules, in the absence of other considerations, gives priority to members of the committee and to the political minority, the determining qualification is opposition to the motion and members of the political majority opposing the proposition will be recognized in preference to members of the political minority favoring the proposition. Volume **VIII,** section **3415.**

If no one qualifies to demand a second on a motion to suspend the rules, and no minority member seeks recognition for that purpose, the Speaker recognizes at his discretion. Volume **VIII,** section **3416.**

A motion to suspend the rules may not be debated until a second is ordered. Volume **V,** section **6799.**

Requests for recognition to demand a second to a motion to suspend the rules come too late after the second has been ordered. Volume **VIII,** section **3416.**

On a motion to suspend the rules the right to demand a second is not necessarily precluded by preliminary debate. Volume **V,** section **6800.**

Pending a motion to suspend the rules the Speaker may entertain one motion that the House adjourn, but thereafter no other dilatory motion may be made. Volume **V,** section **5743.**

Pending consideration of a motion to suspend the rules a motion for a recess was held to be such dilatory motion as is forbidden by the rule. Volume **V,** sections **5748–5751.**

There being no doubt of the presence of a quorum a motion for a call of the House was held to be such dilatory motion as the rule forbids pending consideration of a motion to suspend the rules. Volume **V,** section **5747.**

RULES—Continued.

(36) Suspension of.—The Demand for a Second—Continued.

A motion to suspend the rules having been entertained and one motion to adjourn having been voted on, another motion to adjourn may not be made unless the failure of a quorum be demonstrated. Volume **V,** section **5744.**

Where a quorum fails on a vote by tellers on seconding a motion to suspend the rules and a count by the Speaker discloses the presence of a quorum, the second is ordered. Volume **VIII,** section **3412.**

When a quorum fails on a vote to second a motion to suspend the rules a second motion to adjourn is not considered a dilatory motion within the prohibition of the rule. Volume **V,** sections **5745, 5746.**

The constitutional right to demand the yeas and nays does not exist as to the vote to second a motion when such second is required by the rules. Volume **V,** sections **6032–6036.**

On seconding, by tellers, a motion to suspend the rules, a quorum failed, whereupon the Speaker ordered the doors closed and the roll called. Volume **IV,** sections **3053–3055.**

If a quorum be present it is not necessary that a quorum actually participate in a vote by tellers on seconding a motion to suspend the rules. Volume **IV,** section **2932.**

(37) Suspension of.—Relation to Other Motions.

A motion to amend may not be applied to a motion to suspend the rules. Volume **V,** sections **5322, 5405, 5406, 6858, 6859.**

The motion to postpone indefinitely may not be applied to a motion to suspend the rules. Volume **V,** section **5322.**

Under the later practice the motion to lay on the table may not be applied to a motion to suspend the rules. Volume **V,** section **5405.**

The motion to reconsider may not be applied to the vote on a motion to suspend the rules. Volume **V,** sections **5645, 5646.** Volume **VIII,** section **2781.**

During consideration of a motion to suspend the rules and pass a bill it is not in order to move to commit the bill or to demand a separate vote on amendments pending with the bill. Volume **V,** section **6860.**

The House having laid on the table a motion to reconsider the vote by which a proposition had been laid on the table, the proposition may be taken up only by unanimous consent or a suspension of the rules. Volume **V,** section **5640.**

The privileged motion to go into Committee of the Whole to consider revenue or appropriation bills may be made on a "suspension day" as on other days. Volume **IV,** section **3080.**

Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn, but thereafter no other motion may be made. Volume **VIII,** section **2823.**

(38) Suspension of.—Withdrawal or Modification of.

A motion to suspend the rules may be withdrawn at any time before a second is ordered. Volume **V,** section **6844.**

A motion to suspend the rules may be withdrawn at any time before a second is ordered, even after tellers are appointed on seconding the motion. Volume **VIII,** section **3419.**

A second not having been ordered on a committee motion to suspend the rules, the committee may, on a succeeding suspension day, withdraw the motion. Volume **V,** section **6845.**

By the later practice, when the rules are suspended to enable a Member to submit a proposition, he may withdraw it, but another Member may not renew it. Volume **V,** sections **6854, 6855.**

A Member may modify his motion to suspend the rules at any time before the House has ordered a second. Volume **V,** section **6840.**

The rules having been suspended to enable a Member to present a proposition, he may not then modify it. Volume **V,** sections **6841–6843.**

After a second is ordered on a motion to suspend the rules the motion may be withdrawn or modified by unanimous consent only. Volume **VIII,** section **3420.**

RULES—Continued.

(39) Suspension of.—Debate on the Motion.

Except as specially provided by rule, the motion to suspend the rules is not debatable. Volume **V,** section **6820.**

Debate on a motion to suspend the rules is limited to 20 minutes on each side, and if adjournment is taken before the 40 minutes have been consumed, the time remaining is available when the motion is again considered. Volume **VIII,** section **3412.**

The motion to suspend the rules was not debatable before the rule was made to allow the forty minutes of debate. Volume **V,** section **5405.**

Forty minutes of debate are allowed on a motion to suspend the rules, one-half for those favoring and one-half for those opposing. Volume **V,** section **6821.**

Where the proponent of a motion to suspend the rules is opposed to the proposition, a member who favors it will be recognized to control the 20 minutes of debate on that side. Volume **VIII,** section **3416.**

In the allotment of time for debate on a motion to suspend the rules and pass a bill, a member of the committee reporting the bill has prior right to recognition over one not a member of the committee. Volume **VIII,** section **3415.**

On a motion to suspend the rules the Member demanding a second divides with the mover the forty minutes of debate. Volume **V,** sections **6823, 6824.**

On a motion to suspend the rules the forty minutes of debate are allowed, although the proposition presented may not be debatable otherwise. Volume **V,** section **6822.**

Time yielded by a Member in control of half of the 40 minutes of debate on a motion to suspend the rules may not be reserved or yielded to a third Member. Volume **VIII,** section **3417.**

Where the time allowed for debate on a motion to suspend the rules was extended by unanimous consent, the Speaker divided the additional time on the ratio governing division of the original 40 minutes provided by the rule. Volume **VIII,** section **3415.**

Instance in which the 40 minutes of debate allowed on a motion to suspend the rules were increased by unanimous consent. Volume **VIII,** section **3414.**

(40) Suspension of.—The Motion as Unfinished Business.

A motion to suspend the rules on which a second has been ordered remaining undisposed of at adjournment recurs as the unfinished business on the next day on which such motion is again in order. Volume **VIII,** section **3412.**

A motion to suspend the rules pending and undisposed of at adjournment recurs as unfinished business on the next day when such business is again in order. Volume **VIII,** section **3411.**

A motion to suspend the rules pending and undisposed of on one suspension day is first in order on the next, the individual motion going over to committee day, and vice versa. Volume **V,** sections **6814–6816.**

A motion to suspend the rules made on one suspension day, but not seconded, comes up as unfinished business on the next suspension day. Volume **V,** section **6817.**

A motion to suspend the rules on which a second fails to be ordered does not come up as unfinished business on the next legislative day. Volume **V,** section **6818.**

A bill which, on a suspension day, was withdrawn with an agreement that it should be unfinished business on the next suspension day was held to continue as unfinished business, although not called up on the day named. Volume **V,** section **6819.**

(41) Suspension of.—Question Not To Be Divided for the Vote.

A division of the question may not be demanded on a vote on suspension of the rules. Volume **V,** sections **6141–6143.**

On a motion to suspend the rules and pass a bill with amendments it is not in order to demand a separate vote on the amendments. Volume **VIII,** section **3171.**

RULES—Continued.

(42) Suspension of.—In General.

The rules being suspended to enable a bill to be reported and considered, the requirement that it should be considered in Committee of the Whole was held to be thereby waived. Volume **V,** section **6861.**

It has generally, but not uniformly, been held that the right of a Member to have read the paper on which he is called to vote is not changed by the fact that the procedure is by suspension of the rules. Volume **V,** sections **5273–5277.**

A concurrent resolution suspending a joint rule is agreed to by majority vote. Volume **V,** sections **6788, 6789.**

The House has on occasion, by resolution, provided for suspension of the rules by majority vote. Volume **VIII,** section **3399.**

(43) Of a Committee of Investigation.

A committee charged with an investigation sometimes adopts rules to govern the examination of witnesses and the use of the testimony by persons implicated. Volume **III,** sections **1841, 1842.**

A committee of investigation adopted rules for examination of witnesses and taking of testimony. Volume **VI,** section **377.**

A committee of investigation permitted persons affected by the investigation to consult counsel and adopted rules for asking questions of persons under examination before the committee. Volume **VI,** section **400.**

(44) Of the Elections Committees. See also "Elections of Representatives."

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(45) Former Joint Rule for the Electoral Count.

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(46) For the Election of a President of the United States.

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The rules adopted by the House to govern the voting for the President of the United States when the election was thrown into the House by the failure of the electoral college to make a choice in 1828. Volume **III,** section **1984.**

(47) As to Conduct of Members.

By rule the Member is restricted as to his movements during business or debate, and as to wearing his hat and smoking. Volume **VI,** section **190.**

Members may not remain near the Clerk's desk during a vote. Volume **VI,** section **190.**

Discussion of the importance of observing the rule against remaining at the desk during roll call, and smoking in the Hall of the House. Volume **VI,** section **193.**

The rules require Members to address themselves to "Mr. Speaker" only, and it is a breach of parliamentary law for Members to preface remarks by addressing themselves to "Gentlemen of the House," "Ladies and gentlemen," etc. Volume **VI,** section **285.**

Under the rules Members seeking recognition rise and address themselves to the Speaker from their places in the House and the Speaker declines to recognize Members preferring requests from the well of the House. Volume **VI,** section **286.**

The Sergeant at Arms and Doorkeeper are charged with the enforcement of certain rules relating to decorum. Volume **VI,** section **190.**

(48) Of Committees.

Insofar as applicable the rules of the House are the rules of the standing committees. Volume **VIII,** section **2215.**

RULES—Continued.

(48) Of committees—Continued.

Procedure in committees, where not otherwise provided, is governed by the rules of the House. Volume **VIII,** section **2213.**

A committee may fix a date of meeting and adopt rules under which it will exercise its functions. Volume **VIII,** section **2214.**

(49) In General.

A rule adopted by the House is not to be interpreted as retroactive unless so provided in express terms. Volume **VIII,** section **3387.**

A bill taken up as unfinished business is governed by the rules in force at the time of its consideration and not by those in force at the time it was first called up. Volume **VIII,** section **3393.**

Instance wherein the chairman of the committees of the majority caucus, by direction of the caucus, proposed changes in the rules and the election of members to committees which were agreed by the House. Volume **VIII,** section **3619.**

On occasions of special interest the House sometimes provides additional rules governing admission to the galleries. Volume **VIII,** section **3640.**

The assignment of rooms in the House Office Building is subject to the control of the House by rule, resolution, or otherwise, Volume **VIII,** section **3652.**

The rules do not require the printing of hearings, and the distribution of record of hearings is within the discretion of the committee in charge of the bill. Volume **III,** section **3667.**

A discussion of the unwritten rule of seniority of service. Volume **VI,** section **233.**

While circumscribe by the rules and practices of the House, the exercise of the power of recognition is not subject to a point of order. Volume **VI,** section **294.**

While a rule of the House provides for secret sessions, it is long obsolete, and the convening of the House in secret is a procedure unprecedented for more than a century. Volume **VI,** section **434.**

The procedure of the House is governed is some instances by the practice of the House rather than by express rules. Volume **VII,** section **1029.**

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The decisions of the Speaker on questions of order are not like judgments of courts, which conclude the rights of parties, but may be reexamined and reversed. Volume **IV,** section **4637.**

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The Presiding Officer on an impeachment trial may make preliminary rulings on questions of evidence and incidental questions, or may submit such questions to the Senate at once. Volume **III,** section **2084.**

The Presiding Officer during an impeachment trial sometimes rules preliminarily on evidence and cautions or interrogates witnesses. Volume **III,** sections **2085–2087.**

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In the Johnson trial Chief Justice Chase held that the managers might not appeal from a decision of the Presiding Officer as to evidence. Volume **III,** section **2084.**

The right to ask a decision of the Senate after the Presiding Officer has ruled preliminarily on evidence belongs to a Senator but not to counsel. Volume **III,** section **2915.**

Instance of an appeal from a ruling of the President pro tempore in the Senate sitting for an impeachment trial. Volume **III,** section **2179.**

RUMOR.

The statement by a Member that a certain thing "is rumored" is sufficient basis for raising a question of privilege. Volume **III,** section **2538.**

A contention that common fame was sufficient basis for the House to entertain a proposition relating to its privileges. Volume **III,** section **2701.**

A Member having stated upon the authority of "common rumor" that another Member had been menaced, there was held to be ground for action. Volume **III,** section **2678.**

Rumors that certain employees have been intimidated are not considered in an election contest. Volume **II,** section **943.**

Common rumor of an indefinite amount of intimidation of workingmen by employers was disregarded by the House. Volume **II,** section **971.**

The allegation of mere rumors of bribery is not sufficient to cause the Senate to investigate the election of a Senator. Volume **II,** section **955.**

Mere rumors of bribery in election of Senator unsupported by evidence do not warrant investigation by the Senate. Volume **VI,** section **87.**

It being declared by common fame that Judge Humphreys had joined the foes of the Government, the House voted to investigate his conduct. Volume **III,** section **2385.**

In the case of Mr. Justice Chase the House, after long debate and a review of precedents, decided to order investigation, although Members could give only hearsay evidence as to the facts. Volume **III,** section **2342.**

Instance wherein the House ordered an investigation of the conduct of a judge without a statement of charges, but in a case wherein common fame had made the facts known. Volume **III,** section **2506.**

English precedents reviewed in the Chase case on the question of ordering an investigation on the strength of common rumor. Volume **III,** section **2342.**

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RURAL FREE DELIVERY.

The Committee on the Post Office and Post Roads exercises jurisdiction over proposed legislation relating to the carrying of mails both foreign and domestic, including Rural Free Delivery and the Air Mail Service, and over the Postal Savings System. Volume **VII,** section **1915.**

RURAL POST ROADS.

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The Maryland election case of Booze v. Rusk in the Fifty-fourth Congress. Volume **II,** section **1067.**

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SALARIES.

(1) Of Members and employees of the House.
(2) In relation to procedure of the House. See also "Appropriations."

(1) Of Members and Employees of the House.

Rate and method of payment of compensation and mileage of Speaker and Members. Volume **II,** section **118.** Volume **VI,** section **201.**

The Sergeant-at-Arms disburses the pay and mileage of Members and Delegates. Volume **I,** section **257.**

Only one check monthly may be issued to Members in payment of salary, such check to correspond with the legal rate of pay due for the current month. Volume **VI,** section **203.**

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A Member may remit back to the United States any portion of his salary, and amounts so remitted are covered into the general funds of the Treasury and are not subject to recovery. Volume **VI,** section **203.**

It is the custom to grant to the widow or other dependent of deceased Member one year's salary. Volume **VI,** section **204.**

SALARIES—Continued.

(1) Of Members and Employees of the House—Continued.

The payment of a year's salary to widows of deceased Members is a gratuity, and in event of the death of the beneficiary prior to payment there is no authority to make payment to anyone else. Volume **VI,** section **204.**

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In case of a month's extra pay an employee having an annual salary is entitled to one-twelfth of the sum of that salary. Volume **V,** section **7229.**

A clerk of a committee who ceased to hold office on December 21 was held not to be entitled to the salary for the remainder of the month, under the terms of a resolution directing the payment of salaries of employees for that month on the 20th. Volume **IV,** section **4537.**

The clerk of a committee being appointed a postmaster was held to be entitled to his salary as clerk until his successor was appointed, although his salary as postmaster had already begun. Volume **IV,** section **4538.**

One person may be designated as clerk to two Members if the aggregate compensation is within the limitation prescribed by law. Volume **VI,** section **210.**

Compensation of clerks may be paid on the third of each month. Volume **VI,** section **211.**

While customary to grant the widow of an employee of the House an amount equal to one-half of a year's salary, in exceptional instances the House has authorized payment of the full amount of the annual salary. Volume **VIII,** section **3600.**

The House having passed a resolution from the Committee on Accounts authorizing the employment of a person, a provision for the salary is in order on an appropriation bill, but such provision shall conform with the provisions of the resolution. Volume **VII,** section **1313.**

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A resolution fixing salaries of House employees was held not privileged when reported by the Committee on Accounts. Volume **VIII,** section **2302.**

(2) In relation to Procedure of the House. See also "Appropriations."

A bill creating a new office requires consideration in Committee of the Whole. Volume **IV,** section **4824.**

Legislative propositions relating to the fees and salaries of officers and employees of the Government have been considered by the various committees on expenditures. Volume **IV,** section **4317.**

The mere appropriation for a salary does not thereby create an office so as to justify appropriations in succeeding years. Volume **IV,** section **3590.**

Where the law fixes the amount of a salary a proposition to increase the amount is not in order on an appropriation bill. Volume **IV,** sections **3676–3679.**

It is not in order to provide on an appropriation bill for payments to employees of the House unless the House by prior action has authorized the same. Volume **IV,** sections **3654, 3655.**

A motion to strike from an appropriation bill a provision for a salary authorized and fixed by law is not subject to the objection that it proposes legislation. Volume **IV,** section **3699.**

The appropriation of a less sum than the amount fixed by law for a salary is not a change of law, even though a legislative provision in another portion of the bill may give it the practical effect of a reduction of the salary. Volume **IV,** sections **3681–3685.**

SALARIES—Continued.

(2) In Relation to Procedure of the House.—Continued.

The provision of the current law of an appropriation does not fix a salary as against a provision of general law. Volume **IV,** section **3686.**

In the absence of a general law fixing a salary the amount appropriated in the last appropriation bill has been held to be the legal salary, although in violation of the general rule that the appropriation bill makes law only for the year. Volume **IV,** sections **3687–3696.**

While Congress may decline to appropriate for a salary fixed and conditioned by law, yet it is not in order on an appropriation bill to make the payment conditional on certain contingencies which would change the lawful mode of payment. Volume **IV,** sections **3989–3992.**

A specific appropriation for designated officials of an exposition at stated salaries, there being no prior legislation establishing such positions or salaries, was held out of order, although a general appropriation for the exposition was authorized by law. Volume **IV,** section **3878.**

The law having established an office and fixed the salary, it is not in order on an appropriation bill to provide for an unauthorized office and salary in lieu of it. Volume **IV,** section **3680.**

SALE.

The sale of fraudulent stocks and bonds and other "blue sky" securities is a subject considered by the Committee on the Judiciary. Volume **VII,** section **1781.**

Bills relating to the fraudulent or unethical sale of securities were taken from the Committee on Interstate and Foreign Commerce and referred to the Committee on the Judiciary. Volume **VII,** section **1782.**

Bills for the stimulation of production, sale, and distribution of livestock and livestock products and the authorization of appropriations for international conferences on poultry and poultry products have been reported by the Committee on Agriculture. Volume **VII,** section **1867.**

Bills to prevent the adulteration, misbranding, manufacture, sale, or transportation of foods, drugs, medicines, and liquors have occasionally been reported by the Committee on Agriculture. Volume **VII,** section **1874.**

The sale of Government property, even where proceeds of such sale are to be applied to maintenance of governmental activities, thereby reducing approprations required for that purpose, was held not to effect a retrenchment of expenditures. Volume **VII,** section **1497.**

Bills providing for the appraisal, sale, lease, and conveyance of public lands and for the disposition of such lands when abandoned are within jurisdiction of the Committee on the Public Lands. Volume **VII,** section **1930.**

SALMON FISHERIES.

The Committee on Territories has exercised a general but not exclusive jurisdiction as to game and fish in Alaska, including the salmon fisheries. Volume **IV,** section **4211.**

SALTS.

The Missouri election case of Salts v. Major in the Sixty-sixth Congress. Volume **VI,** section **151.**

SANDERS.

The Senate election case of Sanders, Power, Clark, and Maginnis, from Montana, in the Fifty-first Congress. Volume **I,** section **358.**

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SANITARY REGULATIONS.
Subjects relating to the health of the District, sanitary and quarantine regulations, etc. have been within the jurisdiction of the Committee on the District of Columbia. Volume **IV,** section **4284.** Volume **VII,** section **2008.**

SANITY.
The Senate investigated the sanity of a Senator-elect before allowing him to take the oath. Volume **I,** section **441.**
The court of impeachment declined to postpone judgment until Judge Pickering could be brought personally before it for inspection as to sanity. Volume **VIII,** section **2337.**

SAPP.
The Iowa election case of Holmes, Wilson, Sapp, and Carpenter, in the Forty-sixth Congress. Volume **I,** section **525.**

SATURDAY.
The rule providing for consideration of the Private Calendar on Saturday divides the time for debate between the Member objecting and the chairman of the committee reporting the bill and neither may yield time to another. Volume **VII,** section **847.**
The objection by three Members when a bill is first called on Private Calendar Saturday precludes debates thereon and the bill is referred to the deferred list forthwith. Volume **VII,** section **849.**
If three Members object the bill is entered on the deferred list from which bills have first call in their order for consideration under the 5 minute rule on the last Saturdays of each month. Volume **VII,** section **846.**
A bill indirectly conferring a pensionable status is in order on a day set apart under the rule for the consideration of private pension bills. Volume **VII,** section **850.**
On Saturday of each week it is in order to move to resolve into the Committee of the Whole House to consider business on the Private Calendar. Volume **VII,** section **846.**
Form of special order providing for consideration of a bill with reservation as to days set apart by the rules for classes of business. Volume **VII,** section **808.**
A Member may not yield time allotted under the rule providing for the consideration of the Private Calendar. Volume **VII,** section **848.**

SAUNDERS.
The Virginia election case of Parsons v. Saunders, in the Sixty-first Congress. Volume **VI,** section **53.**

SAUNDERS, EDWARD W., of Virginia, Chairman.
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SAVINGS BANKS.
Subjects relating to postal savings banks and postal telegraphy are within the jurisdiction of the Committee on Post-Office and Post-Roads. Volume **IV,** section **4193.**

SAYLER, MILTON, of Ohio, Speaker Pro Tempore.
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SCHALL.
The Senate election case of Johnson v. Schall, of Minnesota, in the Sixty-ninth Congress. Volume **VI,** section **171.**

SCHEDULE.
The House has sworn in on a prima facie showing Members-elect chosen at an election the day, etc., of which was fixed by the schedule of a constitution adopted on that election day. Volume **I,** section **520.**
Discussion as to the retroactive effect of the schedule of a new State constitution whereby a date for election of Congressmen was fixed. Volume **I,** section **522.**

SCHENCK.
The case relating to the alleged disqualification of Messrs. Blair and Schenck in the Thirty-eighth Congress. Volume **I,** section **492.**

SCHOOLS.
The Committee on Mines and Mining has reported bills for establishing schools of mines and mining at experiment stations. Volume **IV,** section **4226.**
The Committee on Public Lands has exercised a general but not exclusive jurisdiction over public lands in relation to the minerals contained therein, and has reported bills to establish schools of mines. Volume **IV,** section **4202.**
Subjects pertaining to the school lands of a State or Territory have been held to be within the jurisdiction of the Committee on the Public Lands. Volume **VII,** section **1928.**
In an inconclusive case the House reversed the decision of its committee that residence while attending a school was not such residence as entitled one to the suffrage. Volume **I,** section **54.**
An appropriation for support and education of Indian pupils at Government schools was held to be in order on an appropriation bill. Volume **VII,** sections **1207, 1213.**
An appropriation for care and operation for Government schools was held in order as an appropriation for continuance of a public work in progress. Volume **VII,** section **1349.**
While appropriations for erection of new school buildings in the District of Columbia are not in order on appropriation bills, propositions for continuing the erection of additions to existing school buildings are admitted as in continuation of public work in progress. Volume **VII,** section **1358.**

SCHOOLS—Continued.

An appropriation for supplying free schoolbooks for the use of pupils in the District of Columbia was held not to be in continuation of a work in progress. Volume **VII,** section **1377.**

Authorization of law for use of public-school buildings as social and recreational centers does not warrant appropriations for such purposes. Volume **VII,** section **1188.**

While an appropriation for the purchase of a new site for a school building in the District of Columbia is not in order on an appropriation bill, a proposition for the purchase of land adjacent to school property was admitted as in continuation of a public work in progress. Volume **VII,** section **1363.**

An appropriation for acquisition of ground adjacent to a school in the District of Columbia was held to be in order as a continuation of a public work. Volume **VII,** section **1361.**

SCHUMAKER.

The case of King and Schumaker in the Forty-forth Congress. Volume **II,** section **1283.**

SCOTT, ELECTION CASES OF.

The election of Easton v. Scott, from the Territory of Missouri, in the Fourteenth Congress. Volume **I,** sections **772, 773.**

The Missouri election case of Lindsay v. Scott in the Thirty-eighth Congress. Volume **II,** section **854.**

The Iowa election case of Steele v. Scott in the Sixty-fifth Congress. Volume **VI,** section **146.**

SCOTT, FRANK D., of Michigan, Chairman.

Decisions on questions of order relating to—

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SCOTT, NATHAN B.

A Senator who at the time of his election was actually residing in the District of Columbia as an officeholder, but who voted in his old home and had no intention of making the District his domicile, was held to be qualified. Volume **I,** section **439.**

SCULL.

The Pennsylvania election case of Greevy v. Scull in the Fifty-second Congress. Volume **II,** section **1044.**

SEAL.

The present seal of the House was provided in 1830. Volume **VI,** section **28.**

The seal of the House is in control of the House rather than of the Speaker. Volume **I,** section **256.**

The custody and use of the seal is with the Clerk, under direction of the House. Volume **I,** sections **254, 255.**

The Clerk attests and affixes the seal of the House to all writs, warrants, and subpoenas issued by order of the House. Volume **I,** section **251.**

The statutes provide that the fact of a witness's contumacy shall be certified by the Speaker, under seal of the House, to the district attorney of the District of Columbia. Volume **III,** section **1769.**

No law requiring the seal of the Territory to be affixed to the credentials of the Delegate, the absence of the seal did not invalidate the credentials. Volume **I,** section **619.**

The House overruled the action of State officers who had rejected a county return because of a writing on the seal of the clerk's certificate. Volume **I,** section **537.**

Records of returns, duly authenticated by seal, are received as evidence in election cases after the time for taking testimony is closed. Volume **I,** section **472.**

A statement signed by the Secretary of the Treasury, but not under seal, summarizing the contents of official documents, was objected to as evidence in the Swayne trial. Volume **III,** section **2277.**

In 1791 the House declined to admit as evidence in an election case official State papers under seal. Volume **I,** section **709.**

SEAL—Continued.

Testimony affecting a Senator, when taken by a House committee in open session, need not be under seal when transmitted to the Senate. Volume **III,** section **1851.**

SEALS.

The enforcement of treaty regulations as to the protection of the fur seals has been considered by the Committee on Foreign Affairs. Volume **IV,** section **4170.**

The Committee on Ways and Means has exercised jurisdiction as to the seal herds and other revenue-producing animals of Alaska. Volume **IV,** section **4025.**

The Committee on Ways and Means no longer exercises jurisdiction as to the seal herds and other revenue producing animals of Alaska. Volume **VII,** section **1725.**

Jurisdiction over bills relating to the protection of seals and other fur-bearing animals of Alaska, formerly exercised by the Committee on Ways and Means, has now been transferred to the Committee on the Merchant Marine and Fisheries. Volume **VII,** section **1851.**

SEAMEN.

The shipping, wages, treatment, and protection of seamen are subjects within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4140.**

Conditions relating to the health of seamen are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4141.**

SEAT OF GOVERNMENT.

The District of Columbia is the seat of government (footnote). Volume **I,** section **2.**

SEATS.

(1) Drawing of.
(2) Contests, vacancies, etc.
(3) At the counting of the electoral vote.
(4) During an impeachment trial.

(1) Drawing of.

Form and history of the rule for the drawing of seats by Members (Rule XXXII, secs. 1 and 2). Volume **I,** section **119.**

Precedents as to drawing of seats where a large portion of the majority is to be accommodated on the minority side of the main aisle. Volume **I,** section **121.**

Election of Speaker and other officers, administration of the oath to Members and officers, notification of the President and Senate, and drawing of seats at the beginning of a Congress. Volume **I,** section **81.**

At the time of the organization of the House the motion relating to the drawing of seats is privileged. Volume **I,** section **120.**

(2) Contests, Vacancies, etc.

The Speaker's seat being contested, he requested that the House relieve him of the appointment of the Committee on Elections and the request was granted. Volume **II,** section **1360.**

A Member having informed the House of his acceptance of an incompatible office, the House has assumed or declared the seat vacant. Volume **I,** sections **501, 502.**

A resolution declaring vacant the seat of a Member who has accepted an incompatible office may be agreed to by a majority vote. Volume **I,** section **504.**

It was long the practice to notify the executive of the State when a vacancy was caused by the death of a Member during a session. Volume **II,** sections **1198–1202.**

The practice of draping the seat of a deceased Member began as early as 1848. Volume **V,** section **7160.**

The House having declared a seat vacant, directs the executive of the State to be informed. Volume **I,** section **502.**

SEATS—Continued.

(2) Contests, Vacancies, etc.—Continued.

A resolution notifying the governor of a State of a vacancy in the representation of a district is presented as a question of privilege. Volume **III,** section **2589.**

A resolution proposing the exclusion of a Delegate from his seat presents a question of privilege. Volume **III,** section **2594.**

(3) At the Counting of the Electoral Vote.

The statutes give directions for seating the officers and Members of the two Houses at the counting of the electoral vote. Volume **III,** section **1919.**

The rule for the seating of officers and Members at a joint session of the two Houses for counting the electoral vote. Volume **III,** section **1920.**

(4) During an Impeachment Trial.

The Senators occupied their usual seats during the Johnson trial. Volume **III,** section **2110.**

SECESSION.

The House seated a loyal claimant voted for at an election called on the legal day, but by the governor of a State in secession. Volume **I,** section **365.**

Instance of an election proven by testimony of participants, the returning officers serving a secession government and making no return. Volume **I,** section **365.**

The House seated a claimant who had received a third of the votes of a district, the remainder being cast for candidates for a secessionist Congress. Volume **I,** section **365.**

SECOND.

(1) Not required for ordinary motions.

(2) For the motion to suspend the rules.—General requirements. See also "Rules, Suspension of."

(3) For the motion to suspend the rules.—Demanding of. See also "Rules, Suspension of."

(4) Of motion to adjourn during call of House.

(5) Of the old motion to discharge committees.

(1) Not Required for Ordinary Motions.

The rules of the House do not require that an ordinary motion be seconded. Volume **V,** section **5304.**

(2) For the Motion to Suspend the Rules.—General Requirements. See also "Rules, Suspension of."

A motion to suspend the rules is not submitted to the House until seconded by a majority on a vote by tellers. Volume **V,** section **6797.**

Reference to a discussion of the nature of the demand for a second. Volume **V,** section **6798.**

The constitutional right to demand the yeas and nays does not exist as to the vote to second the motion when such second is required by the rules. Volume **V,** sections **6032–6036.**

The vote whereby a second is ordered may be reconsidered. Volume **V,** section **5642.**

If a quorum be present it is not necessary that a quorum actually participate in a vote by tellers on seconding a motion to suspend the rules. Volume **IV,** section **2932.**

On seconding by tellers a motion to suspend the rules a quorum failed, whereupon the Speaker ordered the doors closed and the roll called. Volume **IV,** sections **3053–3055.**

After a motion to suspend the rules has been seconded and debate has begun it is too late to make the point of order that the motion has not been authorized by a committee. Volume **V,** section **6808.**

A Member may modify his motion to suspend the rules at any time before the House has ordered a second. Volume **V,** section **6840.**

A motion to suspend the rules may be withdrawn at any time before a second is ordered. Volume **V,** section **6844.**

A motion to suspend the rules on which a second fails to be ordered does not come up as unfinished business on the next legislative day. Volume **V,** section **6818.**

SECOND—Continued.

(2) For the Motion to Suspend the Rules.—General Requirements—Continued.

A motion to suspend the rules, made on one suspension day but not seconded, comes up as unfinished business on the next suspension day. Volume **V,** section **6817.**

(3) For the Motion to Suspend the Rules.—Demanding of. See also "Rules, Suspension of."

When a motion to suspend the rules is entertained the Speaker is accustomed to ask at once "Is a second demanded?" Volume **V,** section **6800.**

On a motion to suspend the rules the right to demand a second is not necessarily precluded by preliminary debate. Volume **V,** section **6800.**

On a motion to suspend the rules a Member of the committee which reported the bill is entitled to priority over other opponents of the bill in demanding a second. Volume **V,** sections **6802–6804.**

On a motion to suspend the rules the Member demanding a second divides with the mover the forty minutes of debate. Volume **V,** sections **6823, 6824.**

(4) Of Motion to Adjourn During Call of House.

During a call of the House a motion to adjourn is seconded by a majority ascertained "by actual count by the Speaker," and tellers may not be demanded. Volume **VI,** section **705.**

(5) Of the Old Motion to Discharge Committees.

On the failure of a quorum in a vote by tellers on seconding the old motion to discharge a committee the Chair directed a call of the House under the rule. Volume **VI,** section **707.**

SECOND READING.

The second reading of a bill is in full; the third reading by title, unless a Member demand reading in full. Volume **IV,** section **3391.**

SECONDARY EVIDENCE.

The original primary returns being inaccessible because of the contention of rival returning boards, the House gave credit to secondary evidence as to what they showed. Volume **I,** section **625.**

The failure of an officer to certify properly a return does not prevent the admission of secondary evidence to prove the actual state of the vote. Volume **I,** section **640.**

SECONDARY MOTIONS.

With some exceptions an amendment may attach itself to secondary and privileged motions. Volume **V,** section **5754.**

An amendment may not attach to the motion for the previous question or the motions to lay on the table and adjourn when used in the House. Volume **V,** section **5754.**

The motions to postpone, refer, amend, for a recess, and to fix the day to which the House shall adjourn may be amended. Volume **V,** section **5754.**

SECRECY.

(1) Of sessions of the House and Senate.
(2) Of portions of the Journal.
(3) Officers of the House sworn to.
(4) Of communications between the Houses.
(5) Of committee procedure.
(6) Of meetings of managers of conferences.
(7) Of an election of President of the United States by the House.

(1) Of Sessions of the House and Senate.

A rule not invoked for many years provides for secret sessions of the House whenever the President may send a confidential message or the Speaker or any Member may announce that he has a confidential communication to present. Volume **V,** sections **7247, 7248.**

SECRECY—Continued.

(1) Of Sessions of the House and Senate.—Continued.

While a rule of the House provides for secret sessions, it is long obsolete, and the convening of the House in secret session is a procedure unprecedented for more than a century. Volume **VI,** section **434.**

A motion to go into executive session is in order when any Member shall inform the House that he has communications which he believes should be considered in confidence, and takes precedence of a motion to resolve into the Committee of the Whole for the consideration of an appropriation bill. Volume **VIII,** section **3630.**

When messages of a confidential nature were received from the President or Senate the House went into secret session. Volume **V,** sections **7251, 7252.**

As late as 1843 the President transmitted a message in part confidential. Volume **V,** section **7255.**

In 1853 the House declined to go into secret sessions. Volume **V,** section **7253.**

Each House has a right to hold secret sessions whenever in its judgment the proceedings should require secrecy. Volume **II,** section **1640.**

The House has declined to be bound to secrecy by act of the Senate. Volume **V,** section **7249.**

An illustration of legislation by the two Houses, each acting in secret session. Volume **V,** section **7250.**

An early instance wherein a Member in secret session informed the House of a breach of privilege occurring on the floor between two other Members. Volume **II,** section **1642.**

The motion to remove the injunction of secrecy must be made with closed doors. Volume **V,** section **7254.**

Following revision of the rule relating to secrecy, the Senate practice of considering executive business in closed session has been largely discontinued. Volume **VIII,** section **3631.**

(2) Of Portions of the Journal.

The Constitution requires the House to keep and publish a Journal, excepting from publication such parts as require secrecy. Volume **IV,** section **2726.**

(3) Officers of the House Sworn to.

Origin of an obsolete requirement that the officers of the House shall be sworn to keep its secrets. Volume **I,** section **187.**

(4) Of Communications Between the Houses.

Instance wherein two Members of the House were directed to take a confidential message to the Senate. Volume **II,** section **1538.**

When legislation is enacted in secret session messages are delivered confidentially by committees of Members. Volume **V,** section **7250.**

The Senate having requested from the House the testimony taken by a certain investigating committee, the House ordered it communicated in secrecy, with the injunction that it be returned. Volume **III,** section **1855.**

Testimony affecting a Senator, when taken by a House committee in open session, need not be under seal when transmitted to the Senate. Volume **III,** section **1851.**

(5) Of Committee Procedure.

The proceedings of a committee, having no force until confirmed by the House, are not to be published, according to the parliamentary law. Volume **IV,** section **4557.**

It is entirely within rule and usage for a committee to conduct its proceedings in secret. Volume **IV,** sections **4558–4564.**

The rules do not permit the House to abrogate the secrecy of a committee's proceedings, but it was done under suspension of the rules. Volume **IV,** section **4565.**

The House authorized the clerk of a committee to disclose, by deposition, the proceedings of the committee. Volume **III,** section **2604.**

SECRECY—Continued.

(5) Of Committee Procedure—Continued.

An investigating committee sometimes reports testimony to the House with the recommendation that it be sealed and so kept in the files until further order of the House. Volume **III,** section **1782.**

Instance wherein a committee, in its discretion, kept testimony secret. Volume **III,** section **1694.**

The committee appointed to investigate the Bank of the United States, in 1834, held that its proceedings should be confidential, not to be attended by any person not invited or required. Volume **III,** section **1732.**

(6) Of Meetings of Managers of Conferences.

Conferences are generally held in the Senate portion of the Capitol, and with closed doors, although in rare instances Members and others have been admitted to make arguments (footnote). Volume **V,** section **6254.**

(7) Of an Election of President of the United States by the House.

In the election of President by the House, in 1825, there was a strong but not prevailing sentiment that the galleries should not be closed. Volume **III,** section **1984.**

SECRETARIES.

(1) Certain ones entitled to privilege of the floor.
(2) Of the Senate.—In general.
(3) Of the Senate.—Duties in an impeachment trial.
(4) Of the President's Cabinet.—General relations to the House.
(5) Of the President's Cabinet.—Inquiries of. See also "Inquiry."
(6) Of the President's Cabinet.—Investigations as to.
(7) Of the President's Cabinet.—Duties of the Secretary of State.
(8) Of the President's Cabinet.—Duties of the Secretary of the Treasury.
(9) Of the President's Cabinet.—Directions to the Secretary of Commerce and Labor.

(1) Certain Ones Entitled to Privilege of the Floor.

The Secretary and Sergeant-at-Arms of the Senate, Superintendent of the Capitol, the Librarian of Congress and his assistant in the law library have the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

The President and Vice-President of the United States and their secretaries have the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

(2) Of the Senate.—In General.

The Secretary of the Senate and Clerk of the House have a discretionary power to order the reprinting of bills, resolutions, documents, etc. Volume **V,** section **7319.**

Stationery, blank books, and other papers necessary to legislation are furnished to the House and Senate and their committees on requisition of the Clerk of the House and Secretary of the Senate, respectively. Volume **V,** section **7322.**

The Secretary of the Senate having omitted to sign certain engrossed Senate bills before they were sent to the House he was admitted to affix his signature. Volume **IV,** section **3427.**

The Senate having failed to transmit a proper message, the Speaker directed that the attention of the Secretary of the Senate be called to the omission. Volume **VIII,** section **3344.**

The Secretary of the Senate being subpoenaed to appear before a committee of the House with certain papers from the files of the Senate, after a discussion as to privilege, empowered him to attend with the papers in his custody. Volume **III,** section **2665.**

The Secretary of the Senate being subpoenaed to produce a paper from the files of the Senate, permission was given him to do so after a discussion as to whether or not he was exempted by privilege from the process. Volume **III,** section **2666.**

SECRETARIES—Continued.

(3) Of the Senate.—Duties in an Impeachment Trial.

The Secretary of the Senate records proceedings in impeachments as he records legislative proceedings. Volume **III,** section **2090.**

At 12:30 p.m. of the day appointed for an impeachment trial the Senate suspends ordinary business and the Secretary notifies the House of Representatives that the Senate is ready to proceed. Volume **III,** section **2070.**

In impeachments the Presiding Officer of the Senate is empowered by rule to make and issue, by himself or by the Secretary, authorized orders, writs, precepts, and regulations. Volume **III,** section **2083.**

The oath adminstered by the Secretary to the President and by him to the Senators in the Pickering impeachment. Volume **III,** section **2325.**

The Senate decided in the Blount impeachment that the Secretary should administer the oath to the President and the President to the Senators. Volume **III,** section **2303.**

When informed that managers are to present articles of impeachment the Senate, by rule, requires its Secretary to inform the House of its readiness to receive the managers. Volume **III,** section **2078.**

At 12:30 p.m. on the day of the return of the summons against a person impeached the Senate suspends business and the Secretary administers an oath to the returning officer. Volume **III,** section **2128.**

The later pleadings in the Belknap trial were filed with the Secretary of the Senate during a recess of the Senate sitting for the trial. Volume **III,** section **2455.**

In the Blount impeachment the Secretary was directed to serve the summons sixty days before the return day. Volume **III,** section **2304.**

In the Blount impeachment the replication was presented by the House managers, but was read by the Secretary of the Senate. Volume **III,** section **2311.**

(4) Of the President's Cabinet.—General Relations to the House.

The House decided early in its history that the Secretaries of the President's Cabinet should not be called to give information personally on the floor of the House. Volume **III,** section **1880.**

Members of the President's Cabinet appear before committees of the House and give testimony. Volume **III,** sections **1881–1883.**

While the House in some cases has bestowed praise or censure on the President or a Member of his Cabinet, such action has at other times been held to be improper. Volume **II,** sections **1569–1572.**

(5) Of the President's Cabinet.—Inquiries of. See also "Inquiry."

It has been considered proper to use the work "request" in asking for information from the President and "direct" in addressing the heads of Departments. Volume **III,** section **1895.**

The House having asserted its right to direct the heads of the Executive Departments to furnish information, the Secretary of War returned an answer to a portion of the inquiry, declining to respond to the remainder. Volume **III,** section **1886.**

The Postmaster-General having responded to an inquiry in a manner considered disrespectful, the Senate referred the matter to the President, whereat an explanation was forthcoming. Volume **III,** section **1906.**

A letter from the head of an Executive Department, responding to a resolution of inquiry, is not printed in full in the Journal, but a brief summary of its contents is printed. Volume **IV,** section **2858.**

A communication from the General of the Army, transmitted directly instead of through the Secretary of War, was received and referred, although occasioning some criticism. Volume **V,** section **6653.**

SECRETARIES—Continued.

(6) Of the President's Cabinet.—Investigations as to.

Members of the President's Cabinet whose reputations and conduct have been assailed on the floor of the House have sometimes asked for an investigation. Volume **III,** sections **1734, 1735.**

Vice-President Calhoun asked the House, as the grand inquest of the nation, to investigate certain charges made against his conduct as Secretary of War, and the House granted the request. Volume **III,** section **1736.**

The House in 1824 investigated, on application of the United States minister to Mexico, a controversy on a public matter between him and the Secretary of the Treasury. Volume **III,** section **1741.**

(7) Of the President's Cabinet.—Duties of the Secretary of State.

An enrolled bill when signed by the President is deposited in the Office of the Secretary of State. Volume **VI,** section **3429.**

A statute requires that bills signed by the President shall be received by the Secretary of State from the President. Volume **IV,** section **3485.**

A bill passed notwithstanding the objections of the President is sent by the President Officer in the House which last acts on it to the Secretary of State for preservation. Volume **IV,** section **3524.**

When a bill returned without the President's approval is passed by the two Houses the Secretary of State receives the bill from the Presiding Officer of the House in which it last was passed. Volume **IV,** section **3485.**

Since the enactment of the statute the House takes no special action in relation to transmitting to the Secretary of State bills passed over the President's veto. Volume **IV,** sections **3528, 3529.**

Before the enactment of the statute the House directed the Clerk to take to the Secretary of State its bills passed over the President's veto. Volume **IV,** sections **3525–3527.**

Joint resolutions proposing amendments to the Constitution are, when passed, filed with the Secretary of State by the Committee on Enrolled Bills. Volume **V,** section **7041.**

The executive of each State is charged with the duty of transmitting to the Secretary of State of the United States a certificate of the appointment of electors and the names and votes, and of delivering a similar certificate to the electors. Volume **III,** section **1915.**

The Secretary of State is required to transmit to Congress copies of certificates received from the State executives relating to the appointment of Presidential electors. Volume **III,** section **1915.**

A certified copy of the judgment in an impeachment case is deposited with the Secretary of State. Volume **III,** section **2098.**

The original notice of ratification of a constitutional amendment by a State is transmitted to the Secretary of State and a copy to the House, where it is laid before the House by the Speaker and filed in its archives. Volume **VIII,** section **3507.**

(8) Of the President's Cabinet.—Duties of the Secretary of the Treasury.

The Secretary of the Treasury alone of all the Cabinet transmits his report directly to Congress (footnote). Volume **V,** section **6652.**

Estimates of appropriations must be transmitted to Congress through the Secretary of the Treasury (footnote). Volume **IV,** section **3575.**

The annual estimates of the Secretary of the Treasury for the support of the Government are printed in advance of the assembling of Congress. Volume **IV,** sections **3574, 3575.**

The Secretary of the Treasury may recommend legislation to Congress, even when his views have not been requested by either House. Volume **V,** section **6652.**

(9) Of the President's Cabinet.—Directions to the Secretary of Commerce and Labor.

A law confers on either House of Congress the power to direct by simple resolution that the Secretary of Commerce and Labor make certain investigations. Volume **II,** section **1594.**

SECTIONS OF A BILL. See also "Amendments."

As to the division of bills into sections and the numbering thereof. Volume **IV,** section **3367.**

The amendment of the numbers of the sections of a bill is done by the Clerk. Volume **IV,** section **3394.** Volume **V,** section **5781.**

After a vote to insert a new section in a bill it is too late to perfect the section by amendment. Volume **V,** sections **5761, 5762.** Volume **VIII,** section **2857.**

An amendment inserting an additional section should be germane to the portion of the bill where it is offered. Volume **V,** section **5822.** Volume **VIII,** section **2930.**

Under the later decisions the principle has been established that an amendment should be germane to the particular paragraph or section to which it is offered. Volume **V,** sections **5811–5820.**

Appropriation and revenue bills are considered in Committee of the Whole by paragraphs, other bills by sections. Volume **IV,** sections **4739, 4740.**

When, in considering a bill by paragraphs or sections, the Committee of the Whole has passed a particular paragraph or section, it is not in order to return thereto. Volume **IV,** sections **4742, 4743.**

When a bill is considered by sections or paragraphs an amendment in the nature of a substitute is properly offered after the reading for amendment is concluded. Volume **V,** section **5788.**

A substitute for an entire bill should be offered after the reading of the first section or at the conclusion of the reading of the bill, and it is not in order after an intermediate section is read. Volume **VIII,** section **2884.**

When it is proposed to offer a single substitute for several paragraphs of a bill which is being considered by paragraphs, the substitute may be moved to the first paragraph, with notice that if it be agreed to motions will be made to strike out the remaining paragraphs. Volume **V,** section **5795.** Volume **VIII,** section **2901.**

The Committee of the Whole may, after the five-minute debate has begun, close debate on the section, paragraph, or pending amendments, but this does not preclude further amendment. Volume **V,** section **5224.**

An exceptional instance wherein the House closed the five-minute debate on a section of a bill in Committee of the Whole before all of the section had been read for amendment. Volume **V,** section **5230.**

During consideration "in the House as in Committee of the Whole" the previous question may not be moved on a single section of a bill. Volume **IV,** section **4930.**

Union Calendar bills considered in the House as in the Committee of the Whole are read for amendment under the five-minute rule by section and not by paragraphs. Volume **VIII,** section **2434.**

In reading a bill under the five-minute rule, a section or paragraph is considered as having been passed for amendment or debate when an amendment in the form of a new section or paragraph is taken up for consideration. Volume **VIII,** section **2357.**

In reading a bill for amendment under the five-minute rule a paragraph is passed when an amendment proposing the adoption of a new section is entertained, but if such amendment is ruled out on a point of order, the paragraph last read is still pending. Volume **VIII,** section **2867.**

Bills are read for amendment in Committee of the Whole by sections or paragraphs and amendments are not in order until the reading of the section or paragraph has been completed. Volume **VIII,** section **2866.**

Whether a bill shall be read by paragraphs, sections, or subsections when read for amendment in the Committee of the Whole is not governed by arbitrary rule but by practical considerations of convenience as determined by the Chairman. Volume **VIII,** section **2346.**

SECTIONS OF A BILL—Continued.

Whether a bill shall be read for amendment by sections or paragraphs is in recent practice a matter of convenience and rests largely within the discretion of the Chairman. Volume **VIII,** section **2341.**

The question as to whether bills shall be considered in the Committee of the Whole by paragraphs or sections is within the determination of the Chairman subject to the will of the committee on appeal. Volume **VIII,** section **2348.**

While the manner of reading a bill is within the determination of the Committee, tariff bills are ordinarily read by paragraphs rather than by sections. Volume **VIII,** section **2349.**

Instance wherein the Committee of the Whole, disregarding the suggestion of the Chairman, determined to read a revenue bill by paragraphs and not by sections. Volume **VIII,** section **2350.**

Overruling the decision of the Chairman, the Committee of the Whole decided that the river and harbor bill should be read by sections. Volume **VIII,** section **2347.**

While under the practice of the House appropriation bills and revenue bills are read for amendment by paragraphs and other bills by sections, the Chairman has on occasion authorized the reading of such other bills by paragraphs where the text of the bill was such as to warrant it. Volume **VIII,** section **2340.**

When a bill is considered "in the House as in Committee of the While" it is read the first time by title only and immediately thereafter by sections for amendment under the five-minute rule. Volume **VIII,** section **2433.**

Amendments in the form of new sections or paragraphs are not considered until all amendments to the pending section or paragraph have been disposed of. Volume **VIII,** section **2358.**

When in considering a bill by paragraphs or sections the Committee of the Whole has passed a particular paragraph or section it is not in order to return thereto. Volume **VIII,** section **2354.**

As the motion to strike out the enacting clause is not in order until the first section of a bill has been read, or after reading for amendment has been concluded, where a bill contained but one paragraph the motion was entertained at the conclusion of the reading of the bill. Volume **VIII,** section **2618.**

SECURITIES.

The sale of fraudulent stocks and bonds and other "blue sky" securities is a subject considered by the Committee on the Judiciary. Volume **VII,** section **1781.**

Bills relating to the fraudulent or unethical sale of securities were taken from the Committee on Interstate and Foreign Commerce and referred to the Committee on the Judiciary. Volume **VII,** section **1782.**

The administration of the War Finance Corporation, the provision of credits for essential industries, and the supervision of the issuance of related securities are subjects within the jurisdiction of the Committee on Banking and Currency. Volume **VII,** section **1795.**

SEDGWICK, THEODORE, of Massachusetts, Speaker.

Decisions on questions of order relating to—

Disorder in debate. Volume **V,** section **5196.**

Disorder in galleries. Volume **II,** section **1605.**

Question or order. Volume **II,** section **1358.**

SEDITION.

Punishment of sedition, espionage, and seditious interference with foreign relations and commerce are subjects within the jurisdiction of the Committee on the Judiciary. Volume **VII,** section **1751.**

SEEDS.

References to statutes regulating the distribution of seeds by Members through the Agricultural Department. Volume **V,** section **7344.**

SEEDS—Continued.

The adulteration of seeds, insect pests, protection of birds and animals in forest reserves, grading of grain, etc., are subjects within the jurisdiction of the Committee on Agriculture. Volume **IV,** section **4157.**

Bills relating to the importation of narcotics, of adulterated or misbranded seeds, and of women for immoral purposes have been reported, but not exclusively, by the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1820.**

The law establishing the Department of Agriculture was held to authorize an appropriation for the purchase and distribution of free seeds. Volume **VII,** section **1166.**

A provision for the purchase and distribution of seeds was held to be legislation and not in order on an appropriation bill. Volume **VII,** section **1479.**

An appropriation for distribution of seeds was held to be in order in an appropriation bill. Volume **VII,** section **1165.**

The law authorizing the Secretary of Agriculture to sell seed for cash, a proposition authorizing him to sell for credit was held to be legislation. Volume **VII,** section **1439.**

SEGAR.

The Virginia election case of Joseph Segar in the Thirty-seventh Congress. Volume **I,** sections **363, 364.**

The Virginia election case of Chandler and Segar in the Thirty-eighth Congress. Volume **I,** section **375.**

The Virginia election case of Joseph Segar in the Forty-first Congress. Volume **I,** section **318.**

The Senate election cases of Segar and Underwood, from Virginia, in the Thirty-eighth Congress. Volume **I,** section **384.**

SELECT COMMITTEES. See "Committees."

SELVIG.

The Minnesota election case of Wefald v. Selvig in the Seventieth Congress. Volume **VI,** section **178.**

SENATE AMENDMENTS. See "Amendments," "Amendments Between the Houses" and "Conferences."

SENATE BILLS. See "Bills."

SENATE CHAMBER.

Ceremonies of removing from the old to the new halls of the House and Senate. Volume **V,** section **7271.**

SENATE PRECEDENTS. See also "Contempts," "Elections of Senators," "Expulsion" and "Investigations."

(1) Senate.—Representation in, etc.
(2) Senate.—Questions of privilege in the House relating to.
(3) Senate.—Testimony in the House affecting Senators.
(4) Senate.—Testimony of Senators in House investigations.
(5) Senate.—Officers of, summoned to give evidence in the House.
(6) Senate.—Informed of the organization of the House.
(7) Senate.—General messages to and from.
(8) Senators.—Appointment of.
(9) Senators.—Incompatible offices.
(10) Senators.—Deaths of.
(11) Senators.—References to, in debate.
(12) Senators.—Testimony affecting.
(13) Senators.—Required as witnesses by the House.
(14) Senators.—Disorderly conduct of.

SENATE PRECEDENTS—Continued.

(15) Senators.—Laws regulating conduct of.
(16) Senators.—Charges against.
(17) Senators.—Investigations of the conduct of.
(18) Senators.—Expulsion and censure of. See also "Expulsion."
(19) Senators.—Not subject to impeachment.
(20) Senators.—Questions of privilege relating to.
(21) Senators.—In general.
(22) Organization.—The Presiding Officer.—In general.
(23) Organization.—The Presiding Officer.—By designation.
(24) Organization.—The Presiding Officer.—Discussions as to powers of.
(25) Organization.—Other officers.
(26) Organization.—Proceedings in.
(27) Organization.—Prima facie title.—Function of credentials.
(28) Organization.—Prima facie title.—Form of credentials.
(29) Organization.—Prima facie title.—Irregular credentials.
(30) Organization.—Prima facie title.—Conflicting credentials.
(31) Organization.—Prima facie title.—No credentials.
(32) Organization.—Prima facie title.—Questions as to election or appointment.
(33) Organization.—Prima facie title.—As affected by charges of bribery.
(34) Organization.—Prima facie title.—As related to qualifications in general.
(35) Organization.—Prima facie title.—As related to loyalty.
(36) Organization.—Prima facie title.—As related to admission of the State.
(37) Organization.—Prima facie title.—As related to status of legislature and State government.
(38) Organization.—Prima facie title.—As related to a condition of civil war.
(39) Organization.—Prima facie title.—In general.
(40) Organization.—Terms of Senators.
(41) Sessions and recesses.
(42) Prerogatives and powers.—Senate a continuing body.
(43) Prerogatives and powers.—Investigations.—In general.
(44) Prerogatives and powers.—Investigations.—Arrest of witnesses, etc.
(45) Prerogatives and powers.—Investigations.—Warrants and subpoenas.
(46) Prerogatives and powers.—Investigations.—As related to the other House.
(47) Prerogatives and powers.—Contempts.—In general.
(48) Prerogatives and powers.—Contempts.—Involving a Member of the Other House.
(49) Prerogatives and powers.—As to revenue and appropriate legislation.
(50) Prerogatives and powers.—As to revenue treaties.
(51) Prerogatives and powers.—As to treaties and foreign relations.
(52) Prerogatives and powers.—As related to the Executive.—In general.
(53) Prerogatives and powers.—As related to the Executive.—Inquiries.
(54) Prerogatives and powers.—In general.
(55) The Vice-President's vote.
(56) General procedure.—Adjournment.
(57) General procedure.—Amendments.
(58) General procedure.—Amendments between the Houses.
(59) General procedure.—Bills.
(60) General procedure.—Business.
(61) General procedure.—Conferences.—Occasions for.
(62) General procedure.—Conferences.—Asking of.
(63) General procedure.—Conferences.—Disregard of request for.
(64) General procedure.—Conferences.—Managers of.
(65) General procedure.—Conferences.—Reports not within the disagreements.
(66) General procedure.—Conferences.—Recommittal of reports.

SENATE–PRECEDENTS—Continued.

(67) General procedure.—Conferences.—Reports, action on, etc.
(68) General procedure.—Congressional Record. See also "Congressional Record."
(69) General procedure.—Committees.—In general.
(70) General procedure.—Committees.—Joint.
(71) General procedure.—Constitutional amendments.
(72) General procedure.—Debate.
(73) General procedure.—Decorum.
(74) General procedure.—Files and papers.
(75) General procedure.—Journal.
(76) General procedure.—Messages.
(77) General procedure.—Motions.
(78) General procedure.—Order.
(79) General procedure.—Petitions, etc.
(80) General procedure.—Quorum.
(81) General procedure.—Rules.
(82) General procedure.—Sessions.—Extraordinary.
(83) General procedure.—Sessions.—Secret.
(84) General procedure.—Voting.—In general.
(85) General procedure.—Voting.—Division of the question.
(86) General procedure.—Voting.—Disqualifying personal interest.
(87) General procedure.—In general.

(1) Senate.—Representation in, etc.

No amendment to the Constitution may deprive any State, without its consent, of its equal suffrage in the Senate. Volume **V,** section **7025.**

Reference to discussion of the permanent and temporary conditions of Senate and House, respectively, as organized bodies (footnote). Volume **IV,** section **4445.**

The Secretary and Sergeant-at-Arms of the Senate, Superintendent of the Capitol, the Librarian of Congress, and is assistant in the law library have the privilege of the floor. Volume **V,** section **7283.**

(2) Senate.—Questions of Privilege in the House Relating to.

A resolution relating to language reflecting on the Senate was entertained as a question of privilege. Volume **V,** section **5129.**

Language used in the House and published in the Congressional Record reflecting upon the Senate and Senators presents a question of privilege. Volume **V,** section **6980.**

After a speech reflecting on the character of the Senate had appeared in the Record a resolution proposing an apology to the Senate was treated as a matter of privilege. Volume **V,** section **5129.**

A resolution declaring that the counting of the electoral vote of a certain State by direction of the Presiding Officer of the Senate was an invasion of the privileges of the House was held in order in the House. Volume **III,** section **2576.**

Certain Members of the House having, in a published letter, sought to influence the vote of a Senator from their State in an impeachment case, it was held that no question of privilege arose thereby in the House. Volume **III,** section **2657.**

A charge of general corruption in the Government made in the Senate does not so reflect on the House as to raise a question of privilege. Volume **III,** section **2658.**

The House has investigated the constitutional right of a Senator to perform services for the Executive. Volume **I,** section **495.**

(3) Senate.—Testimony in the House Affecting Senators.

A committee of the House having reported that it had taken testimony which inculpated a Senator the House directed that it be transmitted to the Senate. Volume **III,** section **1830.**

SENATE PRECEDENTS—Continued.

(3) Senate.—Testimony in the House Affecting Senators—Continued.

A committee of the House having taken testimony affecting a Senator, it was ordered that a copy of it be sent to him. Volume **III,** section **1852.**

(4) Senate.—Testimony of Senators in House Investigations.

Either House may request, by message, but not command, the attendance of a Member of the other House. Volume **III,** section **1768.**

An instance wherein a committee of the House took the testimony of a Senator, although consent of the Senate had not been obtained (footnote). Volume **III,** section **1795.**

Where the House desires the testimony of Senators it is proper to ask and obtain leave for them to attend. Volume **III,** sections **1790, 1791.**

A committee of the House having summoned certain Senators by subpoena, the summons was either disregarded or obeyed under protest. Volume **III,** sections **1792, 1793.**

(5) Senate.—Officers of, Summoned to Give Evidence in the House.

The Senate has not considered that its privilege forbade the House to summon one of its officers as a witness. Volume **III,** section **1798.**

The Secretary of the Senate obeyed a subpoena duces tecum of a House investigating committee. Volume **III,** section **1797.**

The Secretary of the Senate being subpoenaed to appear before a committee of the House with certain papers from the files, the Senate, after a discussion as to privilege, empowered him to attend with the papers in his custody. Volume **III,** section **2665.**

(6) Senate.—Informed of the Organization of the House.

The Senate and President are informed of the presence of a quorum and the organization of the House. Volume **I,** sections **198–203.**

In recent years all the officers have been elected before the President and Senate have been informed of the organization. Volume **I,** sections **194–196.**

In the earlier practice the messages announcing the organization were sent immediately after the election of Speaker and did not refer to the election of Clerk. Volume **I,** sections **198–203.**

In 1860 the House decided that it might inform the Senate and President of its organization and election of a Speaker before it had elected a Clerk. Volume **I,** section **240.**

A speaker pro tempore being elected, the Senate and President are informed. Volume **II,** section **1401.**

When the House elects a Speaker pro tempore for any considerable time it is usual to notify the Senate, and sometimes the President of the United States also. Volume **II,** sections **1406–1412.**

The Speaker being elected to fill a vacancy caused by resignation, the Senate, but not the President, was notified of the fact. Volume **I,** section **231.**

The Congress is not assembled until both House and Senate are in session with a quorum present. Volume **VI,** section **5.**

(7) Senate.—General Messages To and From.

Messages constitute the sole source of official information as to action taken by the other House and may not be supplemented or questioned. Volume **VIII,** section **3342.**

The Senate having failed to transmit a proper message, the Speaker directed that the attention of the Secretary of the Senate be called to the omission. Volume **VIII,** section **3344.**

Where a special order provided for the consideration of a bill from day to day until disposed of it was held that conference reports and messages from the Senate might intervene. Volume **VII,** section **789.**

Whereas it was formerly the custom to transmit messages only when both Houses were sitting, the present practice permits the reception of messages regardless of whether the other House is in session. Volume **VIII,** section **3338.**

SENATE PRECEDENTS—Continued.

(7) Senate.—General Messages To and From—Continued.

The reception of a message from the President or the other house is not the transaction of business and does not require the presence of a quorum. Volume **VIII,** section **3339.**

Messages between the Houses are received during debate, but are to be sent only when both Houses are sitting. Volume **V,** section **6601.**

Practices as to the reception in the House of messages from the Senate as founded on former joint rules. Volume **V,** section **6592.**

Messages from the Senate and President giving notice of bills passed or approved are entered in the Journal and published in the Record. Volume **V,** section **6593.**

Forms of messages in use by the Clerk of the House in transmitting business from the House to the Senate. Volume **V,** section **6596.**

Instance wherein two Members of the House were directed to take a confidential message to the Senate. Volume **II,** section **1538.**

The House directed the return of a Senate bill not attested by the Secretary. Volume **IV,** section **3426.**

Under the later practice, when a conference report is ruled out of order, the Senate is informed by message that the report has been rejected. Volume **V,** sections **6409–6413.**

The Senate having requested the return of a bill which had been enrolled, signed by the Speaker and transmitted to the Senate, a resolution was passed directing that the Senate be informed thereof. Volume **IV,** section **3480.**

The House may dispose of a Senate proposition adversely by laying it on the table. Volume **V,** section **5638.**

(8) Senators.—Appointment of.

The question as to when the term of service of a Senator appointed by a State executive to fill a vacancy ceases. Volume **I,** sections **787–790.**

A Senator appointed by the State executive to fill a vacancy ceases to serve after the final adjournment of the legislature which should elect his successor. Volume **V,** section **6689.**

Reference to cases in the Senate relating to the authority of State executives to make appointments to fill vacancies in the United States Senate (footnote). Volume **I,** section **790.**

The sufficiency of authorization conferred by a State statute on the State executive to appoint a United States Senator under the provisions of the seventeenth amendment to the Constitution. Volume **VI,** section **173.**

(9) Senators.—Incompatible Offices.

Summary of instances wherein Members of the House and Senate have been appointed by the Executive to commissions (footnote). Volume **I,** section **493.**

The House has investigated the constitutional right of a Senator to perform services for the Executive. Volume **I,** section **495.**

No Senator or Representative or person holding an office of trust or profit under the United States may be appointed an elector. Volume **III,** sections **1911, 1912.**

Senators can not properly be said to hold their places "under the Government of the United States." Volume **II,** section **1282.**

Senators.—Deaths of.

Forms of action on death of a Senator and Member-elect who had died in the recess before the assembling of Congress. Volume **V,** section **7129.**

Ceremonies at the state funeral of a deceased Senator. Volume **V,** section **7155.** Volume **VIII,** section **3570.**

(11) Senators.—References to, in debate.

It has always been considered the particular duty of the Speaker to prevent expressions offensive to the Senate or Senators. Volume **V,** section **5130.**

A Member may not in the course of debate read a paper criticising a Member of the Senate. Volume **V,** section **5127.**

SENATE PRECEDENTS—Continued.

(11) Senators.—References to, in Debate—Continued.

It is not in order in debate to refer to a Senator in terms of personal criticism. Volume **V,** sections **5121, 5122.**

A Member may not in debate in the House read the record of speeches and votes of Senators in such connection of comment or criticism as might be expected to lead to recriminations. Volume **V,** sections **5101–5105.**

The resignation of a Senator for a public reason was debated in the House without question. Volume **V,** section **5128.**

The quotation of personal views of a Senator not uttered in the Senate was held to be in order in the House. Volume **V,** section **5112.**

Consideration in the Senate of the extent to which the other House or its Members might be referred to in debate. Volume **V,** section **5122.**

(12) Senators.—Testimony Affecting.

A committee of the House having reported that it had taken testimony which inculpated a Senator, the House directed that it be transmitted to the Senate. Volume **III,** section **1850.**

An investigating committee of the House having taken testimony affecting a Member of the Senate, the House transmitted the same to the Senate. Volume **II,** section **1276.**

Testimony affecting a Senator, when taken by a House committee in open session, need not be under seal when transmitted to the Senate. Volume **III,** section **1851.**

A committee of the House having taken testimony affecting a Senator, it was ordered that a copy of it be sent to him. Volume **III,** section **1852.**

Testimony taken before a joint select committee tending to impeach the official characters of a Senator and a Representative, the committee ordered the testimony to be reported to each House. Volume **III,** section **1854.**

(13) Senators.—Required as Witnesses by the House.

When the House desires the testimony of Senators it is proper to ask and obtain leave for them to attend. Volume **III,** sections **1790, 1791.**

A Senator having neglected to accept an invitation or respond to a subpoena requesting him to testify before a House committee, the House by message requested that the Senate give him leave to attend. Volume **III,** section **1794.**

An instance wherein a committee of the House took the testimony of a Senator, although consent of the Senate had not been obtained (footnote). Volume **III,** section **1795.**

A committee of the House having summoned certain Senators by subpoena, the summons was either disregarded or obeyed under protest. Volume **III,** sections **1792, 1793.**

(14) Senators.—Disorderly Conduct of.

Reference to an affray between two Senators on the floor of the Senate in 1850. Volume **II,** section **1664.**

In early and infrequent instances of misunderstandings and disorder in the Senate, no action was taken beyond investigation. Volume **II,** sections **1663–1664.**

(15) Senators.—Laws Regulating Conduct of.

Summary and discussion of laws regulating the conduct of Representatives and Senators. Volume **II,** section **1282.**

There is no necessary connection between the conviction of a Senator under section 1782, Revised Statutes, and the right of the Senate to punish one of its Members. Volume **II,** section **1282.**

Convictions under sections 1781 and 1782 of the Revised Statutes, and not merely accusation, is required to raise a question of qualification against a Senator-elect. Volume **II,** section **955.**

SENATE PRECEDENTS—Continued.

(15) Senators.—Laws Regulating Conduct of—Continued.

A decision by a court that the statute prohibiting a Senator from receiving compensation for procuring an office for another does not apply to a Senator-elect. Volume **III,** section **1839.**

A final judgment of conviction under section 1782, Revision Statutes, does not operate ipso facto to vacate the seat of a convicted Senator or compel the Senate to expel him. Volume **II,** section **1282.**

The Congress may by law impose certain restrictions on the conduct of Senators and Representatives without conflicting with the fundamental idea of the Constitution. Volume **II,** section **1282.**

(16) Senators.—Charges Against.

The Senate ordered a Senator to attend in his place when a report relating to charges against him was to be presented. Volume **II,** sections **1263, 1264.**

A Senator impeached by the House of Representatives was arrested by order of the Senate and released only on surety. Volume **II,** section **1263.**

The Speaker laid before the House a letter of explanation from a Senator who was aggrieved by a reference to him personally in a House report. Volume **V,** section **6654.**

The President of the United States transmitted to the Senate a letter impeaching the conduct of a Senator. Volume **II,** section **1263.**

The written answer of a Senator to charges made against him was returned by the Senate because it contained irrelevant matter. Volume **II,** section **1264.**

The Senate having allowed a Member to be heard by counsel exercised the power of approving his selections. Volume **II,** section **1264.**

A Senator being indicted for fraud made a personal explanation and withdrew from the Senate pending the trial. Volume **II,** section **1278.**

Discussion of the decision of the Senate in the matter of charges against Humphrey Marshall, a Senator. Volume **II,** section **1264.**

A resolution providing for an investigation of charges that Members of the House and Senate had profited in the stock market by the use of official information was held to involve a question of privilege. Volume **VI,** section **394.**

Charges against Members of the House and Senate being unsubstantiated, the resolution and report thereon were laid on the table. Volume **VI,** section **394.**

The investigation of charges against Burton K. Wheeler, a Senator from Montana. Volume **VI,** section **399.**

A Senator having been indicted by a grand jury, asked and obtained an investigation by a committee of the Senate. Volume **VI,** section **399.**

A Senator having been indicted in the United States district court, the Senate, prior to the trial, investigated the charges and exonerated him. Volume **VI,** section **399.**

Form of resolution providing for investigation of charges against a Senator. Volume **VI,** section **399.**

(17) Senators.—Investigations of the conduct of.

Stanley Matthews, a Senator from Ohio, was sworn and examined before a Senate committee appointed to investigate his conduct. Volume **III,** section **1837.**

An attempt of the House to investigate alleged corruption in connection with the votes of Senators during the Johnson trial was the subject of discussion and investigation in the Senate. Volume **III,** section **2064.**

An inquiry as to the integrity of the Senators was held to be within the power of the Senate, and questions relating thereto were not unreasonable intrusions into the affairs of the citizen. Volume **II,** section **1614.**

The Senate did not pursue inquiry as to the charge that Senator John Smith had sworn allegiance to a foreign power, the said oath having been taken before his election as Senator. Volume **II,** section **1264.**

SENATE PRECEDENTS—Continued.

(18) Senators.—Expulsion and Censure of. See also "Expulsion."

Argument that expulsion applies only to acts of a Senator or Member done by him while in such office or in relation to his functions as such officer. Volume **I,** section **481.**

Impeachment proceedings against a Senator were continued after his expulsion. Volume **II,** section **1263.**

A discussion as to whether or not the principles of the procedure of the courts should be followed in action for expulsion. Volume **II,** section **1264.**

A committee having recommended the expulsion of a Senator, the Senate allowed him to be heard by counsel at the bar of the Senate before action on the report. Volume **II,** section **1263.**

The Senate allowed a Member threatened with expulsion to be heard by counsel, but did not grant his request for a specific statement of charges or compulsory process for witnesses. Volume **II,** section **1264.**

The Senate, having allowed a Member to be heard by counsel, exercised the power of approving his selections. Volume **II,** section **1264.**

William Blount for a high misdemeanor inconsistent with his public trust and duty was expelled from the Senate. Volume **II,** section **1263.**

The Senate failed by 1 vote to expel John Smith, charged with participation in a treasonable conspiracy. Volume **II,** section **1264.**

A Senator having used words which might incite treason, a resolution of expulsion was proposed but withdrawn upon explanation. Volume **II,** section **1272.**

Discussion of reason for requiring two-thirds vote rather than majority vote for expulsion from the Senate. Volume **VI,** section **106.**

Various instances of expulsion of Senators. Volume **II.** sections **1263, 1266–1270.**

A proposition for the censure of a Senator was entertained as privileged. Volume **VI,** section **239.**

A Senator against whom a resolution of censure was pending addressed the Senate without permission being asked or given. Volume **VI,** section **239.**

A Senator who had employed an official of a manufacturing association as a clerk in the formulation of a tariff bill was censured by the Senate. Volume **VI,** section **239.**

(19) Senators.—Not Subject to Impeachment.

The impeachment of William Blount, a United States Senator, in 1797. Volume **III,** sections **2294–2318.**

William Blount pleaded that he was not at the time of pleading a Senator and that a Senator was not impeachable as a civil officer. Volume **III,** sections **2310.**

Articles of impeachment being presented against a Senator he was sequestered from his seat and was ordered to and did recognize for his appearance. Volume **III,** sections **2118.**

Elaborate argument of the question whether or not a Senator is a civil officer within the meaning of the impeachment clause of the Constitution. Volume **III,** section **2316.**

The Senate decided that it had no jurisdiction to try an impeachment against William Blount a Senator. Volume **III,** section **2318.**

(20) Senators.—Questions of Privilege Relating to.

Language used in the House and published in the Congressional Record reflecting upon the Senate and Senators presents a question of privilege. Volume **V,** section **6980.**

A Member of the House having assaulted a Senator for words spoken in debate, the Senate examined the breach of privilege and transmitted the report to the House for action. Volume **II,** section **1622.**

A proposition relating to an assault on a Senator by a Member was held in order as a question of privilege. Volume **II,** section **1621.**

Certain Members of the House having in a published letter sought to influence the vote of a Senator from their State in an impeachment case, it was held that no question of privilege arose thereby in the House. Volume **III,** section **2657.**

SENATE PRECEDENTS—Continued.

(20) Senators.—Questions of Privilege Relating to—Continued.

A resolution declaring that the counting of the electoral vote of a certain State by direction of the Presiding Officer of the Senate was an invasion of the privileges of the House was held in order in the House. Volume **III,** section **2576.**

(21) Senators.—In General.

Members of Congress, Members-elect and, under certain conditions, ex-Members of the House, and contestants in election cases, have the privilege of the floor. Volume **V,** section **7283.**

The certificates of electoral votes are presented to the joint meeting in alphabetical order of States, and on being read are subject to objection in writing signed by at least one Member and one Senator. Volume **III,** section **1918.**

A Senator, member of a joint commission created by law and appointed by the Presiding Officers of the two Houses, respectively, tendered his resignation in the Senate. Volume **IV,** section **4446.**

Bills providing clerks for Members and Senators were reported by the Committee on Accounts. Volume **IV,** section **4334.**

Official precedence of Senators and other officials of the Government. Volume **VIII,** section **3675.**

Rank and prerogatives of Senators and Representatives when moving with the Army. Volume **VIII,** section **3674.**

A Senator being subpoenaed to appear before the grand jury of the District of Columbia announced in the Senate that he would disregard it. Volume **VI,** section **588.**

A Senator declining to heed a summons to appear and testify before a Federal grand jury, the court held that if he failed to obey the subpoena voluntarily the court was without power to compel his attendance. Volume **VI,** section **588.**

All criminal offenses are comprehended by the terms "treason, felony, and breach of the peace," as used in the Constitution, expecting these cases from the operation of the privilege from arrest therein conferred upon Senators and Representatives during their attendance at the sessions of their respective Houses, and in going to and returning from the same. Volume **VI,** section **589.**

Application of the statute prohibiting Members of Congress from serving in causes to which the United States is party. Volume **VI,** section **399.**

A committee of investigation expressed the opinion that the appearance as lobbyists of former Senators and former Members of the House should be discouraged. Volume **VI,** section **372.**

A decision by a court that the statute prohibiting a Senator from receiving compensation for procuring an office for another does not apply to a Senator-elect. Volume **III,** section **1839.**

(22) Organization.—The Presiding Officer.—In General.

The Senate having assembled and there being no Presiding Officer, by mutual consent one of the older Members took the chair. Volume **I,** section **118.**

The Senate, following the act of 1789, declined to administer the oath to Members-elect until it had chosen a President pro tempore, although a precedent for the proposed action was cited. Volume **II,** section **118.**

Nature of the office of President pro tempore of the Senate and its relation to the Vice-President. Volume **II,** section **1417.**

The Senate declined to investigate charges against the Vice-President, it being urged that he was subject to impeachment proceedings only. Volume **II,** section **1242.**

The President pro tempore of the Senate holds the office at the pleasure of that body. Volume **II,** section **1417.**

A Member of the Senate elected President pro tempore was excused from serving by vote of the Senate. Volume **II,** section **1418.**

SENATE PRECEDENTS—Continued.

(22) Organization.—The Presiding Officer.—In General—Continued.

The instance wherein the Senate elected a number of Presidents pro tempore to serve seriatim for stated terms. Volume **VI,** section **282.**

(23) Organization.—The Presiding Officer.—By Designation.

The President pro tempore of the Senate has general power to designate in writing a Senator to perform the duties of the Chair during his absence. Volume **II,** section **1413.**

In the Senate the process of designating a President pro tempore for the day's sitting has been the subject of much discussion. Volume **II,** sections **1414–1416.**

The Senate by rule empowers a Presiding Officer by designation to sign enrolled bills. Volume **II,** section **1403.**

The Senate by resolution empowered its Acting President pro tempore to sign enrolled bills. Volume **II,** section **1402.**

In the Senate a temporary President pro tempore sometimes designates another. Volume **II,** section **1385.**

The Vice President was authorized to name a Senator to preside in the absence of the President pro tempore. Volume **VI,** section **522.**

In the absence of the Vice President during the election of a President pro tempore of the Senate, a President pro tempore was designated to preside. Volume **VI,** section **281.**

(24) Organization.—The Presiding Officer.—Discussions as to Powers of.

Reference to discussions of the powers of the Vice-President as Presiding Officer of the Senate and as to calling to order. Volume **II,** section **1340.**

References to discussions of the power of the Vice-President to call to order (footnote). Volume **II,** section **1345.**

Discussion and ruling in the senate as to decisions of questions of order by the Presiding Officer. Volume **II,** section **1340.**

The President pro tempore of the Senate declined to take the responsibility of directing the Secretary to omit from the call of the yeas and nays the names of two Senators who had been declared in contempt. Volume **II,** section **1665.**

(25) Organization.—Other Officers.

The election of an officer of the Senate may be by ballot, by roll call, or by resolution. Volume **VI,** section **282.**

A majority vote is required for the election of officers of both House of Congress. Volume **VI,** section **23.**

The election of an officer of the Senate is privileged and unless otherwise ordered by the Senate, balloting continues until a majority is obtained. Volume **VI,** section **281.**

An officer of the Senate being charged with authorship of a magazine article prejudicial to the reputations of Members of Congress, was suspended pending an investigation. Volume **VI,** section **37.**

In response to charges made in open session, an officer of the Senate appeared voluntarily at the bar and being arraigned declined counsel. Volume **VI,** section **37.**

In arraigning one of its officers the Senate declined to require that questions be reduced to writing, and elected to interrogate him orally. Volume **VI,** section **37.**

Instance wherein the Senate by resolution removed its Sergeant at Arms. Volume **VI,** section **37.**

The Senate having dismissed its Sergeant at Arms for cause, declined to take further punitive action. Volume **VI,** section **37.**

On the removal of the Sergeant at Arms, the Deputy Sergeant at Arms succeeded to the duties of the office as Assistant Sergeant at Arms, without action by the Senate. Volume **VI,** section **37.**

Form of announcement to the Senate of the death of its Chief Clerk. Volume **V,** section **7175.**

SENATE PRECEDENTS—Continued.

Organization.—Proceedings in.

Senators and Representatives are bound by oath or affirmation to support the Constitution. Volume **I,** section **127.**

The Presiding Officer of the Senate being present, the oath of office was administered to Senators-elect, although no quorum was present. Volume **I,** sections **181, 182.**

Before an organization of the House has been effected the Senate has not usually proceeded to general legislation. Volume **I,** sections **122–125.**

A candidate for the office of Secretary of the Senate was allowed to address the Senate in explanation of certain charges. Volume **I,** section **296.**

(27) Organization.—Prima Facie Title.—Function of Credentials.

Discussion of the elements of a prima facie case as made out by the credentials of a Member-elect. Volume **I,** section **352.**

A Senate committee's discussion of the functions of credentials in the organization of a legislature. Volume **I,** section **631.**

A State executive having issued credentials in due form on the assumption that a Senator had vacated his seat by accepting an army office, the credentials were referred and the bearer was not seated. Volume **I,** section **491.**

The Senate does not consider questions arising on the credentials until the beginning of the term to which they refer (footnote). Volume **I,** section **652.**

There being a question as to a vacancy to be filled, the Senate examined the case before administering the oath to a bearer of regular credentials. Volume **I,** section **573.**

(28) Organization.—Prima Facie Title.—Form of Credentials.

Federal law directs the issuance and prescribes the form of credentials of Senators-elect. Volume **I,** section **127.**

Discussion as to the required form for Senate credentials under the law. Volume **I,** section **352.**

A question in the Senate as to whether or not credentials should set forth at length the proceedings of the electing legislature. Volume **I,** section **573.**

Credentials signed by a governor certifying to his own election as Senator were received by the Senate without question. Volume **I,** section **573.**

(29) Organization.—Prima Facie Title.—Irregular Credentials.

Instance wherein the Senate gave immediate prima facie effect to informal credentials although other claimants presented credentials technically conforming to law. Volume **I,** section **389.**

A Senator-elect was permitted to take the oath although his credentials were irregular in minor particulars. Volume **I,** section **595.**

A Senator-elect, whose credentials were not in regular form, was seated, the irregular portions being considered as surplusage. Volume **I,** section **594.**

In reconstruction days the Senate deemed valid credentials signed by a provisional military governor. Volume **I,** section **430.**

Credentials unusual in form and signed by the Member-elect himself as "brevet major-general" and "provisional governor" of Mississippi were honored by the Senate. Volume **I,** section **438.**

(30) Organization.—Prima Facie Title.—Conflicting Credentials.

Confliciting credentials, each regular in form, being presented in the Senate at different times, those first issued and first presented were honored after the circumstances had been examined. Volume **I,** section **627.**

Conflicting credentials being presented and a question of law appearing, the Senate swore in neither contestant until after examination by a committee. Volume **I,** section **395.**

SENATE PRECEDENTS—Continued.

(30) Organization.—Prima Facie Title.—Conflicting Credentials—Continued.

There being conflicting credentials arising from a question as to the legality of election and an allegation of disqualification, the Senate determined final right before either claimant was seated. Volume **I,** section **632.**

Before its committee had reported on conflicting credentials the Senate took one set of credentials from the committee and seated a claimant whose prima facie and final right and personal conduct were assailed. Volume **I,** section **628.**

The Senate gave immediate prima facie effect to credentials regular in form, although a contestant presented irregular credentials. Volume **I,** section **633.**

(31) Organization.—Prima Facie Title.—No Credentials.

In a case wherein a governor declined to sign the credentials of a Senator-elect the Senate admitted the claimant after examination of final right. Volume **I,** section **353.**

(32) Organization.—Prima Facie Title.—Questions as to Election or Appointment.

The Senate decided that a person presenting credentials in due form should be sworn in, although a question had been raised as to his election. Volume **I,** section **545.**

The Senate gave immediate prima facie effect to regular credentials, although a memorial impeached the regularity and legality of the election. Volume **I,** section **551.**

In the Senate, in 1857, credentials regular in form were honored, although a memorial from the State legislature impeached the election of the bearer. Volume **I,** section **543.**

In the Senate, when credentials have on their face raised a question as to the constitutionality of the appointment, the bearer has not been seated on prima facie showing. Volume **I,** section **611.**

(33) Organization.—Prima Facie Title.—As Affected by Charges of Bribery.

A Senator-elect took the oath on his prima facie right without challenge, although charges of bribery in his election were presented immediately thereafter. Volume **I,** section **692.**

The Senate seated a Senator-elect on prima facie showing of his election by a legislature, although his election for a prior term had been found by a committee invalid because of bribery. Volume **I,** section **695.**

A Senator having resigned apparently to escape being unseated for bribery was not readmitted on credentials showing appointment by an acting governor. Volume **I,** section **694.**

(34) Organization.—Prima Facie Title.—As Related to Qualifications in General.

Although it was understood that objection was made to a Senator-elect on the question of qualification, yet the oath was administered on his prima facie showing. Volume **I,** section **481.**

Charges that a Senator-elect was disqualified did not avail to prevent his being sworn in by virtue of his prima facie right. Volume **I,** section **429.**

In the Senate, in 1856, a Senator-elect was sworn on his prima facie right. Although his qualifications were questioned. Volume **I,** section **416.**

Contention that a Senator may be excluded for disqualification by majority vote, even though he may have been sworn in. Volume **I,** section **481.**

A Senator was unseated for disqualification after he had been seated on his prima facie right. Volume **I,** section **429.**

The Senate by majority vote unseated Albert Gallatin for disqualification after he had taken the oath. Volume **I,** section **428.**

In 1856 the Senate considered and decided a question as to the qualifications of a Member who had already been seated on his prima facie showing. Volume **I,** section **416.**

(35) Organization.—Prima Facie Title.—As Related to Loyalty.

In 1867 the Senate, upon the statement by a Member that there were rumors affecting the loyalty of a Member-elect, referred the credentials before permitting the oath to be taken. Volume **I,** sections **457, 458.**

SENATE PRECEDENTS—Continued.

(35) Organization.—Prima Facie Title.—As Related to Loyalty—Continued.

In 1866 a Senator having stated in his place that the loyalty of a Senator-elect was doubtful, the credentials were referred to a committee before the oath was taken. Volume **I,** section **453.**

A Senator-elect whose loyalty satisfactorily withstood inquiry, but who seemed unable truthfully to take the oath of July 2, 1862, was finally permitted to take the oath. Volume **I,** section **453.**

The credentials of a Senator-elect being regular and unimpeached and the election having been by the one legally organized legislature, the Senate seated the bearer at once, although charges were filed aganst him personally. Volume **I,** section **552**.

The Senate declined to give immediate prima facie effect to regular credentials, impeached by a memorial alleging irregularities in constitution of the State legislature and suggesting personal disqualification of the bearer. Volume **I,** section **393.**

(36) Organization.—Prima Facie Title.—As Related to Admission of the State.

The Senate declined to admit the persons bearing credentials as Senators-elect from Tennessee until that State had been admitted to the Union. Volume **I,** section **398.**

The Senate declined to admit a Senator-elect from Minnesota until a formal act of admission had been passed by Congress. Volume **I,** section **399.**

(37) Organization.—Prima Facie Title.—As Related to Status of Legislature and State Government.

Discussion in the Senate as to whether or not the competency of the electing body is a question of determining importance in considering the prima facie effect of credentials. Volume **I,** section **348.**

The question of the competency of the electing legislature as an inherent part of a prima facie showing discussed by the Senate. Volume **I,** section **342.**

The Senate gave immediate prima facie effect to credentials regular in form, but impeached by a memorial and historical facts relating to rival legislatures. Volume **I,** section **342.**

There being rival claimants bearing credentials from rival executives and chosen by rival legislatures, the Senate did not give prima facie effect to either credentials. Volume **I,** section **345**.

There being conflicting credentials resulting from elections by rival legislative bodies, the Senate declined to give prima facie effect to the papers and examined the final right. Volume **I,** section **358**.

The Senate gave immediate prima facie effect to perfect credentials certifying election by a legally organized legislature, although it was objected that popular will had been subverted in electing the legislators. Volume **I,** section **359**.

The Senate failed to follow its committee in giving prima facie effect to regular credentials impeached by allegations that the legislature had been elected in violation of the provisions of Federal law. Volume **I,** section **394.**

The Senate declined to give immediate prima facie effect to credentials regular in form, but from a State where there were rival claimants to the governorship and rival legislatures. Volume **I,** section **354.**

The Senate declined to seat the bearer of credentials signed by a person exercising the authority of governor, it being objected that the signer was an usurper and that there was not election by a valid legislature. Volume **I,** section **352.**

A person ascertained by a majority of the committee to be legally elected and certified was seated by the Senate, although both executive and legislature were displaced by force before the Senate acted. Volume **I,** section **356.**

There being two conflicting credentials, the Senate declined to give immediate prima facie effect to either, although the electing and certifying government behind one had been swept away by force. Volume **I,** section **355.**

SENATE PRECEDENTS—Continued.

(37) Organization.—Prima Facie Title.—As Related to Status of Legislature and State Government—Continued.

There being conflicting credentials from rival claimants to the office of governor, the Senate referred the papers before considering the question of swearing in either claimant to the seat. Volume **I,** section **347.**

Discussion of the status of a governor de facto as distinguished from an usurper. Volume **I,** section **350.**

(38) Organization.—Prima Facie Title.—As Related to a Condition of Civil War.

The Senate declined to give prima facie effect to credentials regular in form but from a State known to be kept from the duress of an armed foe only by a partial military protection. Volume **I,** section **382.**

Instance wherein the Senate gave immediate prima facie effect to credentials from a de facto government in a State disturbed by civil war. Volume **I,** section **383.**

From a State distracted by civil war the Senate admitted Senators chosen by a legislature representing no more than a third or fourth of the people. Volume **I,** section **383.**

The Senate declined to admit persons elected under the auspices of a State government representing a portion only of the people in a State menaced by hostile armies. Volume **I,** section **382.**

The Senate declined to admit to a seat a person bearing uncontested credentials of election by a legislature representing a small fraction of the people in a seceding State. Volume **I,** section **384.**

A State having been in secession, the Senate admitted as Senator the person chosen after the State had conformed to conditions prescribed by law and refused to admit one chosen prior to such conformity. Volume **I,** section **389.**

Instance wherein immediate prima facie effect was given to credentials of a Senator-elect from a reconstructed State. Volume **I,** section **390.**

(39) Organization.—Prima Facie Title.—In General.

Instance wherein a Senator participated in debate on credentials of a claimant for his seat. Volume **I,** section **491.**

In 1862 a Senator who challenged the right of a Senator-elect to be sworn substantiated his objection with ex parte affidavits. Volume **I,** section **443.**

The Senate tabled a motion to receive a telegram relating to credentials of a claimant to a seat. Volume **I,** section **347.**

(40) Organization.—Terms of Senators.

The question as to when the term of service of a Senator appointed by a State executive to fill a vacancy ceases. Volume **I,** sections **787–790.**

A Senator appointed by the State executive to fill a vacancy ceases to serve after the final adjournment of the legislature which should elect his successor. Volume **V,** section **6689.**

Discussion as to the term of service of a Senator appointed by a State executive to fill a vacancy. Volume **VI,** section **156.**

Ruling by the Vice President on tenure of office of Senators holding temporary appointment in the Senate. Volume **VI,** section **145.**

(41) Sessions and Recesses.

The legislative day of March 3 of the final session of a Congress is held to terminate at 12 m. on March 4 unless a motion is made and carried for an adjournment previous to that hour. Volume **V,** section **6696.**

Discussion in Senate of property of transacting legislative business at a called session, the House not being in session. Volume **I,** section **88.**

A recess of Congress is a real, not imaginary, time when it is not sitting in regular or extraordinary session. Volume **V,** section **6687.**

SENATE PRECEDENTS—Continued.

(41) Sessions and Recesses—Continued.

Discussion of the term "recess of the Senate" as related to the President's power of appointment. Volume **V,** section **6687.**

Reference to questions arising in the Senate as to recess appointments in a case wherein one session followed its predecessor immediately. Volume **V,** section **6693.**

The first instance in which one House adjourned for more than three days with the consent of the other. Volume **VIII,** section **3363.**

Adoption of a resolution requesting consent of the Senate to adjournment for more than three days was held not to confer privilege on a motion to adjourn to a certain day. Volume **VIII,** section **3366.**

(42) Prerogatives and Powers.—Senate a Continuing Body.

Reference to discussion of the permanent and temporary conditions of Senate and House, respectively, as organized bodies (footnote). Volume **IV,** section **4445.**

The Senate as a continuing body may continue its committees through the recess following the expiration of a Congress. Volume **VI,** section **343.**

(43) Prerogatives and Powers.—Investigations.—In General.

Discussion of the extent of the Senate's power of investigation. Volume **III,** section **1722.**

Instance wherein the Senate proceeded to an investigation of charges made in general terms against its membership by newspapers. Volume **II,** section **1612.**

It is not essential that a resolution authorizing an investigation of the conduct of Senators shall specify censure or expulsion in order that the Senate may constitutionally compel testimony. Volume **II,** section **1614.**

An inquiry as to the integrity of Senators was held to be within the power of the Senate, and questions relating thereto were not unreasonable intrusions into the affairs of the citizen. Volume **II,** section **1614.**

The right to coerce the attendance of witnesses in an inquiry for legislative purposes was discussed in the Hyatt case. Volume **III,** section **1722.**

The Senate has authorized the compulsory attendance of witnesses in legislative inquiries, Volume **III,** sections **1814, 1815.**

In 1877 the Senate, after discussion, decided that certain telegrams relating to the Presidential election should be produced by a witness. Volume **III,** section **1723.**

The two Houses by concurrent resolution constituted a joint select committee of investigation with power to send for persons and papers and sit during the recess of Congress. Volume **III,** sections **1763, 1764.**

In 1861 the two Houses, by concurrent action, assumed without question the right to investigate the conduct of the war. Volume **III,** section **1728.**

A Senate committee with authority to take testimony in the recess between two sessions of the same Congress was yet unable to compel testimony from a recalcitrant witness. Volume **III,** section **1837.**

In 1860 the Senate looked to House precedents in dealing with a witness in contempt. Volume **III,** section **1724.**

Discussion as to the rules which should govern the admission of evidence before a legislative committee of investigation. Volume **III,** section **1838.**

A question as to how far a legislative investigating committee should be governed by the rules of evidence. Volume **III,** section **1839.**

In a resolution ordering an inquiry it is not necessary for the House or Senate to specify its legislative purposes; for inasmuch as this is the only legitimate purpose under which such investigations may be conducted, in the absence of evidence to the contrary, such purpose is presumed. Volume **VI,** section **342.**

SENATE PRECEDENTS—Continued.

(44) Prerogatives and Powers.—Investigations.—Arrest of Witnesses, etc.

Each House of Congress has power through its own process to summon a private individual before one of its committees to give testimony which will enable it the more efficiently to exercise its constitutional legislative function. Volume **VI,** section **342.**

The power of the Senate to require testimony of witnesses is in no wise inferior to that exercised by a court of justice and includes under comparable circumstances the power to compel attendance. Volume **VI,** section **348.**

It is assumed that the Senate will deal with a witness in accordance with recognized rules and discharge him from custody upon proper assurance that he will appear to testify when required. Volume **V1,** section **349.**

The same presumption of regularity attaches to action by the Senate in directing the arrest of a recusant witness that applies to the proceedings of the courts. Volume **VI,** section **349.**

Various instances of arrest for contempt of the Senate. Volume **III,** sections **1703–1706.**

In 1860 the Senate imprisoned Thaddeus Hyatt in the common jail for contempt in refusing to appear as a witness. Volume **III,** section **1722.**

In 1880 three recusant witnesses were arraigned at the bar of the Senate, and having purged themselves of contempt, were discharged. Volume **III,** section **1702.**

Persons in contempt for declining to testify or obey a subpoena have frequently given their testimony and been discharged without arraignment before the House. Volume **III,** section **1681.**

The Senate case of Elverton R. Chapman, a contumacious witness, in 1894. Volume **II,** sections **1612–1614.**

In 1894 the certification of alleged cases of contempt before a Senate committee was made without action of the Senate declaring the witnesses in contempt. Volume **II,** section **1612.**

In 1894 Elverton R. Chapman was convicted by the court and committed for contempt of the United States in declining, as a witness, to answer a pertinent question. Volume **II,** section **1614.**

In the Chapman case the Supreme Court held that the power to punish for contempt remains with each House in cases to which its power properly extends. Volume **II,** section **1614.**

In 1894 the power of punishing for contempt was fully discussed in the District court of appeals. Volume **II,** section **1613.**

(45) Prerogatives and Powers.—Investigations.—Warrants and Subpoenas.

Form of subpoena and return thereon used for summoning witnesses by a Senate committee. Volume **III,** section **1702.**

Should the Sergeant-at-Arms make the return on a subpoena served by his duty? Volume **III,** section **1702.**

By concurrent resolution the two Houses empowered the Vice-President and Speaker to sign subpoenas during a recess of Congress. Volume **III,** section **1763.**

Instance of the authorization of a subpoena by telegraph. Volume **III,** section **1810.**

A discussion distinguishing between the serving of a warrant by deputy and the serving of a subpoena in the same way. Volume **III,** section **1702.**

In 1860 the Massachusetts court decided that a warrant directed only to the Sergeant-at-Arms of the United States Senate might not be served by deputy in that State. Volume **III,** section **1718.**

Form of warrant and return used by the Senate in compelling the attendance of witnesses. Volume **III,** section **1702.**

Form of subpoena duces tecum issued by order of the Senate. Volume **VI,** section **336.**

Deputies with authority to execute warrants may be appointed by the Sergeant-at-Arms under a standing order of the Senate. Volume **VI,** section **341.**

SENATE PRECEDENTS—Continued.

(45) Prerogatives and Powers.—Investigations.—Warrants and Subpoenas—Continued.

Decision of the Supreme Court on the right of the Senate to subpoena witness and compel testimony. Volume **VI,** section **346.**

A person summoned as a witness before a select committee of the Senate declined to testify on the ground that the authorization under which the examining committee purported to act had expired. Volume **VI,** section **386.**

(46) Prerogative and Powers.—Investigations.—As Related to the Other House.

Where the House desires the testimony of Senators it is proper to ask and obtain leave for them to attend. Volume **III,** sections **1790, 1791.**

The Senate neglected to respond to a request of the House that a Senator be permitted to attend a House committee. Volume **III,** section **1794.**

A committee of the House having summoned certain Senators by subpoena, the summons was either disregarded or obeyed under protest. Volume **III,** sections **1792, 1793.**

An attempt of the House to investigate alleged corruption in connection with the votes of Senators during the Johnson trial was the subject of discusssion and investigation in the Senate. Volume **III,** section **2064.**

The Senate has not considered that its privilege forbade the House to summon one of its officers as a witness. Volume **III,** section **1798.**

The Secretary of the Senate being subpoenaed to appear before a committee of the House with certain papers from the files, the Senate, after discussion as to privilege, empowered him to attend with the papers in his custody. Volume **III,** section **2665.**

The Secretary of the Senate being subpoenaed to produce a paper from the files of the Senate, permission was given him to do so after a discussion as to whether or not he was exempted by privilege from the process. Volume **III,** section **2666.**

(47) Prerogatives and Powers.—Contempts.—In General.

The Senate has power, when acting in a case within its jurisdiction, to punish all contempts of its authority. Volume **II,** section **1640.**

Each House possesses the inherent power of self protection. Volume **II,** section **1614.**

The Senate committed John Nugent for contempt in publishing a treaty pending in executive session. Volume **II,** section **1640.**

In the Nugent case, in 1848, the court held that the Senate and House were the sole judges of their own contempts. Volume **II,** section **1640.**

William Duane, for a publication tending to defame the Senate, was found guilty of contempt and imprisoned by order of that body. Volume **II,** section **1604.**

Form of warrant signed by the President of the Senate for taking William Duane into custody. Volume **II,** section **1604.**

Form of proceedings at the trial of William Duane at the bar of the Senate. Volume **II,** section **1604.**

William Duane, on trial at the bar of the Senate for contempt, was allowed counsel under certain conditions. Volume **II,** section **1604.**

A person on trial at the bar of the Senate was to be present at the arraignment and examinations, but to retire during deliberations. Volume **II,** section **1604.**

A warrant of commitment "need not set forth the particular facts which constitute the alleged contempt." Volume **II,** section **1640.**

The Senate requested the Executive to prosecute William Duane for defamation of the Senate. Volume **II,** section **1604**

(48) Prerogatives and Powers.—Contempts.—Involving a Member of the Other House.

The Senate did not attempt to exercise any authority over a Member of the House who had committed a breach of the Senate's privilege. Volume **II,** section **1622.**

A Member of the House having assaulted a Senator for words spoken in debate, the Senate examined the breach of privilege and transmitted the report to the House for action. Volume **II,** section **1622.**

SENATE PRECEDENTS—Continued.

(48) Prerogatives and Powers.—Contempts.—Involving a Member of the House—Continued.

A letter from a Member of the House disclaiming any intention of invading the privileges of the Senate in assaulting a Senator was, after some discussion, read to the Senate. Volume **II,** section **1623.**

(49) Prerogatives and Powers.—As to Revenue and Appropriation Legislation.

Revenue bills must originate in the House, but the Senate may occur with amendments. Volume **II,** section **1480.**

Various occasions wherein the Senate's participation in revenue legislation has been challenged. Volume **II,** sections **1482–1488, 1493–1495.**

Discussion by a committee of the House of the constitutional right of the Senate to originate bills appropriating money from the Treasury. Volume **II,** section **1500.**

In 1885 the Houses after learned debate declined to investigate the power of the Senate to originate bills appropriating money. Volume **II,** section **1501.**

Discussion of the privilege of the House and Senate, respectively, in relation to revenue bills. Volume **II,** section 1488.

Early instances of Senate and House participation in revenue legislation. Volume **II,** section **1484.**

In 1830 a bill affecting the revenue was presented in the Senate and withdrawn, after a discussion of the constitutional question. Volume **II,** section **1482.**

Instances wherein the Senate has acquiesced in the constitutional requirement as to revenue bills, while holding to a broad power of amendment. Volume **II,** sections **1497–1499.**

Arguments in the Senate as to the limits of the prerogatives of the House in relation to revenue legislation. Volume **II,** section **1494.**

In 1883 the House raised, but did not press, a question as to certain Senate amendments relating to the revenue. Volume **II,** section **1491.**

The Senate having insisted on its right to add a revenue amendment to an appropriate bill, the House declined to proceed further with the bill. Volume **II,** section **1485**.

The Senate having passed a bill with incidental provisions relating to revenue, the House returned the bill, holding it to be an invasion of prerogative. Volume **II,** section **1494.**

The Senate having passed a bill with incidental provisions relating to revenue, the House returned the bill, holding it to be an invasion of constitutional prerogative. Volume **VI,** section **317.**

In 1930 the House insisted on its exclusive right to originate revenue measures and returned to the Senate a Senate concurrent resolution characterized as an infringement on its constitutional prerogative. Volume **VI,** section **319.**

Instance wherein the Senate declined to consider a bill challenged as an infringement on the right of the House to originate revenue measures. Volume **VI,** section **320.**

A point of order that a Senate bill proposing an increase in postage rates contravened the prerogative of the House was not sustained by the Senate. Volume **VI,** section **317.**

Instance where in proposed Senate amendments to a revenue bill were questioned in the House as an invasion of the constitutional prerogatives in relation to revenue legislation. Volume **VI,** section **322.**

A question relating to the invasion of the constitutional prerogatives of the House by a Senate amendment comes too late after the bill has been sent to conference. Volume **VI,** section **314.**

Instance wherein a Senate amendment affecting the revenue was not objected to until the stage of conference. Volume **VI,** section **314.**

(59) Prerogatives and Powers.—As to Revenue Treaties.

Discussion of the prerogative of the Senate as to treaties affecting customs duties. Volume **II,** section **1531.**

SENATE PRECEDENTS—Continued.

(50) Prerogatives and Powers.—As to Revenue Treaties—Continued.

Argument that duties are more properly regulated with the publicity of Congressional action than by treaties negotiated by the Executive and ratified by the Senate in secrecy. Volume **II,** section **1532.**

In 1844 the Senate took the view that the constitutional method of regulating duties was by act of Congress rather than by treaty. Volume **II,** section **1532.**

Discussion by a Senate committee as to the jurisdiction of the Senate over revenue treaties. Volume **II,** section **1533.**

Reference to discussion in the Senate over right of the House to a voice in making treaties affecting the revenue (footnote). Volume **II,** section **1528.**

In 1880 the House declared that the negotiation of a treaty affecting the revenue was an invasion of its prerogative. Volume **II,** section **1524.**

After long and careful consideration the Judiciary Committee of the House decided in 1887 that the executive branch of the Government might not conclude a treaty affecting the revenue without the assent of the House. Volume **II,** sections **1528–1530.**

In 1884 and 1886 the Ways and Means Committee assumed that the right of the House to a voice in making treaties affecting the revenue had been conceded. Volume **II,** sections **1526, 1527.**

(51) Prerogatives and Powers.—As to Treaties and Foreign Relations.

In 1868, after discussion with the Senate, the House's assertion of right to a voice in carrying out the stipulations of certain treaties was conceded in a modified form. Volume **II,** section **1508.**

In 1816 the House, after discussion with the Senate, maintained its position that a treaty must depend on a law of Congress for its execution as to such stipulations as relate to subjects constitutionally intrusted to Congress. Volume **II,** section **1506.**

After long discussion the House, in 1871, successfully asserted its right to a voice in approving Indian treaties. Volume **II,** sections **1535, 1536.**

The meaning of a treaty may not be controlled by subsequent explanation sanctioned by a majority vote only of the Senate. Volume **II,** section **1537.**

Arguments in the Senate that the power of recognizing foreign governments is vested in the President. Volume **II,** section **1545.**

The Senate expressed its disapproval of the attempt to destroy the English Parliament House. Volume **II,** section **1559.**

In 1881 the House Committee on Foreign Affairs, discussing the treaty-making power, concluded that the House had no share in it. Volume **II,** section **1525.**

(52) Prerogatives and Powers.—As Related to the Executive.—In General.

President Jackson having sent to the Senate a protest against its censure of his acts, the Senate declared the protest a breach of privilege and refused it entry on the Journal. Volume **II,** section **1591.**

A letter from an executive officer of the Government, criticising the Senate, was condemned in debate as a breach of privilege and withdrawn. Volume **III,** section **2566.**

While the House in some cases has bestowed praise or censure on the President or a member of his Cabinet, such action has at other times been held to be improper. Volume **II,** sections **1569–1572.**

President Madison declined a conference with a committee of the Senate. Volume **V,** section **6630.**

Reference to principles governing recognition of a State government by the President of the United States. Volume **I,** section **349.**

(53) Prerogatives and Powers.—As Related to the Executive.—Inquiries.

A discussion in the Senate as to its powers in calling for papers from the President. Volume **III,** sections **1902, 1903.**

SENATE PRECEDENTS—Continued.

(53) Prerogatives and Powers.—As Related to the Executive.—Inquiries—Continued.

Discussion in the Senate as to the practice of requiring information from the heads of Departments and requesting it of the President. Volume **III,** section **1904.**

The clause "if not, in his judgment, incompatible with the public interest" is generally used by the Senate in resolutions of inquiry directed to the President. Volume **III,** sections **1902, 1903.**

Discussion of the status of the Department of State in relation to resolutions of inquiry. Volume **III,** section **1905.**

President Jackson declined to furnish to the Senate a copy of a paper purporting to have been read by him to the heads of the Executive Departments. Volume **III,** section **1887.**

In 1886 the refusal of the Attorney-General to transmit certain papers called for by the Senate led to a dicussion of prerogatives and a declaration by the Senate. Volume **III,** section **1894.**

The Postmaster-General having responded to an inquiry in a manner considered disrespectful, the Senate referred the matter to the President, whereat an explanation was forthcoming. Volume **III,** section **1906.**

The Senate returned to the Secretary of the Navy an impertinent document transmitted in response to an inquiry. Volume **III,** section **1907.**

(54) Prerogatives and Powers.—In General.

The authority to administer oaths should be given by law rather than by rule of either House. Volume **III,** section **1823.**

As to the power of a State to recall its assent to a constitutional amendment. Volume **V,** section **7042.**

(55) The Vice-President's Vote.

The Vice-President votes on all questions wherein the Senate is equally divided, even on a question relating to the right of a Senator to his seat. Volume **V,** sections **5976, 5977.**

The right of the Vice-President to give a casting vote extends to cases arising in the election of officers of the Senate. Volume **V,** sections **5972–5974.**

Instance wherein the Vice-President cast a deciding vote on questions relating to the organization of the Senate. Volume **V,** section **5975.**

The Senate has declined to make a rule relating to the vote of the Vice-President. Volume **V,** section **5974.**

(56) General Procedure.—Adjournment.

As to what constitutes a sine die adjournment of a legislative body. Volume **V,** section **6689.**

(57) General Procedure.—Amendments.

Amendments reported by a committee are acted on before those offered from the floor. Volume **V,** section **5773.**

The Senate has a rule that an amendment may be laid on the table without carrying the pending measure with it. Volume **V,** section **5425.**

After discussion, the Senate decided out of order a motion to refer an amendment to a pending bill without the bill itself. Volume **V,** section **5557.**

Discussion of the Senate usage in considering bills for amendment (footnote). Volume **IV,** section **3410.**

A decision in the Senate that an amendment need not, under the parliamentary law, be germane. Volume **V,** section **5802.**

(58) General Procedure.—Amendments Between the Houses.

An amendment of one House being amended by the other, the first House may amend the last amendment, but further amendment is not permissible. Volume **V,** section **6176.**

The text to which both Houses have agreed may not be changed except by the unanimous consent of both Houses. Volume **V,** sections **6433–6436.**

SENATE PRECEDENTS—Continued.

(58) General Procedure.—Amendments Between the Houses—Continued.

After the stage of disagreement had been reached on amendments between the Houses, the Senate decided that new matters might not be brought in by way of amendment. Volume **V,** section **6227.**

One House may not recede from its own amendment with an amendment. Volume **V,** sections **6217, 6218.**

One House having receded from certain of its amendments may not at a subsequent stage recall their action in order to form a new basis for a conference. Volume **V,** section **6251.**

One House having adhered may at the next stage vote to further adhere. Volume **V,** section **6251.**

On House having adhered may recede from its adherence and agree to a conference asked by the other. Volume **V,** section **6251.**

One House after an amendment or disagreement by the other may at once adhere, but this does not preclude the granting of the request of the other House for a conference. Volume **V,** section **6243.**

In many instances bills have been lost by the adherence of both Houses, sometimes in earlier days, when no effort at adjustment by conference had been made. Volume **V,** sections **6233–6240.**

In an exceptional instance wherein the House had disagreed to a Senate amendment to a House bill the Senate thereupon adhered at once to its amendment and then declined the request of the House for a conference. Volume **V,** section **6313.**

In 1898 a Senate committee reported against a proposition to add to a general appropriation bill legislation on an important public question, holding it not proper to attempt thus to coerce the House of Representatives. Volume **VI,** section **3904.**

The principle seems to be generally accepted that the House proposing legislation on general appropriation bill should recede if the other House persist in its objection. Volume **IV,** sections **3906–3908.**

(59) General Procedure.—Bills.

The Secretary of the Senate having omitted to sign certain engrossed Senate bills before they were sent to the House, he was admitted to affix his signature. Volume **IV,** section **3427.**

The method of presenting bills to the President of the United States has been considered but not settled by either law or rule. Volume **IV,** section **3494.**

Reasoning from the parliamentary law that a part of a bill may be committed to one committee and a part to another, it was held in order in the Senate to recommit a bill with instructions to report it as two bills. Volume **V,** section **5528.**

(60) General Procedure.—Business.

The mere asking of leave to introduce a bill was considered general legislative business in the Senate. Volume **I,** section **123.**

(61) General Procedure.—Conferences.—Occasions for.

A conference is sometimes asked on a subject when no legislative proposition relating to this is pending, and may be granted or declined. Volume **V,** sections **6255, 6256.**

An early instance wherein committees of the two Houses held a conference not over disagreements to amendments, but over proposed legislation. Volume **V,** section **6957.**

There being a difference between the two Houses as to the right of the Senate to originate a revenue bill, the subject was committed to a conference. Volume **II,** sections **1487, 1488.**

The two Houses being at variance over a question of constitutional prerogative, the differences were submitted to a committee of conference. Volume **II,** section **1495.**

Instance of a conference on a subject of procedure in an impeachment. Volume **III,** section **2304.**

SENATE PRECEDENTS—Continued.

(62) General Procedure.—Conferences.—Asked of.

One House may pass a bill of the other with amendments and immediately, without waiting for the other House to disagree, may ask a conference. Volume **V,** sections **6295–6298.**

The Senate having disagreed to an amendment of the House and the House having insisted, the Senate adhered, whereupon the House for the first time asked a conference, which was granted. Volume **V,** section **6309.**

The Senate, after careful examination, thought it respectful to grant the House's request for a conference, although the Senate had already adhered. Volume **V,** section **6311.**

(63) General Procedure.—Conferences.—Disregard of Request for.

An instance wherein the Senate disregarded a request for a conference and voted to adhere. Volume **V,** section **6315.**

Sometimes one House disregards the request of the other for a conference and recedes from its disagreement, thereby rendering a conference unnecessary. Volume **V,** sections **6316–6318.**

In declining a conference the Senate by message communicated its reasons for so doing. Volume **V,** section **6313.**

Early instances where one House postponed to an indefinite time bills returned from the other with amendments disagreed to and requests for a conference. Volume **V,** section **6199.**

(64) General Procedure.—Conferences.—Managers of.

Senate discussion as to the rule governing the appointment of conferees. Volume **V,** section **6529.**

Instances wherein the Senate managers of a conference were appointed entirely from the majority party, members of the minority having declined to serve. Volume **V,** section **6337.**

On a conference relating to the prerogatives of the two Houses all the conferees were selected to represent the attitude of the majority of the House. Volume **V,** section **6338.**

The Senate, after full consideration, having decided that conferees may not be instructed. Volume **V,** section **6397.**

Only in rare instances has the Senate instructed managers of a conference. Volume **V,** section **6398.**

The House having instructed its managers for a second conference, the Senate declined the conference and asked a free conference. Volume **V,** sections **6403, 6404.**

The Senate having learned indirectly that the House had instructed its conferees, declared that the conference should be full and free, and instructed its own conferees to withdraw if they should find the freedom of the conference impaired. Volume **V,** section **6406.**

The House having requested a conference and instructed its conferees, the Senate ignored the request of the House, insisted on its amendment, and asked "a full and free conference." Volume **V,** section **6401.**

A difference arising between the House and Senate as to the instruction of conferees, a distinct conference was asked and granted on the subject of difference. Volume **V,** section **6401.**

The House having instructed its conferees in the first instance and having informed the Senate by message of the instructions, the latter body objected to the instructions and to the transmittal of them by message. Volume **V,** section **6401.**

The House having instructed its managers at first conference, the Senate declined to participate and asked a free conference, which was granted. Volume **V,** section **6402.**

The House having instructed its conferees at a second conference and having by message informed the Senate of the instructions that body agreed to the conference, although there was protest at the message. Volume **V,** section **6400.**

SENATE PRECEDENTS—Continued.

(65) General Procedure.—Conferences.—Reports Not Within the Disagreements.

Both House and Senate have always been adverse to receiving reports in cases wherein the managers have exceeded their powers. Volume **V,** sections **6414–6416.**

In the Senate a conference report is not ruled out on a point of order that it contains matter not within the differences, but the question must be taken on agreeing to it. Volume **V,** sections **6426–6432.**

A provision changing the text to which both Houses have agreed has been appended to a conference report and agreed to by unanimous consent after action on the report. Volume **V,** sections **6433–6436.**

(66) General Procedure.—Conferences.—Recommittal of Reports.

It is in order for one body to recommit a conference report if the other body, by action on the report, have not discharged their managers. Volume **V,** sections **6545–6550, 6609.**

(67) General Procedure.—Conferences.—Reports, Action on, etc.

The House may not act on a conference report when the bill and amendments are not in its possession. Volume **V,** sections **6521, 6522.**

Where the conference was asked by the House, may the Senate by a motion to discharge its conferees get possession of the bill and papers? Volume **V,** section **6529.**

When a conference breaks up without reaching any agreement the managers of the House asking the conference do not necessarily surrender the papers to the managers of the other House, as in the case where a report is agreed to. Volume **V,** sections **6571–6584.**

Managers may report an agreement as to a portion of the amendments in disagreement, leaving the remainder to be disposed of by subsequent action. Volume **V,** section **6463.**

A final conference report providing that the House recede from the only disagreement was agreed to by the House, and then the Presiding Officers of the two Houses signed the bill, although the Senate had not acted on the report. Volume **V,** section **6587.**

Instance wherein the Senate receded from its amendment to a House bill, although it had insisted and asked a conference, to which the House had agreed. Volume **V,** section **6319.**

One House has, by message, reminded the other of its neglect to act on a conference report, but this was an occasion of criticism. Volume **V,** section **6309.**

Instances wherein the Senate expressed doubt of the right of conferees to withdraw a conference report after it had been presented and before action thereon. Volume **V,** section **6459.**

Conferees do not usually admit persons to make arguments before them. Volume **V,** section **6263.**

(68) General Procedure.—Congressional Record. See also "Congressional Record."

A message of the President to the two Houses is printed in the proceedings of only one House. Volume **V,** section **6965.**

It is not considered courteous for one House to strike from the Record matter placed therein by permission of the other House. Volume **V,** section **6966.**

Instance wherein proceedings in the Senate were ordered excluded and expunged from the record. Volume **VIII,** section **3473.**

(69) General Procedure.—Committees.—In General.

The Senate, as a continuing body, may continue its committees through the recess following the expiration of a Congress. Volume **IV,** section **4544.**

A quorum of a committee may transact business, and a majority of that quorum, even through it be a minority of the whole committee, many authorize a report. Volume **IV,** section **4586.**

Discussion in the Senate on the presentation of minority views. Volume **IV,** sections **4617, 4618.**

Minority views were not permitted previous to 1822, but the present practice began to develop soon after that date. Volume **IV,** sections **4608–4618.**

SENATE PRECEDENTS—Continued.

(69) General Procedure.—Committees.—In General—Continued.

Instance wherein a committee, being equally divided, reported to the Senate its inability to present a proposition for action. Volume **I,** section **347.**

An instance where a Senate committee notified the Senate of its inability to report a bill. Volume **IV,** section **4666.**

Instance in the Senate wherein a Member of the minority portion of a committee was directed by major vote of the committee to report a bill. Volume **IV,** section **4673.**

In the Senate a motion to discharge a committee may be made and considered in the regular order (footnote). Volume **IV,** section **4693.**

The former practice of the Senate in relation to instructing committees. Volume **V,** section **5525.**

A Senate committee determined that a witness summoned to testify before it was not entitled to counsel. Volume **III,** section **1837.**

A Senator having resigned from all committee assignments, the Senate accepted his resignation and elected successors to the vacancies thus created. Volume **VIII,** section **2200.**

A rule adopted by a Senate committee providing that the presence of six Senators should constitute a quorum of the committee was held by the courts to be invalid because adopted at a meeting at which less than a quorum of the committee was present. Volume **VI,** section **345.**

(70) General Procedure.—Committees.—Joint.

A joint committee should be provided for by a concurrent and not a joint resolution, and the resolution should not prescribe rules for the proceedings of either House. Volume **IV,** section **4409.**

When a joint committee is authorized by simple resolution the resolution itself does not have the concurrent action of the two Houses. Volume **IV,** section **4411.**

Sometimes the two Houses, by concurrent action, join two of their standing committees and constitute them a joint committee. Volume **IV,** sections **4412–4416.**

The Senate has specially empowered its Committees on Printing, Enrolled Bills and Library to act in conjunction with similar House committees. Volume **IV,** section **4416.**

Instance wherein the Senate insisted on an equal representation on a joint committee. Volume **IV,** section **4410.**

Although a joint committee votes per capita, the membership from the House is usually larger than that from the Senate. Volume **IV,** sections **4426–4430.**

A joint committee may be instructed by the two Houses acting concurrently or by either House acting independently. Volume **IV,** sections **4421–4423.**

(71) General Procedure.—Constitutional Amendments.

It has been conclusively settled that a joint resolution proposing an amendment to the Constitution should not be presented to the President for his approval. Volume **V,** section **7040.**

One House having by a two-thirds vote passed, in amended form, a proposed constitutional amendment from the other House and then having by a majority vote receded from its amendment, the constitutional amendment was held not to be passed. Volume **V,** section **7035.**

The two-thirds vote required for the passage of an amendment to the Constitution is constructed to mean two-thirds of those present. Volume **V,** section **7028.**

By a majority vote the Senate has amended a joint resolution that required a two-thirds vote on its passage. Volume **V,** section **7032.**

A two-thirds vote is required to agree to amendments of the other House to joint resolutions proposing amendments to the Constitution. Volume **VIII,** section **3505.**

SENATE PRECEDENTS—Continued.

(72) General Procedure.—Debate.

Discussion of the rule for limiting debate in the Senate. Volume **VIII,** section **2671.**

Instances wherein Members of the Senate have taken advantage of the privilege of unlimited debate. Volume **VIII,** section **2666.**

Instances wherein Senators signed a "round robin" announcing t hey would have voted to close debate had the rules of the Senate permitted. Volume **VIII,** section **2663.**

A Member having referred to the Senate in a public address, it was held in order to reply on floor of the Senate, avoiding personalities and criticism of the other House. Volume **VIII,** section **2510.**

In the Senate a Senator may not take the floor and then yield periods of time to other Senators. Volume **V,** section **5041.**

A Senator who had yielded the floor to a message from the House was held entitled to resume the floor, to the exclusion of other business. Volume **V,** section **5017.**

It has been held in the Senate that when the reading of a paper is objected to it must be determined by vote of the Senate. Volume **V,** section **5299.**

It is not in order in debate to refer to action of the House. Volume **V,** section **5102.**

Interpretation of the rule prohibiting reference in debate to what has been said on the subject in the other House. Volume **V,** section **5098.**

In the Senate a reference to methods of procedure in the House, made for the purpose of influencing the action of the Senate, was ruled out of order. Volume **V,** section **5100.**

Instance wherein the Senate declined to have read the record of the proceedings of the House, even as the basis of a question of order relating to the rights of the Senate. Volume **V,** section **6406.**

Persons not Members, and not claiming to be Members, have been permitted to address the House only in early and rare instances. Volume **V,** section **7301.**

It is not in order in debate to indulge in personalities. Volume **V,** section **5151.**

Where charges of bribery had been made against a Senator a question propounded to him by another Senator on the subject was held to be in order. Volume **V,** section **5155.**

While in debate the assertion of one Member may be declared untrue by another, yet in so doing an accusation of intentional misrepresentation must not be implied. Volume **V,** section **5160.**

Instance of personalities in debate in the Senate. Volume **V,** section **5156.**

(73) General Procedure.—Decorum.

A description of the decorum of House and Senate in early days (footnote). Volume **II,** section **1344.**

(74) General Procedure.—Files and Papers.

One House requiring papers from the files of the other asks for them by resolution. Volume **V,** sections **7263, 7264.**

(75) General Procedure.—Journal.

The Senate in 1867 discontinued the use of the Journal of the word "honorable" before the name of a Senator. Volume **IV,** section **2883.**

The Senate Journal has shown the number of Senators answering to a call of the Senate, but not the names. Volume **IV,** section **2833.**

It was held in the Senate that when a Senator, called to order for words spoken in debate, appealed to the Senate the Journal should record the words. Volume **IV,** section **2838.**

An instance wherein the Senate, after discussion, declined so to amend the Journal as to state what was not the actual fact. Volume **IV,** section **2786.**

Reference to the consideration of the resolution expunging from the Senate Journal the censure of President Jackson (footnote) Volume **IV,** section **2730.**

SENATE PRECEDENTS—Continued.

(76) General Procedure.—Messages.

One of the first messages from the Senate was transmitted by letter from the Vice-President. Volume **V,** section **6257.**

Instance wherein the Senate received a message, although a quorum were not present. Volume **V,** section **6650.**

A veto message may not be returned to the President of the United States. Volume **IV,** section **3521.**

The Senate declines to receive communications from any executive department except through the President unless in response to a resolution of the Senate or in accordance with law. Volume **VIII,** section **3353.**

(77) General Procedure.—Motions.

It was held in the Senate that a pending motion might not be referred to a committee. Volume **V,** section **5556.**

It has been held in the Senate that a motion to lay on the table may apply to two papers pending before the body. Volume **V,** section **5442.**

A motion being made to reconsider the vote on a bill which had gone to the Senate, a motion to ask the recall of the bill is privileged. Volume **V,** section **5671.**

Where the yeas and nays on a vote have not been ordered recorded in the Journal any Member, irrespective of whether he voted with the majority or not, may make the motion to reconsider (footnote). Volume **V,** section **5611.**

In the Senate a motion to refer a vetoed bill has been held in order. Volume **IV,** section **3550.**

The motion for the previous question is not admitted in the Senate. Volume **VIII,** section **2663.**

(78) General Procedure.—Order.

To obviate the necessity of clearing the galleries the Senate authorized the Sergeant-at-Arms to arrest any person disturbing the proceedings. Volume **V,** section **7311.**

(79) General Procedure.—Petitions, etc.

Petitions from Indians within the limits of the United States have been received. Volume **IV,** section **3341.**

Reference to Senate rule that no alien may offer a petition directly to the Senate. Volume **IV,** section **3328.**

The House has usually refused to receive the petitions of the subjects of a foreign power not residing in the United States. Volume **IV,** sections **3334, 3335.**

The rule relating to the signing of petitions was formerly enforced strictly by the Senate. Volume **IV,** section **3323.**

A question has arisen in the Senate as to whether or not a telegraphic dispatch might be received as a memorial. Volume **IV,** section **3328.**

Discussion of the duty of a Presiding Officer in relation to the presentation of communications. Volume **IV,** section **3320.**

(80) General Procedure.—Quorum.

After long discussion the Senate finally decided that a quorum consisted of a majority of Senators duly chosen and sworn. Volume **IV,** sections **2891–2894.**

Reference to proceedings in the Senate to compel attendance of absentees (footnote). Volume **IV,** section **2980.**

Review of practice and proceedings in the Senate as to Senators present and not voting when a quorum fails. Volume **IV,** sections **2910–2915.**

While the practice in the Senate has varied, the weight of precedent seems to warrant the counting of those present and not voting in ascertaining the presence of a quorum. Volume **VI,** section **645.**

SENATE PRECEDENTS—Continued.

(80) General Procedure.—Quorum—Continued.

An instance wherein the Senate indorsed the principle that a legislator, whose presence was forcibly obtained and who refused to vote, might be counted as part of a quorum. Volume **I,** section **356.**

In the Senate the presence of a quorum was held to be necessary during debate. Volume **VI,** section **643.**

While the precedents are not uniform, the practice of the Senate is to permit the withdrawal of suggestions that a quorum is not present prior to ascertainment and announcement by the Chair. Volume **VI,** section **644.**

(81) General Procedure.—Rules.

The validity of a law passed by a preceding Congress, which proposes to govern the Senate as to its rules or its organization, is doubtful. Volume **V,** sections **6765, 6766.**

In 1876 the joint rules were abrogated, the action being accompanied by discussion in both Houses, and subsequent efforts to restore them have failed. Volume **V,** sections **6782–6787.**

Jefferson's Manual is recognized, in as far as applicable, as a part of the rules of the Senate. Volume **VIII,** section **2501.**

Although not formally adopted as a part of the rules of the Senate, Jefferson's Manual has been cited as authoritative in Senate decisions on parliamentary procedure. Volume **VIII,** section **2517.**

In the Senate it was held that while Jefferson's Manual was not to be regarded as a direct authority, it was to be considered as exercising an influence in Senate procedure. Volume **VIII,** section **3382.**

The Senate no longer requires consideration of bills and joint resolutions in the Committee of the Whole. Volume **VIII,** section **2380.**

(82) General Procedure.—Sessions.—Extraordinary.

At an extraordinary session the Senate sometimes adopts a rule limiting the business to be considered. Volume **IV,** section **3068.**

(83) General Procedure.—Sessions.—Secret.

Each House has a right to hold secret sessions whenever in its judgment the proceedings should require secrecy. Volume **II,** section **1640.**

Following revision of the rule relating to secrecy, the Senate practice of considering executive business in closed session has been largely discontinued. Volume **VIII,** section **363.**

In 1929 a Senate committee recommended the denial of the privilege of the floor to a newspaper reporter charged with publication of proceedings of an executive session. Volume **VI,** section **334.**

(84) General Procedure.—Voting.—In General.

Reference to instances in the Senate wherein debate was had after the yeas and nays were ordered, but not after the calling of the roll had begun. Volume **V,** section **6100.**

It was held in the Senate that when the yeas and nays were ordered and taken and a quorum failed to respond, debate was not in order when a quorum appeared. Volume **V,** section **6100.**

It being ordered that a majority of the ballots cast shall elect, it is not in order at the conclusion of a ballot to move that the person having a plurality only shall be declared elected. Volume **V,** section **6006.**

The order of voting requiring a majority of all the Members to elect, a vote of 29 votes for one person and 29 blanks was held not conclusive. Volume **V,** section **6009.**

The two-thirds vote required to pass a bill, notwithstanding the objections of the President, is "two-thirds of the Members present." (footnote). Volume **V,** section **3538.**

An instance wherein a Senator refused to vote (footnote). Volume **V,** section **5945.**

The rules of the Senate do not recognize pairs. Volume **VIII,** section **3095.**

SENATE PRECEDENTS—Continued.

(84) General Procedure.—Voting.—In General—Continued.

Discussion of the origin of the practice of pairing in the House and Senate. Volume **VIII,** section **3076.**

(85) General Procedure.—Voting.—Division of the Question.

A Senate decision that a resolution, on demand for a division, should be divided according to its verbal construction rather than according to its legislative propositions. Volume **V,** section **6119.**

A Senate ruling that the division of a question depends on grammatical structure rather than on the substance involved. Volume **I,** section **394.**

When it is proposed to amend by inserting or adding the matter is divisible if it contains more than one substantive proposition. Volume **V,** section **6133.**

A resolution need not necessarily be divided because it affects the titles of the seats of two Senators from different States with different questions involved. Volume **V,** section **6119.**

(86) General Procedure.—Voting.—Disqualifying Personal Interest.

A Senator having voted on a question affecting directly his title to his seat, the Senate ordered that the vote be not received in determining the question. Volume **V,** section **5959.**

On a resolution in the Senate censuring two Senators the names of both were called, but neither voted. Volume **II,** section **1665.**

A member of a State legislature having cast for himself a decisive vote for United States Senator, the Senate declined to hold the election illegal. Volume **V,** section **5963.**

(87) In General.

Reference to inquiry as to existence of a republican form of government in a State. Volume **I,** section **346.**

Ceremonies of removing from the old to the new Halls of the House and Senate. Volume **V,** section **7271.**

Reference to debate in the Senate on freedom of the press (footnote). Volume **III,** section **2640.**

A Senator, member of a joint commission created by law and appointed by the Presiding Officers of the two Houses, respectively, tendered his resignation in the Senate. Volume **IV,** section **4446.**

The House has declined to be bound to secrecy by act of the Senate. Volume **V,** section **7249.**

In the Senate it was held that an appeal from a decision of the Chair should be presented at the time the decision is announced and before the intervention of further business. Volume **VIII,** section **3280.**

In a rare instance the Senate recessed on the occasion of the death of a former Senator. Volume **VIII,** section **3562.**

SENATE REPORTS.

In determining final right to a seat the House has considered as evidence testimony embodied in a Senate report of the preceding Congress relating generally to the election in question. Volume **I,** section **624.**

SENIORITY.

A discussion of the unwritten rule of seniority of service. Volume **VI,** section **233.**

In filling vacancies in chairmanships of committees the House has usually, but not invariably, followed the rule of seniority and elected the next ranking member of the committee. Volume **VIII,** section **2202.**

Suites in the new building were assigned according to seniority in continuous service and Members were required to file for assignment on a designated day in person or by proxy. Volume **VIII,** section **3650.**

SENIORITY—Continued.

The term "continous service" governing seniority in the assignment of rooms in the House Office Building is held to refer to uninterrupted service, and seniority of a Member dates from the beginning of his last uninterrupted service regardless of previous terms of memship in the House. Volume **VIII,** section **3651.**

Where two or more Members file requests for the same room, preference shall be given to the Member of the longest continuous service in the House. Volume **VIII,** section **3648.**

SERGEANT.

The Pennsylvania election case of John Sergeant in the Nineteenth Congress. Volume **I,** section **555.**

SERGEANT-AT-ARMS.

(1) Of the House.—One of the elected officers.
(2) Of the House.—The mace the symbol of the office.
(3) Of the House.—Preserves order and the peace.
(4) Of the House.—Arrests members on call of the House, etc.
(5) Of the House.—Serves warrants and subpoenas.
(6) Of the House.—Disburses pay and mileage of Members.
(7) Of the House.—Duty as to the roll of Members-elect.
(8) Of the House.—Has the privilege of the floor of the House.
(9) In general.

(1) Of the House.—One of the Elected Officers.

The elective officers of the House, in addition to the Speaker, are the Clerk, Sergeant-at-Arms, Doorkeeper, Postmaster, and Chaplain. Volume **I,** section **187.**

Employees under the Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall generally be assigned only to the duties for which they are appointed. Volume **V,** section **7232.**

The Sergeant-at-Arms receives no fees, and the Clerk receives them only for certified extracts of the Journal. Volume **I,** section **259.**

The Sergeant-at-Arms having resigned, the House instructed the Doorkeeper to perform the duties of the office until the beginning of the next session of Congress. Volume **I,** section **268.**

The late Sergeant-at-Arms having announced a deficit in his office, the House authorized investigation by a select committee. Volume **I,** section **293.**

(2) Of the House.—The Mace the Symbol of the Office.

The mace is the symbol of the Sergeant-at-Arms and is borne by that officer while enforcing order on the floor. Volume **II,** section **1346.**

Instance wherein the Sergeant-at-Arms carried the mace to the floor. Volume **VIII,** section **2530.**

The Deputy Sergeant-at-Arms having attempted without the mace to enforce an order of the Speaker on a member, a question of privilege arose therefrom. Volume **II,** section **1347.**

When the House attends in the Senate the Sergeant-at-Arms does not bear the mace. Volume **V,** section **7045.**

(3) Of the House.—Preserves Order and the Peace.

The Sergeant-at-Arms attends the sittings and under direction of the Speaker or Chairman of the Committee of the Whole maintains order. Volume **VI,** section **29.**

By a rule, which is not adopted usually until a Speaker is elected, the Sergeant-at-Arms is directed to preserve order under the direction of the Clerk, pending the election of a Speaker or Speaker pro tempore. Volume **I,** section **257.**

Before the election of a Speaker the House has empowered the Clerk and Sergeant-at-Arms of the last house to preserve order. Volume **I,** section **101.**

SERGEANT-AT-ARMS—Continued.

(3) Of the House.—Preserves Order and the Peace—Continued.

The Sergeant-at-Arms and Doorkeeper are charged with the enforcement of certain rules relating to decorum. Volume **II,** section **1136.** Volume **VI,** section **190.**

The statutes place on the Sergeant-at-Arms of the two Houses the duty of preserving the peace and security of the Capitol, and the appointment and control of the Capitol police. Volume **I,** section **258.**

By concurrent resolution the two Houses authorized their Sergeant-at-Arms to appoint special police for an important occasion. Volume **V,** section **7243.**

Extreme disorder arising on the floor, the Speaker directed the Sergeant-at-Arms to enforce order with the mace. Volume **VI,** section **258.**

A motion instructing the Sergeant-at-Arms to exclude all persons not entitled to the privileges of the floor was entertained as privileged. Volume **VIII,** section **3637.**

(4) Of the House.—Arrests Members on Call of the House, etc.

On a call of the House under the new rule the Sergeant-at-Arms is required to detain those Members who are present and bring in absentees. Volume **IV,** sections **3045–3048.**

Form of resolution for directing the Sergeant-at-Arms to arrest absent Members. Volume **IV,** section **3018.** Volume **VI,** section **684.**

A resolution authorizing the Sergeant-at-Arms to arrest absentees is not debatable. Volume **VI,** section **87.**

Under the new rule for a call of the House a resolution of the House is not required to empower the Sergeant-at-Arms to being in absentees. Volume **IV,** section **3049.**

On a call of the House the Sergeant-at-Arms is required to execute an order of arrest wherever the members referred to may be found. Volume **IV,** section **3017.**

A question as to the constitutionality and propriety of a continuing order of arrest was held not to supersede a motion to discharge the Sergeant-at-Arms from further execution of the order. Volume **III,** section **2617.**

Instance wherein the Sergeant-at-Arms reported at the bar of the House his proceedings under a continuing order of arrest. Volume **IV,** section **3017.**

The Sergeant-at-Arms having made no report of his execution of an order of arrest, and no excessive delay appearing, a motion summoning him to report was held not to be of privilege. Volume **III,** section **2618.**

A motion to require the Sergeant-at-Arms to report at the bar of the House on progress in securing a quorum is in order during a call of the House. Volume **VI,** section **687.**

The House having agreed to a resolution of censure and the Member being brought to the bar by the Sergeant-at-Arms to be censured, it was held that he might not then be heard. Volume **II,** section **1259.**

(5) Of the House.—Serves Warrants and Subpoenas.

The Sergeant-at-Arms executes the commands of the House and all of its processes directed to him by the Speaker. Volume **I,** section **257.**

Arrests are made by the Sergeant-at-Arms on authority of a warrant duly signed, attested, and sealed, and on performing the duty that offer makes return on the warrant. Volume **II,** section **1599.**

By direction of the House, the Speaker issued and the Sergeant-at-Arms served a warrant for the arrest of a person charged with contempt of the House. Volume **VI,** section **532.**

Form of Speaker's warrant for commitment of a person in contempt and of Sergeant-at-Arms's return thereon. Volume **II,** section **1628.**

A writ of habeas corpus being served on the Sergeant-at-Arms, who held the witness Irwin in custody for contempt, the House, after consideration, prescribed the form and manner of return. Volume **III,** section **1691.**

A prisoner of the House was taken by its order and in custody of the Sergeant-at-Arms to testify in the court of a State. Volume **II,** section **1627.**

SERGEANT-AT-ARMS—Continued.

(5) Of the House.—Serves Warrants and Subpoenas—Continued.

Form of warrant and return in case of arrest of a witness for contumacy. Volume **III**, section **1671**.

The Sergeant-at-Arms having arrested Williamson by order of the House made his return verbally. Volume **III**, section **1673**.

The order of arrest sometimes specifies that it shall be made either by the Sergeant-at-Arms or his special messenger. Volume **III**, section **1688**.

In the absence of the Sergeant-at-Arms his deputy, by special resolution of the House, was empowered to serve a warrant. Volume **III**, section **1669**.

In 1860 the Massachusetts court decided that a warrant directed only to the Sergeant-at-Arms of the United States Senate might not be served by deputy in that State. Volume **III**, section **1718**.

A discussion distinguishing between the serving of a warrant by deputy and the serving of a subpoena in the same way. Volume **III**, section **1702**.

A subpoena having been served by a deputy sergeant-at-arms, a certificate of his appointment should accompany a report requesting arrest of the witness for contempt. Volume **III**, section **1701**.

A subpoena served by a deputy did not contain certificate of the deputy's appointment. Volume **III**, section **1695**.

The Sergeant-at-Arms indorses on a subpoena his authorization of his deputy to act in his stead. Volume **III**, section **1673**.

Should the Sergeant-at-Arms make the return on a subpoena served by his deputy? Volume **III**, section **1702**.

The House sometimes directs the Sergeant-at-Arms to attend the sittings of a committee and serve the subpoenas. Volume **III**, section **1753**.

The Kansas Committee of 1856 was empowered by the House to employ or dismiss clerks and assistant sergeants-at-arms and to administer oaths to them. Volume **III**, section **1752**.

A Sergeant-At-Arms serving subpoenas for a committee makes his return and it is entered on the journal of the committee. Volume **III**, section **1800**.

(6) Of the House.—Disburses Pay and Mileage of Members.

The Sergeant-at-Arms disburses the pay and mileage of Members and Delegates. Volume **I**, section **257**.

The statutes as well as the rule define the duties of the Sergeant-at-Arms, especially with reference to the disbursements made by him. Volume **I**, section **258**.

The statutes provide for deductions by the Sergeant-at-Arms from the pay of a Member or Delegate who is absent from his seat without a sufficient excuse. Volume **II**, section **1150**.

The House has by resolution directed the enforcement of the statute providing for deductions by the Sergeant-at-Arms from the pay of Members and Delegates absenting themselves without leave. Volume **VI**, section **30**.

The House has by resolution revoked all leaves of absence and directed the Sergeant-at-Arms to deduct from the salary of Members compensation for days absent without leave. Volume **VI**, section **198**.

It was held in 1894 that the act of the Sergeant-at-Arms in pursuance of the law for deductions of Members' salaries for absence might not be reviewed on the floor as a question of privilege. Volume **III**, section **2690**.

(7) Of the House.—Duty as to the Roll of Members-elect.

The duty of making up the roll of Members-elect in event the Clerk can not act devolves on the Sergeant-at-Arms and next on the Doorkeeper. Volume **I**, section **15**.

SERGEANT-AT-ARMS—Continued.

(8) Of the Senate.—Has the Privilege of the Floor of the House.

The Secretary and Sergeant-at-Arms of the Senate, Superintendent of the Capitol, the Librarian of Congress, and his assistant in the law library have the privilege of the floor. Volume **V**, section **7283**. Volume **VIII**, section **3634**.

(9) In General.

During the temporary disability of the Sergeant-at-Arms another was authorized to perform the duties of the office. Volume **VI**, section **32**.

Upon the death of the Sergeant-at-Arms, a Sergeant-at-Arms pro tempore was elected to serve until a successor was chose. Volume **VI**, section **32**.

The vacancy caused by the death of the Sergeant-at-Arms was, after some delay, filled by the House by election. Volume **VI**, section **32**.

In the absence of the Sergeant-at-Arms, the duties of his office are discharged by sworn deputies, and the Speaker issues directions as if he were present in person. Volume **VI**, section **679**.

Instance wherein the House designated a minority employee as Assistant Sergeant-at-Arms. Volume **VI**, section **681**.

Instance wherein the Senate by resolution removed its Sergeant-at-Arms. Volume **VI**, section **37**.

The Senate having dismissed its Sergeant-at-Arms for cause, declined to take further punitive action. Volume **VI**, section **37**.

On the removal of the Sergeant-at-Arms, the Deputy Sergeant-at-Arms succeeded to the duties of the office as Assistant Sergeant-at-Arms, without action by the Senate. Volume **VI**, section **37**.

The Speaker does not assume to control the Sergeant-at-Arms in the discharge of certain official duties. Volume **VI**, section **30**.

Instance in which the Sergeant-at-Arms was summoned to the bar of the House and required to report progress in the discharge of the duties of his office. Volume **VI**, section **687**.

In the absence of a Member against whom resolutions of expulsion were offered, consideration of the resolutions was postponed with notice that the Sergeant-at-Arms would be asked to deliver to the Member or his secretary a copy of the resolution with notice of its pending consideration. Volume **VI**, section **236**.

SERVICE.

(1) Of processes.—Warrants.
(2) The public.

(1) Of Processes.—Warrants.

In the absence of the Sergeant-at-Arms his deputy, by special resolution of the House, was empowered to serve a warrant. Volume **VIII**, section **1669**.

By direction of the House, the Speaker issued and the Sergeant-at-Arms served a warrant for the arrest of a person charged with contempt of the House. Volume **VI**, section **532**.

Form of subpoena served on a Member of the House. Volume **VI**, section **537**.

(2) The public.

Bills relating to the efficiency and integrity of the public service have been considered by the several committees on expenditures. Volume **IV**, section **4320**.

A proposition to regulate the public service by transferring funds and activities from one department to another is not in order in an appropriation bill. Volume **VII**, section **1469**.

SERVICE OF THE HOUSE.

(1) The employees.—In general.
(2) The employees.—Clerks of committees. See also "Committees."
(3) In general.
(4) Jurisdiction of committees in regard to.

SERVICE OF THE HOUSE—Continued.

(1) The Employees.—In General.

Resolutions authorizing the employment of persons by the House are reported by the Committee on Accounts. Volume **IV,** section **4333.**

A resolution relating to the dismissal of an employee was held not to involve a question of privilege. Volume **III,** section **2634.**

The House has insisted on its right to determine the compensation of its own officers and employees. Volume **V,** sections **7241, 7242.**

A declaration of the House concerning appointments by the officers of the House. Volume **V,** section **7240.**

The House has at times laid down general principles to govern the selection of its employees. Volume **V,** sections **7239, 7240.**

Employees under the Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall generally be assigned only to the duties for which they are appointed. Volume **V,** section **7232.**

Employees of the House may not sublet their duties or divide their compensation with others Volume **V,** section **7232.**

No page, except chief pages and riding pages, shall be under 12 or more than 18 years of age. Volume **V,** section **7233.**

Decision of the Comptroller of the Treasury as to the employment of the index clerk. Volume **V,** section **7234.**

The officers of the House, except the Speaker, are required to make monthly certificates as to the presence of the employees on their pay rolls. Volume **V,** section **7233.**

The Committee on Accounts are to inquire into the enforcement of the status relating to employees of the House and are empowered to send for persons and papers. Volume **V,** section **7233.**

An ordinary appropriation for session employees is not available at an extra session. Volume **V,** section **7231.**

Decision as to per diem employees in case of an appropriation for a longer time than their actual employment. Volume **V,** section **7230.**

In case of a month's extra pay an employee having an annual salary is entitled to one-twelfth of the sum of that salary. Volume **V,** section **7229.**

The representatives of an employee deceased before the passage of an act granting a month's extra pay are not entitled to what would be paid to the employee were he alive. Volume **V,** section **7228.**

While the House may by simple resolution establish or abolish offices in its service, a joint resolution is required for such action affecting offices in the joint service of the House and Senate. Volume **VI,** section **36.**

The effect of the adoption of such Resolution is automatically to separate from the service of the House on the date adopted incumbents of the offices affected. Volume **VI,** section **36.**

One Congress may not, even by statute, provide officers or employees for the service of its successor. One House may continue the tenure of an officer after the Congress for which he was appointed has expired, but a subsequent House may remove such officer and appoint another in his stead. Volume **VI,** section **36.**

While customary to grant the widow of an employee of the House an amount equal to one-half of a year's salary, in exceptional instances the house has authorized payment of the full amount of the annual salary. Volume **VIII,** section **3600.**

(2) The Employees.—Clerks of Committees. See also "Committees."

Clerks of committees are appointed by the chairman, with the approval of the committee, and are paid at the public expense. Volume **IV,** section **4533.**

An annual clerkship of a committee is authorized by a resolution reported by the Committee on Accounts and agreed to by the House. Volume **IV,** section **4534.**

Session clerks are assigned to committees by resolution reported from the Committee on Accounts and agreed to by the House. Volume **IV,** section **4535.**

SERVICE OF THE HOUSE.—Continued.

(2) The Employees.—Clerks of Committees—Continued.

The assignment of committee clerks is within the jurisdiction of the Committee on Accounts. Volume **IV,** section **4332.**

Reference to statutes fixing the pay of session clerks of committees (footnote). Volume **IV,** section **4535.**

A session clerk is entitled to compensation only from the date when he enters upon the discharge of his duties with the committee. Volume **IV,** section **4536.**

A clerk of a committee who ceased to hold office on December 21 was held not to be entitled to the salary for the reminder of the month under the terms of a resolution directing the payment of salaries of employees for that month on the 20th. Volume **IV,** section **4537.**

(3) In General.

A resolution relating to the protection of the records of the House presents a question of privilege. Volume **III,** section **2659.**

References to the practice governing management of the House restaurant, especially as to the sale of intoxicating liquors. Volume **V,** section **7244.**

A resolution from the Committee on Ventilations and Acoustics relating to the comfort of Members in the Hall was received as a question of privilege. Volume **III,** section **2629.**

Resolutions from the Committee on Accounts authorizing expenditures from the contingent fund do not, according to the later rulings, require consideration in Committee of the Whole. Volume **IV,** sections **4862–4867.**

Discussion of various services of the House, including the House restaurant, House barber shops, and stationery and mileage allowances to Members. Volume **VI,** section **216.**

(4) Jurisdiction of Committees in Regard to.

Resolutions pertaining to the service of the House are reported by the Committee on Accounts. Volume **VII,** section **2053.**

The employment of persons in the service of the House having been authorized, resolutions designating individuals to fill such positions are not necessarily reported by the Committee on Accounts. Volume **VII,** section **2057.**

Authorization of publications in connection with the service of the House is a subject belonging to the jurisdiction of the Committee on Printing and not the Committee on Accounts. Volume **VIII,** section **2300.**

SESSINGHAUS.

The Missouri election case of Sessinghaus v. Frost in the Forty-seventh Congress. Volume **II,** sections **975, 976.**

SESSIONS.

(1) Of Congress.—Beginning and end of.
(2) Of Congress.—Meeting on the day set by the Constitution.
(3) Of Congress.—When convened by law.
(4) Of Congress.—When called by the Executive authority.
(5) Of Congress.—Continuation of functions after.
(6) Of Congress.—Business in one House when the other is not convened.
(7) Of Congress.—Limitation on business at a special session.
(8) Of Congress.—In relation to the power of the House to imprison.
(9) Of Congress.—As related to the continuation of impeachment proceedings.
(10) Of Congress.—Continuation of business and committees after a recess.
(11) Of Congress.—Adjournment sine die.
(12) Of Congress.—Privilege of the Member going and returning.
(13) Of Congress.—In general.
(14) Of the House.—Hour of meeting.
(15) Of the House.—The legislative day.

SESSIONS—Continued.

(16) Of the House.—As to Sunday.
(17) Of the House.—Adjournment over.
(18) Of the House.—Secret.
(19) Of the House.—Joint.
(20) Of the House.—Committees not to sit during.
(21) Of the House.—In general.
(22) During the electoral count.

(1) Of Congress.—Beginning and End of.

The term of a Congress begins on the 4th of March of the odd-numbered years and extends through two years. Volume **I,** section **3.**

When the two Houses adjourn for more than three days, and not to or beyond a day fixed by Constitution or law for the next regular session to begin, the session is not thereby necessarily terminated. Volume **V,** sections **6676, 6677.**

The legislative day of March 3 of the final session of a Congress is held to terminate at 12 m. on March 4 unless a motion is made and carried for an adjournment previous to that hour. Volume **V,** sections **6694–6697.**

The two Houses may by concurrent resolution provide for an adjournment to a certain day with a provision that if there be no quorum present on that day the session shall terminate. Volume **V,** section **6686.**

The process whereby the Fortieth Congress prolonged its first session by successive recesses with a provision for adjournment sine die in a certain contingency. Volume **V,** section **6686.**

Form of concurrent resolutions of the two Houses terminating a session of Congress. Volume **V,** section **6722.**

In the later view an existing session ends with the day appointed by the Constitution for the regular annual session. Volume **II,** section **1160.**

In the later Congresses it has been established, both by declaration and practice, that a special session, whether convened by law or proclamation, ends with the constitutional day for annual meeting. Volume **V,** sections **6690–6693.**

Instances wherein one session of Congress has followed another without appreciable interval. Volume **V,** sections **6690, 6692.** Volume **VIII,** section **3375.**

A special session continuing until the constitutional day for annual meeting ends automatically on that date. Volume **VIII,** section **3375.**

Reference to questions arising in the Senate as to recess appointments in a case wherein one session followed its predecessor immediately. Volume **V,** section **6693.**

A recess of Congress is a real not imaginary time when it is not sitting in regular or extraordinary session. Volume **V,** section **6687.**

Instance wherein the President of the United States was not notified of the expiration of a session of Congress. Volume **V,** section **6692.**

The law relating to mileage of Members applies only to the regular sessions of Congress. Volume **II,** section **1159.**

(2) Of Congress.—Meeting on the Day Set by the Constitution.

In the later but not the earlier practice the fact that Congress has met once within the year does not make uncertain the constitutional mandate to meet on the first Monday of December. Volume **I,** sections **10, 11.**

The First Congress having met once in each of its two years of existence, a doubt existed as to whether or not it would legally meet again on the day appointed by the Constitution. Volume **I,** section **5.**

Instance wherein Congress in adjourning fixed by resolution the time of meeting of the next session on the constitutional day. Volume **I,** section **5.**

The First Congress by law appointed for its second meeting a day later than the day fixed by the Constitution. Volume **I,** section **5.**

SESSIONS—Continued.

(2) Of Congress.—Meeting on the Day Set by the Constitution—Continued.

Early Congresses having by law met on a day earlier than the constitutional day, remained in continuous session to a time beyond that day. Volume **I,** sections **6–9.**

Early Congresses, convened either by proclamation or law on a day earlier than the constitutional day, remained in continuous session to a time beyond that day. Volume **I,** sections **10, 11.**

In 1797 the Congress assembled on the day constitutionally provided by law, although it had already held a session that year. Volume **I,** sections **6–9.**

(3) Of Congress.—When Convened by Law.

Instances of laws fixing the time of annual meeting of Congress. Volume **I,** section **5.**

Early sessions of Congress convened by law (footnote). Volume **I,** section **12.**

The early laws fixing the time for the meeting of Congress specified the day but not the hour. Volume **I,** sections **6–9.**

Instance wherein a law convening Congress specified the hour as well as the day. Volume **I,** sections **10, 11.**

It being desirable that the hour of the first meeting of a Congress should be later than 12 m., the purpose was effected by a joint resolution. Volume **I,** section **4.**

In early days extra sessions were held on dates fixed by law rather than at the call of the President. Volume **VIII,** section **3371.**

(4) Of Congress.—When Called by the Executive Authority.

Instances wherein Congress has been convened by proclamation or by law. Volume **I,** sections **10, 11.**

One Congress having by law provided a time for the meeting of the next Congress, that Congress nevertheless met at an earlier day on call of the President. Volume **I,** section **12.**

The statutes provide that in case of the removal, death, resignation, or inability of both President shall convene Congress in extraordinary session. Volume **I,** section **13.**

Discussion as to whether or not there is a distinction between a session called by the President and other sessions of Congress (footnote). Volume **I,** section **12.**

(5) Of Congress.—Continuation of Functions After.

The theory that a House might make its rules binding on the succeeding House was at one time much discussed and even followed. Volume **V,** sections **6744–6747.**

For a time the rules provided for their own continuance in a new Congress, thus affording a rule for election of officers. Volume **V,** section **6743.**

Discussion as to whether or not the rules of one House remain the rules of the next House until changed. Volume **I,** section **210.**

Although the House becomes functus officio at the end of its term, yet in practice certain rules and regulations have extended beyond that time. Volume **V,** sections **6748–6751.**

The House in a rule continuing the Clerk in office until the election of his successor assumed to perpetuate its authority beyond its own existence. Volume **I,** section **235.**

The House has made rules which have been followed through other Congresses by the Executive Departments, although the authority for the rules has been considered doubtful. Volume **V,** sections **6752–6754.**

Committees are created commissioners by law if their functions are to extend beyond the term of the Congress. Volume **IV,** section **4545.**

The Senate as a continuing body may continue its committees through the recess following the expiration of a Congress. Volume **IV,** section **4545.**

The Senate as a continuing body may continue its committees through the recess following the expiration of a Congress. Volume **VI,** section **343.**

While the Joint Committee on Printing is empowered by law to discharge certain executive duties when Congress is not in session, this committee may not be authorized to perform legislative functions prior to its election in an ensuing Congress. Volume **VII,** section **2098.**

SESSIONS—Continued.

(5) Of Congress.—Continuation of Functions After—Continued.

The two Houses by concurrent resolution have assumed to extend the powers of a joint committee beyond the adjournment of Congress, but later action seems to recognize a law as to the proper instrumentality for such purpose. Volume **IV,** sections **4437–4444.**

Instance wherein a joint committee was authorized and appointed to attend a ceremony occurring after the final adjournment of a Congress. Volume **V,** section **7054.**

Instance wherein a joint rule provided a joint committee for the next Congress. Volume **IV,** section **4445.**

No officer or agent of either House has authority to receive returned bills or messages from the President for delivery at the next session. Volume **VII,** section **1115.**

(6) Of Congress.—Business in One House When the Other is Not Convened.

Discussion in Senate of propriety of transacting legislative business at a called session, the House not being in session. Volume **I,** section **88.**

(7) Of Congress.—Limitation on Business at a Special Session.

At an extraordinary session the House sometimes adopts a rule limiting the business to be considered. Volume **IV,** sections **3064–3068.**

(8) Of Congress.—In Relation to the Power of the House to Imprison.

A discussion as to the power of the House to imprison for a period after the adjournment of the session. Volume **II,** section **1629.**

The implied power to punish for contempt is limited to imprisonment and such imprisonment may not extend beyond the session of the body in which the contempt occurred. Volume **VI,** section **534.**

(9) Of Congress.—As related to the Continuation of Impeachment Proceedings.

It was decided in 1876 that an impeachment trial could only proceed when Congress was in session. Volume **III,** section **2006.**

Under the parliamentary law an impeachment is not discontinued by the dissolution of Parliament. Volume **III,** section **2005.**

The Senate in its writ of summons in the Blount impeachment fixed respondent's appearance at the next session of Congress. Volume **III,** section **2304.**

The House decided to proceed in the Pickering impeachment, although the session and the Congress neared an end. Volume **III,** section **2319.**

The impeachment of Judge Pickering was presented in the Senate on the last day of the Seventh Congress. Volume **III,** section **2320.**

At the beginning of the Eighth Congress the House continued the Pickering impeachment by appointing a committee to prepare articles. Volume **III,** section **2321.**

The proceedings in the Chase impeachment were continued after a recess of Congress, but in deference to the practice at that time the articles were recommitted for a new report. Volume **III,** section **2344.**

The Thirty-ninth Congress have expired during investigation of President Johnson's conduct, the House in the next Congress directed the Judiciary Committee to resume the investigation. Volume **III,** section **2401.**

The articles of impeachment in the Chase case were reported just before the close of the first session of the Congress. Volume **III,** section **2343.**

The House voted the impeachment of Judge Delahay at the end of one Congress, intending to present articles in the next. Volume **III,** section **2505.**

The impeachment of Judge Swayne was postponed to the next session of Congress for further investigation. Volume **III,** section **2471.**

(10) Of Congress.—Continuation of Business and Committees After a Recess.

All business pending and unfinished in the House or in committee or awaiting concurrent action in the Senate at the end of a session is resumed at the next session of the same Congress. Volume **V,** section **6727.**

SESSIONS—Continued.

(10) Of Congress.—Continuation of Business and Committees After a Recess—Con.

According to the later practice the powers of a conference committee which has not reported do not expire by reason of the termination of a session of Congress, unless it be the last session. Volume **V,** sections **6260–6262.**

One House having asked a conference at one session, the other House may agree to the conference at the next session of the same Congress. Volume **V,** section **6286.**

A motion to reconsider when once entered may remain pending indefinitely, even until a succeeding session of the same Congress. Volume **V,** section **5684.**

In the early practice an order of the House relating to disposition of business did not continue in the next session (footnote). Volume **IV,** section **3345.**

The reading of a message from the President having been presented in the closing hours of a session, it was read at the beginning of the next session of the same Congress. Volume **V,** section **6646.**

Enrolled bills pending at the close of a session were at the next session of the same Congress ordered to be treated as if no adjournment had taken place. Volume **IV,** sections **3487, 3488.**

It has been held that the Journal of the last day of a session may not be amended on the first day of the succeeding session, but this principle has not been followed uniformly. Volume **IV,** sections **2743, 2744.**

The House may empower a committee to sit during a recess which is within the constitutional session of the House. Volume **IV,** sections **4541–4543.**

Committees may by the House be empowered to sit during a recess that is within the term of the Congress, but not after the expiration of the term. Volume **IV,** section **4545.**

A select committee expires at the end of a session unless continued by order of the House or revived by the reference of a matter to it by the House. Volume **IV,** sections **4394–4399.**

A joint select committee expires with the session. Volume **IV,** section **4420.**

An investigating committee being empowered to sit during recess, the Speaker was authorized and directed to sign subpoenas as during a session. Volume **III,** section **1753.**

(11) Of Congress.—Adjournment Sine Die.

An instance where the failure of a quorum prevented action in the closing hours of a Congress. Volume **V,** section **6309.**

Reference to discussion of the constitutional power of the President to adjourn Congress in a certain contingency (footnote). Volume **I,** section **12.**

As to the result when the Congress expires leaving unacted on a motion to reconsider the vote whereby a resolution of the House is passed (footnote). Volume **V,** section **5704.**

At the time of final adjournment of a Congress the clerks of committees are required to deliver to the Clerk of the House the bills and other papers referred to the committees. Volume **V,** section **7260.**

All evidence taken by a committee under order of the House and not reported to the House shall be delivered to the Clerk at the final adjournment of the Congress. Volume **V,** section **7260.**

The term "adjournment" as used in the constitutional provision does not refer exclusively to the final adjournment of the Congress, but includes the adjournment of an intermediate session as well. Volume **VII,** section **1115.**

(12) Of Congress.—Privilege of the Member Going and Returning.

Instance wherein the courts discussed and sustained the privilege of the Member in going to and returning from the sessions of the House. Volume **III,** section **2674.**

The constitutional privilege of Members in the matter of arrest has been construed to exempt from subpoena during sessions of Congress. Volume **VI,** section **588.**

SESSIONS—Continued.

(12) Of Congress.—Privilege of the Member Going and Returning—Continued.

All criminal offenses are comprehended by the terms "treason, felony, and breach of the peace," as used in the Constitution, excepting these cases from the operation of the privilege from arrest therein conferred upon Senators and Representatives during their attendance at the sessions of their respective Houses, and in going to and returning from the same. Volume **VI,** section **589.**

(13) Of Congress.—In General.

An ordinary appropriation for session employees is not available at an extra session. Volume **V,** section **7231.**

In computing the days of a session the period during which the Congress stands adjourned for more than three days is treated as dies non. Volume **VIII,** section **3368.**

The Congress is not assembled until both House and Senate are in session with a quorum present. Volume **VI,** section **5.**

First instance in which a Congress convened for four sessions. Volume **VIII,** section **3371.**

Instance wherein a concurrent resolution was passed on the last day of one session providing for a joint meeting of the two Houses on the second day of the next session of the same Congress. Volume **VIII,** section **3336.**

(14) Of the House.—Hour of meeting.

At the beginning of each session the House fixes by resolution the daily hour of meeting. Volume **I,** sections **104–109.**

Where special order provides for convening of daily sessions at 11 o'clock while a bill is under consideration, the House meets at 11 o'clock only on days when consideration of the bill is in order. Volume **VII,** section **763.**

(15) Of the House.—The Legislative Day.

In contemplation of the rules and special orders of the House a day is the legislative day and not a calendar day, and the two are not always the same. Volume **IV,** section **3192.**

The legislative day continues until terminated by an adjournment, irrespective of the passage of calendar days. Volume **V,** sections **6738, 6739.**

There must be an adjournment before the legislative day will terminate, and an adjournment does not take place by reason of the arrival of the time for the regular daily meeting of the House. Volume **V,** sections **6738, 6739.**

When, through an erroneous announcement of the vote, the House is declared adjourned and, in fact, disperses, when actually it had voted not to adjourn, the session when it next meets is nevertheless a new legislative day. Volume **V,** section **6734.**

A session of the House extending by failure to adjourn through the succeeding calendar day, a special order for the legislative day expected to be held on that calendar day falls, as the session is of the legislative day. Volume **IV,** section **3192.**

When a special order requires a recess at a certain hour of a certain day the recess is not taken if the encroachment of a prior legislative day prevents the existence of the said certain day as a legislative day. Volume **IV,** section **3192.**

In a single instance at the close of a session the Journal was dated on the calendar day, rather than the legislative day, in order to conform to the Senate records. Volume **IV,** section **2746.**

In counting the three days required by the Consent Calendar rule holidays or days on which the House is not in session are not construed as legislative days and are not included. Volume **VII,** section **994.**

(16) Of the House.—As to Sunday.

For many years the House has continued its session of Saturday into Sunday when under stress of business. Volume **V,** section **6728.**

An adjournment does not necessarily take place at 12 o'clock (midnight) Saturday, the House having power to continue in session on Sunday if it be so pleased. Volume **V,** sections **6728, 6729.**

SESSIONS—Continued.

(16) Of the House.—As to Sunday—Continued.

The propriety of continuing a session into Sunday does not constitute a question of order for the Speaker, who may not adjourn the House against its will. Volume **V,** section **6728.**

(17) Of the House.—Adjournment Over.

Neither House during a session of Congress may, without the consent of the other, adjourn for more than three days or to another place. Volume **V,** section **6672.**

While neither House may adjourn for more than three days during a session of congress without the consent of the other, either may adjourn ad libitum with the consent of the other House. Volume **VIII,** section **3363.**

The House has by standing order provided that it should meet on two days only of each week instead of daily. Volume **V,** section **6675.**

(18) Of the House.—Secret.

A rule not invoked for many years provides for secret sessions of the House whenever the President may send a confidential message or the Speaker or any Member may announce that he has a confidential communication to present. Volume **V,** sections **7247, 7248.**

While a rule of the House provides for secret sessions, it is long obsolete, and the convening of the House in secret session is a procedure unprecedented for more than a century. Volume **VI,** section **434.**

A motion to go into executive session is in order when any Member shall inform the House that he has communications which he believes should be considered in confidence, and takes precedence of a motion to resolve into the Committee of the Whole for the consideration of an appropriation bill. Volume **VIII,** section **3630.**

At joint sessions of the two Houses the presiding officer of the House extending the invitation occupies the Chair. Volume **VIII,** section **3333.**

Each House has a right to hold secret sessions whenever in its judgment the proceedings should require secrecy. Volume **II,** section **1640.**

When messages of a confidential nature were received from the President or Senate the House went into secret session. Volume **V,** sections **7251, 7252.**

In 1853 the House declined to go into secret session. Volume **V,** section **7253.**

As late as 1843 the President transmitted a message in part confidential. Volume **V,** section **7255.**

The House has declined to be bound to secrecy by act of the Senate. Volume **V,** section **7249.**

The motion to remove the injunction of secrecy must be made with closed doors. Volume **V,** section **7254.**

When legislation is enacted in secret session messages are delivered confidentially by committees of Members. Volume **V,** section **7250.**

An illustration of legislation by the two Houses each acting in secret session. Volume **V,** section **7250.**

In the election of President by the House in 1825 there was a strong but not prevailing sentiment that the galleries should not be closed. Volume **III,** section **1984.**

(19) Of the House.—Joint.

The rule for the seating of officers and Members at a joint session of the two Houses for counting the electoral vote. Volume **III,** section **1920.**

The centennial of the inauguration of George Washington was observed by exercises at a joint session of the two Houses. Volume **V,** section **7060.**

Washington's Farewell Address was read at a joint session of the two Houses in 1862. Volume **V,** section **7070.**

The House and Senate, in joint session, received the King of Hawaii. Volume **V,** section **7087.**

The time occupied by a joint meeting of the two Houses is not counted in the time of the House's legislative session. Volume **IV,** section **3069.**

SESSIONS—Continued.

(19) Of the House.—Joint—Continued.

In 1913 President Wilson resumed the custom of delivering messages in the form of an address before the joint session of the two Houses. Volume **VIII,** section **3333.**

A member rising to interrogate the President during the delivery of a message before a joint session of the two Houses would address the President and not the speaker. Volume **VIII,** section **3337.**

A concurrent resolution providing for a joint session to receive the President's message was held to be of the highest privilege. Volume **VIII,** section **3335.**

By concurrent action an invitation was extended to the President of the United States to address a joint session of the two Houses on the subject of the birth of George Washington. Volume **VIII,** section **3532.**

Ceremonies at the joint session to receive General Pershing. Volume **VIII,** section **3535.**

(20) Of the House.—Committees Not to Sit During.

Committees may not sit during sessions of the House. Volume **IV,** section **4545.**

No committee, except the Committee on Rules, may, without leave, sit during the sitting of the House. Volume **IV,** section **4548.**

A subcommittee is sometimes authorized to sit during sessions of the House. Volume **IV,** section **4548.**

(21) Of the House.—In General.

In the latest practice the parliamentary rule that messages are to be sent only when both Houses are sitting has been observed. Volume **V,** sections **6603, 6604.**

In has been held that the House is technically in session during the period of organization. Volume **I,** section **87.**

Form of a standing order under which the House met on two days only of each week until a specified date unless sooner convened by the Speaker. Volume **VI,** section **715.**

Instance in which the House by "gentleman's agreement," provided for nominal sessions during which no business should be transacted. Volume **VII,** section **760.**

The House having agreed to an order for formal sessions on two days only of each week over an extended period, authorized the Speaker to appoint speakers pro tempore at will during that time. Volume **VI,** section **267.**

In providing for merely formal sessions, the House has authorized the speaker to designate a date on which the regular routine of the House should be resumed. Volume **VIII,** section **3369.**

(22) During the Electoral Count.

The electoral count occurs in the Hall of the House at 1 p.m. on the second Wednesday of February succeeding every meeting of electors. Volume **III,** section **1918.**

The statutes prescribe directions as to recesses and adjournment of the joint meeting and the two Houses during the count of the electoral vote. Volume **III,** section **1919.**

During the prolonged proceedings of the electoral count of 1877 the House and Senate caused each calendar day to be journalized as a legislative day. Volume **III,** section **1927.**

Senators who had been candidates for the office of Vice President in the election did not attend the joint session for the count of the electoral vote. Volume **VI,** section **445.**

SETTLE.

The North Carolina election case of Williams v. Settle in the Fifty-third Congress. Volume **II,** sections **1048, 1049.**

SEWARD, GEORGE F.

The investigation into the conduct of George F. Seward, late consul-general at Shanghai. Volume **III,** section **2514.**

For declining to testify or to obey a subpoena duces tecum commanding him to produce certain papers to be used in impeachment proceedings against himself, George F. Seward was arraigned for contempt. Volume **III,** sections **1699, 1700.**

SEYMOUR, ORIGEN S., of Connecticut, Chairman.
Decisions on questions of order relating to—
Authorization of appropriations. Volume **IV,** section **3621.**
Enacting clause, motion to strike out. Volume **V,** section **5329.**

SHAFROTH.
The Colorado election case of Bonynge v. Shafroth in the Fifty-eight Congress. Volume **I,** section **742.**

SHANKS.
The Indiana election case of Shanks v. Neff in the Forty-third Congress. Volume **I,** section **609.**

SHARP.
The New York election case of Colden v. Sharp in the Seventeenth Congress. Volume **I,** section **638.**

SHAW.
The North Carolina election case of Thompson v. Shaw in the Fifty-fourth Congress. Volume **II,** section **1081.**

SHEAFE.
The Tennessee election case of Sheafe v. Tillman in the Forty-first Congress. Volume **II,** section **884**

SHELDON.
The Louisiana election cases of Hunt v. Sheldon, Sypher v. St. Martin, Kennedy and Morey v. McCranie, Newsham v. Ryan, and Darrall v. Bailey, in the Forty-first Congress. Volume **I,** sections **328–336.**

SHELLEY.
The Alabama election case of Jones v. Shelley in the Forty-seventh Congress. Volume **I,** section **714.**
The Alabama election case of Smith v. Shelley in the Forty-seventh Congress. Volume **II,** section **965.**
The Alabama election case of Craig v. Shelley in the Forty-eighth Congress. Volume **II,** section **995.**

SHERIDAN.
The Louisiana election cases of Sheridan v. Pinchback and Lawrence v. Sypher in the Forty-third Congress. Volume **I,** sections **623–626.**

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SHIPBUILDING.

The general subjects of shipbuilding, admission of foreign-built ships, registering and licensing of vessels are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4134.**

SHIPPING.

The jurisdiction of subjects relating to the "merchant marine and fisheries" is given by the rule to the Committee on Merchant Mariner and Fisheries. Volume **IV,** section **4129.**

The transportation of passengers on shipping is a subject within the jurisdiction of the Committee on the Merchant Marine and Fisheries. Volume **VII,** section **1852.**

The inspection of steam vessels as to hulls and boilers is generally within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4133.**

SHIPPING—Continued.

The naming and measuring of vessels are subjects within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4132.**

The subjects of tonnage taxes and fines and penalties on vessels are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4131.**

The subjects of navigation and the navigation laws and regulations of shipping in Hawaii and even in the Philippines have been considered by the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4130.**

Collisons, coasting districts, marine schools, etc., are subjects of doubtful jurisdiction between the Committees on Merchant Marine and Fisheries and Interstate and Foreign Commerce. Volume **IV,** section **4146.**

The regulation of small vessels propelled by naphtha, etc., and the transportation of inflammable substances on passenger vessels are generally but not exclusively reported by the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4142.**

Conditions relating to the health of seamen are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4141.**

The shipping, wages, treatment, and protection of seamen are subjects within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4140.**

Protection from fire on vessels is a subject which, under the later practice, has been considered by the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4141.**

Bills relating to the titles, conduct, and licensing of officers of vessels, under the more recent practice, have been considered by the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4139.**

Bills to extend and increase the merchant marine, even when including the subject of a naval reserve, have been reported by the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4138.**

Bills of lading, liability of shipowners, and entering and clearing of vessels are subjects which have been within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4137.**

The Committee on Interstate and Foreign Commerce's former jurisdiction over legislation relating to the navigation, commerce, shipping facilities, and pollution of the Great Lakes, and the survey and improvement of navigation therefrom to the Sea via the St. Lawrence River has been transferred[6] to the Committee on Merchant Marine and Fisheries. Volume **VII,** section **1809.**

The subject of rules to prevent collisions at sea and international arrangements therefor have been reported by the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4135.**

Lights and signals on vessels are subjects that have been considered both by the Committees on Merchant Marine and Fisheries and Interstate and Foreign Commerce. Volume **IV,** section **4135.**

The Privileges of foreign vessels in American ports, bills of lading, contracts in export trade and wrecks in international waters have been reported generally by the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4144.**

Bills of lading as evidence, bonds in admiralty cases, willful destruction of vessels, mutiny, etc., are subjects within the jurisdiction of the Committee on the Judiciary. Volume **IV,** section **4145.**

SHIPS.

Bills establishing light-houses and fog signals and authorizing light-ships are reported by the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4104.**

SHIVELY, BENJAMIN F., of Indiana, Chairman.

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SHOOTING RANGES.

The protection of migratory birds, the establishment of refuges for that purpose, and the regulation of hunting and shooting grounds in that connection are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII,** section **1870.**

An appropriation for the establishment of shooting ranges and the purchase of prizes and trophies was held not to be in order on an appropriation bill. Volume **VII,** section **1242.**

SHOUP.

The Senate election case of Shoup and McConnell, from Idaho, in the Fifty-first Congress. Volume **I,** section **573.**

SHRUBS.

The importation and interstate transportation of trees, shrubs, and other nursery stock, quarantine regulations against insect pests and plant diseases, and the establishment of a national arboretum are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII,** section **1863.**

SIBLEY.

The election case of Henry H. Sibley claiming a seat as a Delegate from Wisconsin in the Thirtieth Congress. Volume **I,** section **404.**

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The New York election case of Williamson v. Sickles in the Thirty-sixth Congress. Volume **I,** sections **597, 598.**

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The New York election case of Cantor V. Siegel in the Sixty-fourth Congress. Volume **VI,** section **102.**

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Lights and signals on vessels are subjects that have been considered both by the Committees on Merchant Marine and Fisheries and Interstate and Foreign Commerce. Volume **IV,** section **4135.**

SIGNING. See also "Bills."

(1) Of bills.—By the Speaker.—In gneral.
(2) Of bills.—By the Speaker.—In case of error.
(3) Of bills.—By a speaker pro tempore.
(4) Of bills.—By other Officers of Congress.
(5) Of bills.—By the President of the United States.—Constitutional requirement.
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SIGNING—Continued.

(17) Of objections during the electoral count.

(18) Of motions to discharge committees.

(1) Of Bills.—By the Speaker.—In General.

The printing, enrolling, signing, and certification of bills on their passage between the two Houses are governed by usages founded on former joint rules. Volume **IV,** section **3430.**

The House may, by unanimous consent, authorize the Speaker to sign an enrolled bill that is not certified by report of the committee. Volume **IV,** section **3452**.

The House may be suspension of the rules waive the usual requirements as to the examination of enrolled bills. Volume **IV,** section **3441.**

Enrolled bills are signed first by the Speaker, then by the President of the Senate. Volume **IV,** section **3429.**

The Speaker may not sign an enrolled bill in the absence of a quorum. Volume **III,** section **3458.**

The Speaker declines to sign an enrolled bill until a pending motion to reconsider has been disposed of. Volume **V,** section **5705.**

Instance wherein bills passed at one session were signed by the Speaker at the next session. Volume **VII,** section **1075.**

While the House was balloting for the election of a President of the United States in 1801 the Speaker signed enrolled bills, and messages were received but not acted on (footnote). Volume **III,** section **1983.**

Question as to the disposition of an enrolled bill in a case where the beneficiary had died before the bill was signed by the Speaker. Volume **IV,** sections **3468, 3469.**

By unanimous consent the Speaker, on request of the Senate, was authorized to cancel his signature to an enrolled pension bill, the beneficiary of which was dead. Volume **IV,** sections **3455, 3456.**

A request of the Senate that the House vacate the signature of the Speaker to an enrolled bill was denied by the House, unanimous consent being refused. Volume **IV,** section **3457.**

A final conference report providing that the House recede from the only disagreement was agreed to by the House, and then the presiding officers of the two Houses signed the bill, although the Senate has not acted on the report. Volume **V,** section **6587.**

(2) Of Bills.—By the Speaker.—In Case of Error.

Proceedings in correcting an error where the Speaker had signed the enrolled copy of a bill which had not passed. Volume **IV,** section **3459.**

Bills having been prematurely enrolled and signed by the presiding officers, the two Houses authorized the cancellation of the signatures. Volume **IV,** section **3454.**

An error having been discovered in an enrolled bill, the House authorized the Speaker to erase his signature and the error was corrected by a concurrent resolution. Volume **IV,** section **3453.**

The action of the Speaker in signing an enrolled bill was rescinded and the bill was amended by a concurrent resolution. Volume **VII,** section **1080.**

By concurrent resolution, the action of the Speaker and the Vice President in signing an an enrolled bill was rescinded and the bill amended. Volume **VII,** section **1078.**

An error in the enacting clause of an enrolled bill was corrected by a second enrollment and a second signature by the Speaker. Volume **IV,** section **3451.**

A Senate bill having been lost in the House after enrollment and signature by the Speaker, a Senate resolution authorized the preparation and delivery of a duplicate copy, which was signed by the Speaker without further action by the House. Volume **VII,** section **1072.**

Under authorization of a concurrent resolution, the Speaker announced in the House the cancellation of his signature. Volume **VII,** section **1077.**

SIGNING—Continued.

(2) Of Bills.—By the Speaker.—In Case of Error—Continued.

A request of the Senate that the House vacate the signature of the Speaker to an enrolled bill was denied by the House, unanimous consent being refused. Volume **VII,** section **1083.** Dicta to the effect that a request of the Senate for cancellation of the Speaker's signature and the return of an enrolled bill could be taken up for consideration under suspension of the rules. Volume **VII,** Section **1083.**

A concurrent resolution authorized the presiding officers of the two Houses to cancel their signatures to an enrolled bill failing to conform to recommendations of the Secretary of War. Volume **VII,** section **1077.**

(3) Of Bills.—By a Speaker Pro Tempore.

A Speaker pro tempore whose designation has received the approval of the House signs enrolled bills and appoints committees. Volume **VII,** section **1404.**

There being doubt about the signing of enrolled bills by a Speaker pro tempore designated by the Speaker, the House proceeded to elect. Volume **II,** section **1401.**

A Member called to the chair during the day's sitting does not sign enrolled bills. Volume **II,** sections **1399, 1400.** Volume **VI,** section **276.**

The House approved the designation of a Speaker pro tempore as a prerequisite to his signing enrolled bills. Volume **VI,** section **278.**

Form of resolution approving designation of Speaker pro tempore and authorizing him to sign enrolled bills and appoint committees. Volume **VI,** section **272.**

A Speaker pro tempore whose designation had received the approval of the House signed enrolled bills. Volume **VI,** section **277.**

A Speaker pro tempore elected by the House is sworn as a prerequisite to signing enrolled bills. Volume **VI,** section **274.**

The Senate by rule empowers a Presiding Officer by designation to sign enrolled bills. Volume **II,** section **1403.**

The Senate by resolution empowered its Acting President pro tempore to sign enrolled bills. Volume **II,** section **1402.**

(4) Of Bills.—By Other Officers of Congress.

The Secretary of the Senate having omitted to sign certain engrossed Senate bills before they were sent to the House, he was admitted to affix his signature. Volume **IV,** section **3427.**

Instance in which the Vice President signed a bill passed and signed by the Speaker at the preceding session. Volume **VII,** section **1076.**

(5) Of Bills.—By the President of the United States.—Constitutional Requirement.

Every bill which has passed the two Houses is presented to the President for his signature if he approve. Volume **IV,** section **3482.**

In general orders, resolutions, and votes in which the concurrence of the two Houses is necessary must be presented to the President on the same condition as bills. Volume **IV,** section **3482.**

The question as to whether concurrent resolutions should be sent to the President for his signature. Volume **VII,** section **1084.**

Although the requirement of the Constitution seems specific, the practice of Congress has been to present to the President for approval only such concurrent resolution as are legislative in effect. Volume **IV,** section **3483.**

A bill not returned by the President within ten days (Sundays excepted) becomes a law as if signed, unless Congress by adjournment prevents its return. Volume **IV,** section **3520.**

There is much doubt as to whether a bill which remains with the President ten days without his signature, Congress having meanwhile adjourned for a recess, becomes a law. Volume **IV,** section **3493.**

SIGNING—Continued.

(6) Of Bills.—By the President of the United States.—Presentation of.

The rule and practice as to the enrolling and signing of bills and their presentation to the President. Volume **IV,** section **3429.**

The certification and presentation of enrolled bills to the President is governed by usage founded on former joint rules. Volume **IV,** section **3430.**

Enrolled bills are presented to the President by the Committee of Enrollment. Volume **IV,** section **3429.**

It has long been the practice for the chairman of the Committee on Enrolled Bills to present bills to the President of the United States for his signature. Volume **IV,** section **3493.**

In early days a joint committee took enrolled bills to the President of the United States. Volume **IV,** section **3432.**

The Committee on Enrolled Bills reports, for entry on the Journal, the date of presentation of bills to the President. Volume **IV,** section **3430.**

The method of presenting bills to the President of the United States has been considered but not settled by either law or rule. Volume **IV,** section **3494.**

The old rule prohibiting the sending of bills from one House to the other and to the President in the last hours of a Congress did not operate well in practice (footnote). Volume **IV,** section **3487.**

Instance wherein a bill enrolled and signed by the Presiding Officers of the two Houses at one session was sent to the President and approved at the next session. Volume **IV,** section **3486.**

Enrolled bills pending at the close of session were at the next session of the same Congress ordered to be treated as if no adjournment had taken place. Volume **IV,** sections **3487, 3488.**

(7) Of Bills.—By the President of the United States.—In Case of Errors.

A bill that had not actually passed, having been enrolled and signed by the President of the United States, was disregarded by the Executive, and Congress passed another bill. Volume **IV,** section **3498.**

A bill wrongly enrolled was recalled from the President, who erased his signature, and recommitted to the Committee on Enrolled Bills with instructions. Volume **IV,** section **3506.**

An instance where the President returned a bill already signed by him in order that the enrollment might be corrected. Volume **IV,** section **3505.**

(8) Of Bills.—By the President of the United States.—Messages in Relation to.

The President usually informs the House of his signature to a bill, but this is not necessary to the validity of the act. Volume **IV,** section **3495.**

Notice of the signature of a bill by the President is sent by message to the House in which it originated, and that House informs the other. Volume **IV,** section **3429.**

The President usually notifies the House of bills that have become laws without his approval. Volume **IV,** section **3503.**

An instance where the President communicated his omission to sign a bill through the committed appointed to notify him that Congress was about to adjourn. Volume **IV,** section **3504.**

The President sometimes, at the close of a Congress, informs the House as to both the bills he has signed and those he has allowed to fail. Volume **IV,** sections **3499–3502.**

A bill sent to the President but not yet signed by him was recalled by concurrent resolution. Volume **VII,** section **1091.**

(9) Of Bills.—By the President of the United States.—Manner of.

The approval of a bill by the President of the United States is valid only with his signature. Volume **IV,** section **3490.**

SIGNING—Continued.

(9) Of Bills.—By the President of the United States.—Manner of—Continued.

In 1842 a committee of the House discussed the act of President Jackson in writing above his signature of approval a memorandum as to his construction of the bill. Volume **IV,** section **3492.**

The act of President Tyler in filing with a bill an exposition of his reasons for signing it was examined and severely criticized by a committee of the House. Volume **IV,** section **3492.**

An instance where the President, in announcing his approval of a bill, gave his reasons for so doing. Volume **IV,** section **3491.**

At the close of the Fifty-ninth Congress the President approved bills as of the house and minute of the calendar day instead as of the legislative day. Volume **IV,** section **3489.**

(10) Of Bills.—By the President of the United States.—As Related to Adjournment.

The Supreme Court affirmed the validity of an act presented to the President while Congress was sitting and signed by him within ten days, but after the Congress had adjourned for a recess. Volume **IV,** section **3495.**

President Johnson contended that he might not approve bills during a recess of Congress. Volume **IV,** sections **3493, 3494.**

The President, in the opinion of the Attorney-General, may sign a bill at any time within ten days after Congress has adjourned for a recess. Volume **IV,** section **3496.**

It may be regarded as settled that the President of the United States may effectively approve a bill when Congress is in recess for a specified time. Volume **IV,** section **3493.**

An instance where the President signed bills after Congress had adjourned for a recess. Volume **VII,** section **1087.**

A bill passed by both Houses during an interim session and presented to the President less than 10 days before adjournment of the session, but neither signed by the President nor returned without his signature, does not become a law. Volume **VII,** section **1115.**

An instance wherein the President signed a bill after the adjournment of Congress. Volume **IV,** section **3497.**

(11) Of Bills.—By the President of the United States.—Vetoes.

A question as to the return of a vetoed bill, Congress being in recess beyond the limit of ten days. Volume **IV,** section **3496.**

A veto message may not be returned to the President of the United States. Volume **IV,** section **3521.**

Since the enactment of the statute the House takes no special action in relation to transmitting to the Secretary of State bills passed over the President's veto. Volume **IV,** sections **3528, 3529.**

Before the enactment of the statute the House directed the Clerk to take to the Secretary of State its bills passed over the President's veto. Volume **IV,** sections **3525–3527.**

(12) Of Bills.—By the President of the United States.—In General.

An enrolled bill, when signed by the President, is deposited in the office of Secretary of State. Volume **IV,** section **3429.**

A statute requires that bills signed by the President shall be received by the Secretary of State from the President. Volume **IV,** section **3485.**

A resolution for the reenrollment and signing of a bill which the President had declined to sign for constitutional reasons was held to be privileged. Volume **IV,** section **3493.**

(13) Of Reports.—In General.

A report sustained by a vote of a majority of the committee is not impeached by the fact that a less number sign it. Volume **II,** section **1091.**

In a committee a majority vote, a quorum being present, is sufficient to authorize a report, even although later, by action of absentees, those signing minority views outnumber those who voted for the report. Volume **IV,** section **4585.**

SIGNING—Continued.

(13) Of Reports.—In General—Continued.

While committee reports are ordinarily submitted without signature and minority views require signature by those subscribing thereto, there have been exceptional instances in which the former were signed and the latter submitted without signature. Volume **VIII,** section **2229.**

(14) Of Reports.—Of Conferences.

Conference reports must be signed by the managers. Volume **VIII,** section **3295.**

A conference report is valid if signed by two of the three managers of each House. Volume **V,** section **6323.**

A conference report is received if signed by a majority of the managers of each House. Volume **V,** sections **6497, 6498.**

The signature of a majority of the managers of each House is sufficient for a conference report. Volume **V,** sections **6500–6502.**

Sometimes a manager indorses the report with a conditional approval or dissent. Volume **V,** sections **6489–6496.**

Instance wherein a House manager indorsed on a conference report his dissent and protest. Volume **V,** section **6538.**

The name of an absent manager may not be affixed to a conference report, but the House and Senate may authorize him to sign the report after it has been acted on. Volume **V,** section **6488.**

In the early practice of the House conference committees did not make identical reports to the two Houses and the reports were not signed. Volume **IV,** section **3905.**

In the early practice it was not essential that conference reports should be either signed or printed in the Journal. Volume **V,** sections **6472–6480.**

Since 1846 conference reports have generally been signed and appear in the Journal. Volume **V,** sections **6481–6487.**

Instance in 1848 wherein a conference report was signed by the managers of the two Houses. Volume **V,** section **6538.**

The statement accompanying a conference report should be in writing and signed by at least a majority of the House managers. Volume **V,** sections **6505, 6506.**

(15) Of Election Returns.

Failure of election officers to subscribe their names in full to their affidavits and returns does not vitiate the returns. Volume **II,** section **1085.**

The House being of opinion that votes were cast as returned, declined to reject the return because not signed by the election judge, as required by law. Volume **II,** section **847.**

An election officer who was removed, but not notified of the fact, and whose successor failed to qualify, was a de facto officer, and returns signed by him were not properly rejected. Volume **I,** section **603.**

A return not signed by the election officers as required by law is properly rejected. Volume **II,** section **1055.**

Returns not being signed by the election officers, and not being sustained by evidence, they were rejected. Volume **II,** section **1032.**

County returns informally signed, and the accuracy of which was impeached by evidence, were rejected by the House. Volume **II,** section **1053.**

(16) Of Papers in an Impeachment.

The articles in the Blount impeachment were signed by the Speaker and attested by the Clerk. Volume **III,** section **2302.**

The articles impeaching Judge Pickering, with signature of the Speaker and attestation of the Clerk. Volume **III,** section **2328.**

The article of impeachment in the Peck case was signed by the Speaker and attested by the Clerk. Volume **III,** section **2370.**

SIGNING—Continued.

(16) Of Papers in an Impeachment—Continued.

The articles impeaching President Johnson were signed by the Speaker and attested by the Clerk. Volume **III,** section **2420.**

The articles impeaching Judge Humphreys were signed by the Speaker and attested by the Clerk. Volume **III,** section **2390.**

The articles impeaching Secretary Belknap were signed by the Speaker and attested by the Clerk. Volume **III,** section **2449.**

The replication of the House to the plea in Blount's case was signed by the Speaker and attested by the Clerk. Volume **III,** section **2311.**

The replication in the Chase impeachment was signed by the Speaker and attested by the Clerk. Volume **III,** section **2352.**

The replication in the Johnson trial was signed by the Speaker and attested by the Clerk. Volume **III,** section **2432.**

The surrejoinder of the House of Representatives in the Belknap trial was signed by the Speaker and attested by the Clerk. Volume **III,** section **2455.**

(17) Of Objections During the Electoral Count.

The certificates of electoral votes are presented to the joint meeting in alphabetical order of States, and on being read are subject to objection in writed signing by at least one Member and one Senator. Volume **III,** section **1918.**

(18) Of Motions to Discharge Committee.

Members sign motions to discharge committees at the Clerk's desk during the session of the House and not elsewhere. Volume **VII,** sections **1008, 1009.**

The rule providing for motions to discharge committee does not authorize signature of such motions by proxy. Volume **VII,** section **1014.**

When a majority of the membership of the House has signed a motion it is entered on the Journal and referred to the Calendar of Motions to discharge committees. Volume **VII,** section **1008.**

Signatures to a motion to discharge committees are not made public until the requisite number have signed and the motion appears in the Journal and Record. Volume **VII,** section **1008.**

After the motion has been on the calendar seven days any signer may call it up for consideration on second or fourth Mondays and the House proceeds to its consideration; if agreed to, any Member may move the immediate consideration of the bill which shall remain the unfinished business until disposed of. Volume **VII,** section **1007.**

SILVER.

Subjects relating to the coinage of silver and purchase of bullion have been within the jurisdiction of the Committee on coinage, Weights, and Measures. Volume **IV,** section **4093.**

SILVER CERTIFICATES.

The jurisdiction of the subject of the issue of silver certificates as currency was given to the Committee on Banking and Currency. Volume **IV,** sections **4087, 4088.**

SIMILITER.

Forms of rejoinder, surrejoinder, and similiter filed in the Belknap trial. Volume **III,** section **2455.**

SIMMONS, ROBERT G., of Nebraska, Speaker pro tempore.

Decisions on questions or order relating to—

Decision of order. Volume **VI,** section **715.**

SIMONTON.

James W. Simonton, a witness before a House committee, was arrested and arraigned at the bar for declining to answer a material question. Volume **III,** section **1669.**

SIMPLE CONFERENCE.
Vice-President Hamlin's definition of free and simple conferences. Volume **V,** section **6403.**

SIMPSON.
The South Carolina election case of Wallace v. Simpson. Volume **I,** sections **620–622.**

SIMS.
The Tennessee election case of Davis v. Sims in the Fifty-eighth Congress. Volume **II,** sections **1132, 1133.**

SIMS, THETUS W., of Tennessee, Chairman.
Decisions on questions of order relating to—
Appropriations. Volume **VII,** section **1138.**
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SINCLAIR.
The case of Harry F. Sinclair, a recalcitrant witness, in 1924. Volume **VI,** section **336.**

SINE DIE.
As to what constitutes a sine die adjournment of a legislative body. Volume **V,** section **6689.**
A resolution providing for a sine die adjournment is not debatable. Volume **VIII,** section **3372.**
Instance wherein a concurrent resolution fixing the time of final adjournment was rescinded by action of the two Houses. Volume **V,** section **6700.**

SIROVICH.
The New York election case of Sirovich v. Perlman, in the Sixty-ninth Congress. Volume **VI,** section **169.**

SITTING MEMBER. See "Elections of Representatives."

SITTING OF A COMMITTEE.
No committee, except the Committee on Rules, may, without leave, sit during the sitting of the House. Volume **IV,** section **4546.**
A subcommittee is sometimes authorized to sit during sessions of the House. Volume **IV,** section **4548.**
The House may empower a committee to sit during a recess which is within the constitutional session of the House. Volume **IV,** sections **4541–4543.**
In 1877 the House authorized its members of the Electoral Commission to sit during the session of the House. Volume **IV,** section **4549.**
A request that a committee have leave to sit during the sessions of the House has no privileged status in the order of business and may be prevented by a single objection. Volume **IV,** section **4547.**
Instance wherein a special committee of investigation was authorized to sit after adjournment of the current Congress and report to the succeeding Congress. Volume **VI** section **550.**
The House has by resolution authorized a committee of investigation to sit wherever it might deem necessary. Volume **VI,** section **373.**
The House has denied to subcommittees the right granted to the committee as a whole to sit at such places as it might deem necessary. Volume **VI,** section **374.**
The two Houses, by concurrent resolution, constituted a joint select committee of investigation, with power to send for persons and papers and sit during the recess of Congress. Volume **VI,** section **380.**
Pursuant to authorization to "meet at such places as said committee deems advisable," subcommittees of a select committee held hearings in various States of the Union and in Europe. Volume **VI,** section **376.**

SIX DAYS.

Motions to suspend the rules may be entertained by the Speaker on the first and third Mondays of each month and on the last six days of a session. Volume **V,** section **6790.**

A conference report and accompanying statement are required to be printed in the Congressional Record before being considered, except during the last six days of a session. Volume **V,** section **6516.**

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The North Carolina election case of Pool v. Skinner in the Forty-eighth Congress. Volume **I,** section **312.**

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While slavery existed the House declared that slaves did not posses the right of petition. Volume **IV,** section **3342.**

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The South Carolina election case of Tillman v. Smalls in the Forty-fifth Congress. Volume **II,** section **926.**

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The election cases of Hugh N. Smith and William S. Messervey, claiming seats as Delegates from New Mexico, in the Thirty-first Congress. Volume **I,** sections **405, 406.**

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The West Virginia election case of Smith v. Jackson in the Fifty-first Congress. Volume **I,** sections **581–588.**

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The Senate election case of Cutler and Smith from Louisiana in the Thirty-eighth Congress. Volume **I,** section **385.**

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The Senate failed by one vote to expel John Smith, charged with participation in a treasonable conspiracy. Volume **II,** section **1264.**

SMITH, JOSEPH L.

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SMITH, SYLVESTER C., of California, Chairman.

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SMITH, WILLIAM A., of Michigan, Chairman.

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Resignation and expulsion from the Board of Regents of the Smithsonian Institution. Volume **V,** sections **7340, 7341.**

The general affairs of the Smithsonian Institution, accepting appropriations therefor and the incorporation of similar institutions are within the jurisdiction of the House branch of the Joint Committee on the Library. Volume **IV,** section **4346.** Volume **VII,** section **2084.**

Authorization for designs of Library and Museum buildings within the District of Columbia and the erection of buildings on the grounds of the Smithsonian Institution are within the jurisdiction of the Committee on Public Buildings and Grounds and not the Committee on the Library. Volume **VII,** section **1971.**

The Smithsonian Institution though under the control of the United States is not Government property and an appropriation for its alternation or repair is not in order on an appropriation bill. Volume **III,** section **1339.**

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By rule the Member is restricted as to his movements during business or debate and as to wearing his hat and smoking. Volume **II,** section **1136.** Volume **VI,** section **190.**

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SNELL, BERTRAND H., of New York, Chairman.

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Legislation authorizing hospital facilities for soldiers, sailors, and marines is within the jurisdiction of the Committee on World War Veterans' Legislation. Volume **VII,** section **2079.**

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The domicile of soldiers in the service of the United States is established by nativity or by residence with the requisite intention or derivative as that of family or dependents. Volume **VI,** section **148.**

The Committee on Invalid Pensions reports general and special bills authorizing payments of pensions to soldiers of the civil war, but actual appropriations therefor are reported by the Committee on Appropriations. Volume **VII,** section **1988.**

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A bill authorizing a new Soldiers' Home is reported by the Committee on Military Affairs, but the appropriation therefor comes from the Committee on Appropriations. Volume **IV,** section **4051.**

The appointment of managers for the National Home for Disabled Volunteer Soldiers being vested by law in Congress, a paragraph making such appointment was held in order on the sundry civil appropriation bill. Volume **IV,** section **4052.**

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The Doorkeeper has control of the messengers on the soldiers' roll. Volume **I,** section **262.**

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In 1877 objection was made to one of the conflicting electoral certificates from South Carolina on the grounds that the election was not legal for want of proper law, that there was no republican form of government in the State, etc., but the certificate was admitted. Volume **III,** section **1977.**

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(28) Appoints committees.—Chairmen of.
(29) Appoints committees.—For impeachments.
(30) Appoints committees.—In general.
(31) Appoints managers of a conference.
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(33) Appoints tellers for the electoral count.
(34) Appoints and removes official reporters of debates and committee stenographers.
(35) Appoints visitors, trustees, regents, etc.
(36) Administers the oath.—Source of the authority.
(37) Administers the oath.—To the Members when they take their seats.
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(47) Decides questions of order.—Sometimes reserves decision.
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(57) Duty as to motions and votes.—Rarely submits a motion from the floor.
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(62) Duty as to motions and votes.—Voting by tellers.
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(65) Duty as to motions and votes.—As to right or duty of Members to vote.
(66) Vote of.
(67) Duties in relation to Committee of the Whole.
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(69) Reception and reference of messages.
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(73) Duties as to reference etc., of bills and reports.
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(75) Duty and power as to the Congressional Record.
(76) As to entry of addresses, etc., of, in the Journal.
(77) Signature of.—To enrolled bills. See also "Signing."
(78) Signature of.—To certificates of salaries and mileage.
(79) Signature of.—To articles, replication, etc., in an impeachment.
(80) Signature of.—To subpoenas, writs, warrants, etc.
(81) Signature of.—In certifying cases of contumacious witnesses to the courts, etc.
(82) Administers censure by direction of the House.
(83) Duty as to vacancies in membership.
(84) Executive duties as to the Hall.—Control of corridors and rooms.
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(87) Executive duties as to the Hall.—Enforcement of the rule as to privilege of the floor.
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(89) Status at joint meetings of the two Houses, etc.
(90) Thanks to.
(91) In general.

(1) The Office.—Dignity of.

Dignity of the Speaker's office and principles governing its administration. Volume **II,** sections **1307–1309.**

Speaker—Continued.

(1) The Office.—Dignity of—Continued.

Discussion of the power of the Speaker in relation to the rights of the House. Volume **V,** section **5706.**

As to the duty of the Speaker to carry out the will of the House. Volume **V,** section **5713.**

Mr. Speaker Reed in a ruling referred to the power of the Speaker in relation to the House itself. Volume **IV,** section **4452.**

An insult to the Speaker has been held to raise a question of privilege not governed by the ordinary rule about taking down disorderly words as soon as uttered. Volume **II,** section **1248.**

A Member having used words insulting to the Speaker the House, on a subsequent day and after other business had intervened, censured the offender. Volume **II,** section **1248.** After abandoning a proposition to expel the House arrested and censured a Member for gross personalities aimed at another Member and for deception of the Speaker when the latter had proposed to prevent the utterances. Volume **II,** section **1251.**

Reference to the social precedence of the Speaker (footnote). Volume **II,** section **1309.**

The President pro tempore of the Senate holds the office at the pleasure of that body. Volume **II,** section **1417.**

(2) The Office.—Term of.

The elective officers, other than the Speaker, continue in office until their successors are chosen and qualified. Volume **I,** section **187.**

(3) The Office.—Compensation of.

Rate and method of payment of compensation and mileage of Speaker and Members. Volume **II,** section **1148.**

The compensation of Speaker and Members. Volume **VI,** section **201.**

(4) The Office.—Relations to Committee Service.

Origin of the practice whereby the Speaker has become a member of the Committee on Rules. Volume **IV,** section **4321.**

The election of a Member as Speaker is assumed to vacate any positions on committees held by him previously. Volume **IV,** section **4512.**

A Member being elected Speaker after the organization of the House, it is assumed that his committee places are thereby vacated. Volume **I,** section **230.**

(5) The Office.—In Relation to Participation in Debate.

The Speaker may of right speak from the chair on questions of order and be first heard. Volume **II,** section **1367.**

Except on questions of order the Speaker may speak from the chair only by leave of the House and on question of fact. Volume, **II,** section **1367.**

The Speaker asks consent to address the House, even on a question of order. Volume **IV,** section **3043.**

The Speaker sometimes makes a brief explanation from the chair without asking the assent of the House. Volume **II,** sections **1373, 1374.**

The Speaker has spoken briefly from the chair on a question of privilege relating to himself, Volume **II,** section **1370.**

A Member having criticized the past conduct of the Speaker the House consented that the latter should explain from the chair. Volume **II,** section **1369.**

By leave of the House the Speaker was permitted to make a statement from the chair as to proceedings in the recent joint meeting to count the electoral vote. Volume **II,** section **1372.**

According to a former custom, now fallen into disuse, the Speakers participated freely in debate in Committee of the Whole (footnote). Volume **II,** section **1367.**

Speaker—Continued.

(5) The Office.—In Relation to Participation in Debate—Continued.

On occasions comparatively rare Speakers have called Members to the chair and participated in debate, usually without asking consent of the House (footnote). Volume **II,** section **1367.**

Instance wherein the Speaker left the chair to reply to a speech reflecting on his conduct. Volume **II,** section **1371.**

The seat of the Speaker as a Member being contested, consent of the House was obtained to permit him to speak on the report, although he had called a Member to the chair. Volume **II,** section **1368.**

The Speaker, by unanimous consent, addressed the House on a subject relating to his election. Volume **II,** section **1360.**

Instance wherein the Speaker debated a point order while a Speaker pro tempore occupied the chair, and was about to rule. Volume **V,** section **6097.**

Mr. Speaker Colfax left the chair to participate in debate on a question arising out of the electoral count of 1869. Volume **III,** section **1950.**

(6) The Office.—The Right to Vote.

The rule as to the Speaker's vote. Volume **V,** sections **5964,6081.**

The Speaker's name is not on the voting roll and is not ordinarily called. Volume **V,** section **5970.**

The Speaker's vote is recorded at the end of the roll, or after it. Volume **V,** section 5965.

The Chair may be counted on a vote by tellers. Volume **V,** sections **5996, 5997.**

Under the early rule and practice the Speaker did not record his vote in cases where it would not be decisive, except by permission of the House. Volume **V,** section **5968.**

Mr. Speaker Macon, following the example of Mr. Speaker Trumbull, exercised his constitutional right to vote although the rule forbade. Volume **V,** sections **5966, 5967.**

The duty of the Speaker to give a casting vote may be exercised after the intervention of other business when a correction of the roll call reveals a tie not before ascertained. Volume **V,** sections **6061–6063.**

Instance wherein the Chair gave a casting vote in case of a tie on an appeal from his decision. Volume **V,** section **5239.**

The Speaker has voted when a correction on the day after the roll call has created a condition wherein his vote would be decisive. Volume **V,** section **5969.**

The Speaker having cast his vote in case of an apparent tie, asserted his right to withdraw it when the roll seemed to show that there was in fact no tie vote, but later caused it to be recorded to change the result. Volume **V,** section **5971.**

In case of error whereof the correction leaves decisive effect to the Speaker's vote he may exercise his right, even though the result has been announced. Volume **V,** section **5970.**

(7) Election of.—Chosen by the House.

The Speaker and other officers are chosen by the House. Volume **I,** section **186.**

The elective officers of the House in addition to the Speaker are the Clerk, Sergeant-at-Arms, Doorkeeper, Postmaster, and Chaplain. Volume **I,** section **187.**

A new Speaker being elected at the beginning of a second session of Congress, Members-elect, present and unsworn, participated in that election. Volume **I,** section **224.**

A proposition to elect a Speaker is in order at any time and presents a question of the highest privilege. Volume **VIII,** section **3383.**

(8) Election of.—Proceedings Preliminary to.—Preservation of Order, etc.

Election of Speaker and other officers, administration of the oath to Members and Officers, notification of the President and Senate, and drawing of seats at the beginning of a Congress. Volume **I,** section **81.**

A rule, which, however, is not operative at the time the House is organized, provides that the Clerk shall call the new House to order and preside until the election of a Speaker. Volume **I,** section **64.**

SPEAKER—Continued.

(8) Election of.—Proceedings Preliminary to.—Preservation of Order, etc.—Continued.

Pending the election of a Speaker or a Speaker pro tempore the Clerk preserves order and decorum and decides questions of order, subject to appeal. Volume **I,** section **64.**

The Speaker having resigned, the chair remained vacant and the Clerk presided until a successor was elected. Volume **I,** section **231.**

Before the election of a Speaker the Clerk recognizes Members. Volume **I,** section **74.**

In 1869 the hold-over Clerk, basing his authority on the law of 1863, declined to entertain a question of order on an appeal pending the motion to proceed to election of Speaker. Volume **I,** section **79.**

The Senate having assembled and there being no Presiding Officer, by mutual consent one of the older Members took the chair. Volume **I,** section **118.**

By a rule, which is not adopted usually until a Speaker is elected, the Sergeant-at-Arms is directed to preserve order under the direction of the Clerk pending the election of a Speaker or Speaker pro tempore. Volume **I,** section **257.**

Before the election of officers or the adoption of rules the House has made a rule for enforcing order in the galleries. Volume **I,** section **102.**

Instance wherein a proposition to draw seats before election of a Speaker was laid on the table. Volume **I,** section **98.**

The House has adopted a rule relating to the privilege of the floor before the election of a Speaker. Volume **I,** sections **96–98.**

Before the election of a Speaker the House has adopted a rule regulating debate. Volume **I,** sections **94, 95.**

The House may adjourn for more than one day before the election of a Speaker. Volume **I,** section **89.**

Discussion as to the status of the House with reference to the transaction of business before its organization by the choice of a Speaker. Volume **V,** section **6647.**

(9) Election of.—Proceedings Preliminary to.—Motions, Debate, etc.

The House and not the hold-over Clerk decides by what method it shall proceed to elect a Speaker. Volume **I,** section **210.**

A resolution to proceed to the election of a Speaker presents a question of privilege, and pending the decision another question of privilege may not be presented. Volume **I,** section **214.**

The motion that the House proceed to elect a Speaker is debatable unless the previous question is ordered. Volume **I,** section **213.**

At the organization of the House the motion to proceed to the election of a Speaker is of the highest privilege. Volume **I,** section **212.**

The House has in one instance asked the candidates for Speaker to state their views before proceeding to election. Volume **I,** section **218.**

In 1860 the election of a Speaker proceeded slowly, the voting being interspersed with debate, which the Clerk did not prevent. Volume **I,** section **223.**

The contest over the election of Speaker in 1923. Volume **VI,** section **24.**

Memorandum of a program to be followed in the adoption of rules, agreed upon preliminary to the organization of the House. Volume **VI,** section **24.**

(10) Election of.—By Majority Vote.

In 1879 it was held that a Speaker might be elected by a majority of those present, a quorum voting, a majority of all the Members not being required. Volume **I,** section **216.**

In 1809 the House held that a Speaker should be elected by a majority of all present. Volume **I,** section **215.**

The House declined to determine the choice of a Speaker by lot. Volume **I,** section **221.**

The House by special rule chose a Speaker by a plurality of votes, but confirmed the choice by a majority vote. Volume **I,** section **222.**

SPEAKER—Continued.

(10) Election of.—By Majority Vote—Continued.

The House by special rule chose a Speaker by plurality of votes, but confirmed the choice by a majority vote on a resolution declarative of the result. Volume **I,** section **222.**

The House by special rule chose a Speaker by a plurality of votes, but confirmed the choice by a majority vote. Volume **I,** section **221.**

(11) Election of.—By Viva Voce Vote.

The Speaker, who was at first chosen by ballot, has been chosen by viva voce vote since 1839. Volume **I,** section **187.**

A rule, which, however, is not in force at the time of organization, provides that all the elective officers except the Speaker shall be chosen by viva voce vote. Volume **I,** section **187.**

Procedure for electing the Speaker by viva voce vote. Volume **I,** section **211.**

Although always at liberty to choose its manner of electing a Speaker, the House has declined in later years to substitute balloting for viva voce choice. Volume **I,** sections **204–208.**

As late as 1837 the House maintained the old usage of electing the Speaker by ballot. Volume **I,** section **209.**

Early precedents as to blank ballots in elections of a Speaker and President of the United States. Volume **V,** section **6008.**

Tellers of the vote on the election of a Speaker are appointed by the Clerk. Volume **I,** section **217.**

A Speaker being elected by ballot, the Journal should show not only the fact but the state of the ballot or ballots. Volume **IV,** section **2832.**

(12) Election of.—Contests Over.

Reference to proceedings during the contest over the organization of the House in 1839. Volume **V,** section **5356.**

The contest over the organization of the House in 1855 and 1856. Volume **I,** section **222.**

The contests over election of a Speaker in 1855 and 1859. Volume **V,** sections **6647, 6649.**

(13) Election of.—Taking the Chair and the Oath.

While the oath has usually been administered to the Speaker by the Member of longest consecutive service, that practice is not always followed. Volume **VI,** section **6.**

The Clerk appoints the committee to escort the newly elected Speaker to the chair. Volume **I,** section **220.**

After the election of a Speaker and before he has been conducted to the chair no debate or business is in order. Volume **I,** section **219.**

The act of 1789 provides that at the organization of the House and previous to entering on any other business the oath shall be administered by any Member to the Speaker and by the Speaker to other Members and the Clerk. Volume **I,** section **130.**

It has long been the usage that the oldest Member in continuous service shall administer the oath to the Speaker. Volume **I,** section **220.**

It has long been the practice for the Member of longest continuous service to administer the oath to the Speaker. Volume **I,** sections **131–133.**

A Speaker elected after the organization of the House takes the oath, although he may have taken it already as a Member. Volume **I,** sections **225, 226.**

The Speaker having resigned in 1814, his successor, when elected, took the oath. Volume **I,** section **231.**

The Speaker having resigned in 1820, it does not appear that his successor took the oath. Volume **I,** section **232.**

The Speaker having resigned in 1834, his successor took the oath. Volume **I,** section **233.**

(14) Election of.—Procedure After.

A Speaker having been elected, the House has proceeded to legislative and other business before the election of a Clerk. Volume **I,** section **244.**

In the earlier practice of the House the Senate was notified of the election of Speaker, but not of that of other officers. Volume **I,** sections **122–125.**

SPEAKER—Continued.

(14) Election of.—Procedure After—Continued.

The Speaker being elected to fill a vacancy caused by resignation, the Senate, but not the President, was notified of the fact. Volume **I,** section **231.**

A Speaker being elected to fill a vacancy caused by resignation, the Senate, but not the President, was notified of the fact. Volume **I,** section **232.**

Instance wherein the rules were adopted immediately after the election of Speaker. Volume **I,** section **93.**

(15) Election of.—When Election as a Member is Contested.

The seat of the Speaker being contested, he vacated the chair on every question relating to the contest. Volume **I,** section **809.**

The Speaker's seat being contested, the House directed that the Elections Committee be appointed by the Speaker pro tempore. Volume **I,** section **809.**

The Speaker's seat being contested, he requested that the House relieve him of the appointment of the Committee on Elections, and the request was granted. Volume **II,** section **1360.**

The report on the contest for the seat occupied by Mr. Speaker Carlisle was presented and acted on in his absence from the House. Volume **II,** section **1361.**

The Kentucky election case of Thobe v. Carlisle, the Speaker, in the Fiftieth Congress. Volume **II,** section **1006.**

(16) Death of.

The Speaker having died during the recess of Congress, the Clerk called the House to order, ascertained the presence of a quorum, and entertained a motion to proceed to election of a Speaker. Volume **I,** section **234.**

Ceremonies in memory of a deceased Speaker. Volume **V,** section **7156.**

Form of resolution offered at the death of a former Speaker. Volume **VIII,** section **3564.**

The House passed resolutions and adjourned on being informed of a death of a former Speaker. Volume **VIII,** section **3565.**

The House has adjourned in honor of a former Speaker whose death occurred after he ceased to be a Member. Volume **VIII,** section **3566.**

(17) Absence of.

In the absence of the Speaker the Clerk calls the House to order. Volume **II,** sections **1386–1389. Volume VI,** section **272.**

An instance wherein the Clerk did not call the House to order in the absence of the Speaker. Volume **II,** section **1411.**

A Speaker about to be absent obtained the approval of the House of his designation of a Speaker pro tempore. Volume **VI,** sections **266, 277.**

Form of Speaker's designation of a Speaker pro tempore. Volume **VI,** sections 269, 272.

(18) Resignation of.

Rising in his place Mr. Speaker Clay addressed the House announcing his resignation. Volume **I,** section **231.**

Mr. Speaker Clay announced to the House his resignation of the Speakership, but his resignation as a Member appears only from the credentials of his successor. Volume **II,** section **1356.**

The Speaker having announced his resignation, made a farewell address and left the chair. Volume **I,** section **233.**

The Speaker having resigned, no action of the House excusing him from service is taken. Volume **I,** section **232.**

In 1834 the Speaker, intending to resign, arose in his place and informed the House, setting a future day for the act. Volume **I,** section **233.**

The Speaker called a Member to the chair and, taking the floor, tendered his resignation verbally. Volume **I,** section **225.**

SPEAKER—Continued.

(18) Resignation of—Continued.

In 1820, at the beginning of a second session, the Clerk called the House to order and, after ascertaining the presence of a quorum, presented a letter of resignation from the Speaker. Volume **I,** section **232.**

Mr. Speaker Colfax, having been elected Vice-President, resigned his Speakership on the last day of the Congress. Volume **I,** section **225.**

Instance wherein the Speaker, following a vote upon an essential question indicating a change in the party control of the House, announced that under the circumstances it was incumbent upon the Speaker either to resign or to recognize for a motion declaring vacant the office of Speaker. Volume **VI,** section **35.**

(19) Charges and Complaints Against.

Complaint of the conduct of the Speaker should be presented directly for the action of the House and not by way of debate on other matters. Volume **V,** section **5188.**

For reflections on the Chair as well as on Members of the House, Mr. Speaker Jones called a Member to order. Volume **V,** section **5192.**

Charges being made by a Member against the official conduct of Mr. Speaker Clay, he appealed to the House for an investigation, which was granted. Volume **II,** section **1362.**

A newspaper having made certain charges against the official character of the Speaker, he called a Member to the Chair and moved an investigation, which was voted. Volume **II,** section **1364.**

A charge by a Member that the Journal of the House had been mutilated by the Speaker was made a question of privilege. Volume **II,** section **1363.**

The Speaker having appealed to the House for an investigation, the House order his address to be entered on the Journal. Volume **II,** section **1362.**

In 1825 the House ordered that the Select Committee to Investigate the Conduct of the Speaker should be chosen by ballot. Volume **II,** section **1362.**

The report of a Select Committee on the Conduct of the Speaker was voted on by the House, although it contained no order or resolution, and was spread on the Journal without direction of the House. Volume **II,** section **1364.**

A report on certain charges against the Speaker appears in the Journal in full without special order. Volume **IV,** section **4660.**

The report of a committee which investigated the charge that the Speaker had mutilated the Journal was, by order of the House, printed in full in the Journal. Volume **IV,** section **2836.**

(20) Leaves the Chair During Consideration of a Question Relating to Himself.

The Speaker called a Member to the chair during consideration of a resolution criticizing his official conduct. Volume **VI,** section **565.**

The Speaker leaves the chair during the transaction of any business concerning himself, even the reference of a paper. Volume **II,** section **1359.**

A matter concerning himself being before the House, the Speaker called a Member to the chair. Volume **II,** section **1360.**

Charges having been made against the Speaker, he called another Member to the chair and from the floor moved a committee of investigation. Volume **II,** section **1286.**

Charges being made against the Speaker, he called a member of the minority party to the chair during their consideration. Volume **II,** section **1363.**

A select committee being authorized to investigate the conduct of the Speaker, they were appointed by the Member called to the chair as Speaker pro tempore. Volume **II,** section **1364.**

The Speaker of the House, being the Vice-President-elect, called a Member to the chair during discussion of a question relating to the electoral count. Volume **II,** section **1365.**

In asking an investigation of his conduct Mr. Speaker Clay addressed the House from the chair, but immediately left it when the House was to act. Volume **II,** section **1362.**

SPEAKER—Continued.

(20) Leaves the Chair During Consideration of a Question Relating to Himself—Continued.

When the House was considering a resolution censuring a Member for an alleged insult to the Speaker the Speaker called another Member to the chair. Volume **II,** section **1248.**

During consideration of a resolution to censure a Member for disrespect to the Speaker the Member likewise assailed the Speaker pro tempore, whereupon the Speaker resumed the chair while the House acted on the latest breach of privilege. Volume **II,** section **1366.**

Resolution censuring the conduct of the Speaker being presented unexpectedly, he was excused from deciding a point of order in relation thereto. Volume **II,** section **1357.**

The Speaker remained in the chair and ruled as to the relevance of language criticising his conduct as Speaker. Volume **V,** section **5188.**

(21) Appoints Committees.—Direction of the Former Rule as to Standing Committees.

Unless otherwise specially ordered by the House the Speaker appoints the standing committees at the commencement of each Congress. Volume **IV,** section **4448.**

Although the rules permit the House to direct the appointment of the standing committees otherwise than by the Speaker, the House has always declined to exercise its power in this respect. Volume **IV,** sections **4450, 4451.**

The motion directing the Speaker to appoint the committees has been the subject of an amendment proposing their appointment by the House. Volume **IV,** section **4449.**

Before the adoption of rules the House sometimes authorizes the Speaker to appoint certain necessary committees. Volume **IV,** sections **4455, 4456.**

A question as to the privilege of resolutions directing the Speaker in regard to the appointment of committees in a certain way or for certain purposes. Volume **IV,** sections **4461, 4462.**

In the Fortieth Congress the Speaker did not appoint the committees, except a few, until the closing days of the first session. Volume **IV,** section **4454.**

Although the rules required the Speaker to appoint the standing committees, yet it was the invariable practice in former years for him not to appoint until directed by order of the House. Volume **IV,** section **4457.**

Under the modern practice the Speaker appoints the standing committees at his convenience without specific direction by the House. Volume **IV,** section **4448.**

The delay of the Speaker in appointing the standing committees having occasioned criticism, a resolution directing the appointment was offered, but was disagreed to by the House. Volume **IV,** sections **4452, 4453.**

(22) Appoints Committees.—Rules as to Select Committees.

Since 1880 the appointment of select committees has by rule rested solely with the Speaker. Volume **IV,** section **4470.** Volume **VIII,** section **2192.**

Instances wherein the House declined to take from the Speaker the appointment of select committees. Volume **IV,** sections **4475, 4476.**

In 1832 a motion that the Committee to Investigate the Bank of the United States be chosen by ballot was defeated by a tie vote. Volume **IV,** section **4474.**

In 1821 the House ordered that its Members of the Select Committee on the Admission of Missouri be elected by ballot. Volume **IV,** section **4471.**

When the Select Committee on the Admission of Missouri was chosen by ballot a committee of three was appointed to count the ballots. Volume **IV,** section **4471.**

In 1839 and 1840 committees of investigation were elected by ballot. Volume **IV,** sections **4472, 4473.**

(23) Appoints Committees.—When the House Appoints.

A law providing that a committee of the House be "chosen," the Speaker never appointed without special sanction of the House. Volume **IV,** sections **4465, 4466.**

An order providing for the appointment on a committee of two Members of the House "by that body," the Speaker declined to appoint unless specially directed by the House. Volume **IV,** section **4463.**

SPEAKER—Continued.

(23) Appoints Committees.—When the House Appoints—Continued.

The seat of the Speaker being contested, the Committee on Elections were appointed by resolution of the House. Volume **II,** section **1361.**

(24) Appoints Committees.—When a Speaker Pro Tempore Appoints.

The Speaker being implicated by certain charges, a Speaker pro tempore selected from the minority party was empowered to appoint a committee of investigation. Volume **II,** section **1286.**

A Member called to the chair to preside temporarily was given special authority by the House to appoint a committee. Volume **II,** section **1365.**

A Member called to the chair by the Speaker was permitted to appoint a committee by vote of the House. Volume **II,** section **1360.**

(25) Appoints Committees.—Ratio of Majority and Minority Representation.

As to proper ratio of majority and minority representation on committees. Volume **IV,** section **4467.**

The usage in relation to majority and minority representation on committees. Volume **IV,** section **4478.**

The ratios of majority and minority representation on the committees is determined by the Speaker (footnote). Volume **IV,** section **4477.**

In appointing a committee to officiate at the administration of the oath to President Fillmore the Speaker selected the majority, including the chairman, from the political party of the President, which was the minority party of the House. Volume **III,** section **1997.**

(26) Appoints Committees.—Status of Member as Related to.

Instances wherein Members have not been appointed on committees. Volume **IV,** sections **4468, 4469.**

The fact that a Member's seat is contested is not necessarily taken into account in appointing him to committees. Volume **IV,** section **4488.**

A returned Member whose seat is contested is nevertheless eligible to appointment on any committee. Volume **II,** section **1018.**

Delegates have sometimes been appointed on committees other than those mentioned in Rule XII. Volume **II,** section **1298.**

Instance wherein Members-elect were appointed on committees before taking the oath. Volume **IV,** sections **4479–4482.**

Instance wherein a Member-elect was appointed on a committee long before he took the oath. Volume **IV,** section **4483.**

A Member-elect who had been appointed on a committee before taking the oath, not having appeared, the Speaker with the consent of the House, appointed another Member to the vacancy. Volume **IV,** section **4484.**

Members-elect unofficially known to be under indictment or actually convicted after indictment (but pending appeal) were yet appointed on committees. Volume **IV,** section **4479.**

By request of the House the Speaker has named himself as one of the members of a commission authorized by law. Volume **II,** section **1342.**

(27) Appoints Committees.—Filling Vacancies, etc.

The Speaker may not relieve a Member from service on a committee to which he has appointed him. Volume **IV,** section **4511.**

In the earlier but not in the later practice the Speaker filled vacancies on committees only by special direction of the House. Volume **IV,** sections **4458–4460.**

Reasons why the Speaker should not appoint to a vacancy on a committee during a recess of Congress (footnote). Volume **IV,** section **4460.**

The Speaker in filling vacancies on a committee sometimes designates the rank of the appointee on the committee list. Volume **IV,** section **4489.**

SPEAKER—Continued.

(28) Appoints Committees.—Chairman of.

The chairmanship of a committee is determined by seniority, by election by the committee, or, in case of the death of the chairman, by appointment by the Speaker. Volume **IV,** section **4513.**

The chairman of a committee having resigned his seat in the House the Speaker, by consent of the House, appointed a chairman. Volume **IV,** section **4530.**

It was the earlier usage of the House that the Member moving a select committee should be appointed its chairman. Volume **IV,** sections **4514–4516.**

The inconvenience of the usage that the proposer of a committee should be its chairman has caused it to be disregarded in modern practice. Volume **IV,** sections **4517–4519.**

In appointing committees of investigation it is evidently necessary to disregard the former usage that the proposer of the committee should be its chairman. Volume **IV,** sections **4520–4523.**

An illustration of the inconvenience of the former practice of making the Member proposing a select committee its chairman. Volume **IV,** section **4671.**

Instance wherein a Member who proposed an investigation was not made one of the committee (footnote). Volume **III,** section **2646.**

Instance wherein the appointment of the mover of an investigation as chairman of the committee caused debate. Volume **II,** section **1596.**

The Member proposing the committee to investigate the Bank of the United States in 1832 was appointed chairman of the committee. Volume **IV,** section **4474.**

Instance wherein the Member proposing a committee of investigation was appointed chairman. Volume **II,** section **1275.**

(29) Appoints Committees.—For Impeachments.

Two of the seven members of the committee for the Chase investigation were from the number opposing the investigation. Volume **III,** section **2342.**

The impeachment of Judge Humphreys was carried to the Senate by a committee of two, representing the two political parties. Volume **III,** section **2385.**

The Speaker appointed the committee to carry the impeachment of President Johnson to the Senate from those favoring impeachment and from the majority party. Volume **III,** section **2412.**

The Speaker gave the minority representation on the committee to carry the impeachment of Judge Delahay to the Senate. Volume **III,** section **2505.**

The minority party were represented on the committee to carry the impeachment of Secretary Belknap to the Senate. Volume **III,** section **2445.**

Constitution of the committee to carry the Swayne impeachment to the Senate. Volume **III,** section **2472.**

The committee appointed to prepare articles in the Chase case were all of those who had favored the impeachment. Volume **III,** section **2343.**

All of the committee who framed the article in the Peck case had voted for the impeachment (footnote). Volume **III,** section **2368.**

The committee to draw the articles in the Humphreys impeachment were appointed by the Speaker, and all but one were of the majority party. Volume **III,** section **2387.**

The Speaker appointed the committee to draw articles impeaching President Johnson from those favoring impeachment and from the majority party. Volume **III,** section **2412.**

The Speaker, in the committee to draw the articles in the Swayne case, gave minority representation to those opposed generally to the impeachment. Volume **III,** section **2472.**

(30) Appoints Committees.—In General.

The Speaker sometimes appoints the House's portion of a proposed joint committee before the Senate has concurred in constituting the committee. Volume **IV,** section **4426.**

SPEAKER—Continued.

(30) Appoints Committees.—In General—Continued.

The statutes provide for a temporary Committee of Accounts, to be appointed by the Speaker, to serve through the recess following the expiration of a Congress. Volume **IV,** section **4335.**

The investigation of a breach of the privilege of the House was committed to a select committee appointed by the Speaker. Volume **VI,** section **332.**

(31) Appoints Managers of a Conference.

In the House the managers of a conference are appointed by the Speaker. Volume **V,** section **5949.**

Since 1890 the rules has provided that conference committees be appointed by the Speaker, although such has been the practice since the earliest days of the House. Volume **IV,** section **4470.** Volume **VIII,** section **2192.**

Managers of a conference are usually three in number, but the House or the Speaker sometimes varies the number. Volume **V,** section **6336.**

Under the later practice, the number of conferees to be appointed has been left to the discretion of the Speaker. Volume **VIII,** section **3219.**

The number of conferees to be appointed is within the discretion of the Speaker and may consist of three, five, seven or nine. Volume **VIII,** section **3221.**

A motion to instruct the Speaker as to the number of conferees to be appointed is not in order. Volume **VIII,** section **3221.**

The resignation of a member as conferee is properly addressed to the Speaker, but is acted on by the House, and, being accepted, the Speaker appoints a successor. Volume **VIII,** section **3224.**

The absence of a manager of a conference causes a vacancy, which the Speaker fills by appointment. Volume **VIII,** section **3228.**

In the earlier practice the managers were changed for a second conference, and the Speaker did not particularly consider the committee reporting the measure or the majority and minority divisions of the House. Volume **V,** sections **6345–6351.**

In the later practice managers have generally been selected from the committee that reported the measure, have been reappointed for later conferences, and have embodied majority and minority representation. Volume **V,** sections **6341–6344.**

On a conference relating to the prerogatives of the two Houses all the conferees were selected to represent the attitude of the majority of the House. Volume **V,** section **6338.**

In appointing managers of a conference the Speaker usually consults the Member in charge of the measure. Volume **V,** section **6327.**

The motion of the Member in charge of the bill as to the disposition of a Senate amendment being disagreed to and a conference being asked, the conferees were so selected as to represent the attitude of the House. Volume **V,** section **6369.**

A special order requiring the Speaker to appoint conferees immediately after the vote of disagreement, a motion to instruct was not admitted. Volume **V,** section **6385.**

Senate discussion as to the rule governing the appoint of conferees. Volume **V,** section **6529.**

Motions to instruct the Speaker in the appointment of conference committees have not been entertained. Volume **VIII,** section **2193.**

A resolution reported by the Committee on Rules authorizing the Speaker to appoint conferees "without intervening motion" was held to be in conflict with the limitation placed upon the Committee on Rules in section 56 of Rule XI. Volume **VIII,** section **2264.**

A resolution reported by the Committee on Rules providing that a House bill with Senate amendments be taken from the Speaker's table, Senate amendments disagreed to, conference agreed to, and that Speaker "without intervening motion" appoint conferees, was held not to be in violation of the second paragraph of section 56 of Rule XI, since opportunity would be afforded to offer the motion to recommit on the conference report. Volume **VIII,** section **2266.**

SPEAKER—Continued.

(32) Sometimes Appoints Managers of an Impeachment.

The managers of the Humphreys impeachment were appointed by the Speaker, and all but one belonged to the majority party. Volume **III,** section **2388.**

In the Pickering impeachment the House decided that the managers should not be appointed by the speaker or by viva voce vote, but by ballot. Volume **III,** section **2323.**

Constitution of the managers of the Swayne impeachment. Volume **III,** section **2475.**

All the managers in the Peck trial were of those who had voted for impeachment. Volume **III,** section **2368.**

(33) Appoints Tellers for the Electoral Count.

While the Speaker has at times appointed the tellers for the electoral count as of his own authority, yet the best considered opinion is that the function belong to the House itself (footnote). Volume **III,** section **1961.**

At the electoral count of 1849 the Speaker appointed the tellers on the part of the House without authority expressly given. Volume **III,** section **1944.**

For the electoral count of 1853 the House authorized the Speaker to appoint the tellers. Volume **III,** section **1945.**

The House authorized the Speaker to appoint the tellers for the electoral count of 1857. Volume **III,** section **1946.**

The House empowered the Speaker to appoint the tellers for the electoral count of 1861. Volume **III,** section **1947.**

In 1877 the Speaker appointed the tellers for the electoral count without special authority from the House and named them all from the majority party, a course which was followed by the President pro tempore. Volume **III,** section **1954.**

In 1901 the Speaker, with the assent of the House, appointed the tellers for the electoral count. Volume **III,** section **1962.**

The tellers on the part of the House for the electoral count of 1789 were appointed by resolution. Volume **III,** section **1928.**

(34) Appoints and Removes Official Reporters of Debates and Committee Stenographers.

The speakers appoints the official reporters of debates and stenographers of committees Volume **V,** section **6958.**

Instances wherein the Speaker announced to the House his appointment of reporters (footnote). Volume **V,** section **6958.**

Questions have arisen as to the power of the Speaker in regard to the removal of stenographers to committees (footnote). Volume **V,** section **6958.**

(35) Appoints Visitors, Trustees, Regents, etc.

The statutes require the Speaker to appoint certain visitors and trustees of public institutions. Volume **II,** section **1355.**

Visitors to academies, regents, directors, and trustees of public institutions, appointed by the Speaker under the law, are not regarded as officers within the meaning of the constitutional inhibition. Volume **I,** section **493.**

Vacancies and appointments on the Board of Regents of the Smithsonian Institution. Volume **V,** sections **7338, 7339.**

(36) Administers the Oath.—Source of the Authority.

The authority to administer oaths should be given by law rather than by rule of either House. Volume **III,** sections **1823, 1824, 2081, 2162, 2294, 2303.**

In the Blount impeachment case the House seems to have distrusted its power to authorize the Speaker to administer oaths. Volume **III,** section **2294.**

(37) Administers the Oath.—To the Members When They Take Their Seats.

The act of 1789 provides that at the organization of the House and previous to entering on any other business the oath shall be administered by any Member to the Speaker and by the Speaker to the other Members and Clerk. Volume **I,** section **130.**

SPEAKER—Continued.

(37) Administers the Oath.—To the Members When They Take Their seats—

The Senate, following the act of 1789, declined to administer the oath to Members-elect until it had chosen a President pro tempore, although a precedent for the proposed action was cited. Volume **I,** section **118.**

At the beginning of a second session of Congress unsworn Members-elect were taken into account as ascertaining the presence of a quorum, but in the absence of the Speaker they were not sworn until the next day. Volume **I,** section **175.**

In the absence of the Speaker a Member-elect has produced his credentials and taken his seat, but was not sworn until the oath could be administered by the Speaker. Volume **I,** section **179.**

When the House votes to admit a Member and the motion to reconsider is disposed of, the right to be sworn is completed and not to be deferred, even by a motion to adjourn. Volume **I,** section **622.**

The House being organized but a quorum having failed, the Speaker declined to administer the oath to a contestant who had been declared elected. Volume **II,** section **875.**

Instance wherein the House authorized the Speaker to administer the oath to Members away from the House. Volume **I,** section **169.**

It has been held that there is no roll of Delegates which the Speaker is obliged to recognize at the time of swearing in Members-elect at the organization of the House. Volume **I,** section **61.**

When the right of a Member-elect to take the oath is challenged the Speaker has requested the Member to stand aside temporarily. Volume **VI,** section **9.**

By authority of the House the oath may be administered to a Member away from the House and by another than the Speaker. Volume **VI,** section **14.**

While the selection of a deputy to administer the oath is within the Speaker's discretion, he is constrained by custom to appoint a Member of the House and where that is inexpedient designates an official authorized to administer oaths. Volume **VI,** section **14.**

Where the oath has been administered away from the House and by another than the Speaker, the House has by resolution received and accepted the oath. Volume **VI,** section **14.**

(38) Administers the Oath.—The Power Not Arbitrary, but Controlled by the House.

The Speaker possesses no arbitrary power in the administration of the oath, and if there be objection the majority of the House must decide. Volume **I,** section **134.**

If a Member object the Speaker does not administer the oath to a Member-elect without direction of the House, even though the credentials be regular in form. Volume **I,** sections **135–138.**

Objection being made to the administration of the oath to a Member-elect, the Speaker held that the question should be decided by the House and not by the Chair. Volume **I,** sections **519, 520.**

In 1866 the Speaker declined to administer the oath to persons whose credentials were regular but who came from States declared by the two Houses not entitled to representation at the time. Volume **I,** section **139.**

In 1839 the House refused to direct the Speaker to administer the oath to certain persons bearing regular credentials as Members-elect, and as organ of the House he declined to administer the oath. Volume **I,** section **140.**

The Members-elect having denied to certain of their number a right to participate in the organization, the Speaker declined, without instruction of the House, to administer the oath to those thus debarred, although they presented certificates in proper form. Volume **I,** section **140.**

The Speaker asked the decision of the House when a Member-elect from a State not yet admitted to the Union presented himself to be sworn. Volume **I,** section **396.**

It has been held, although not uniformly, that in cases where the right of a Member-elect to take the oath is challenged the Speaker may direct the Member to stand aside temporarily. Volume **I,** sections **143–146.**

SPEAKER—Continued.

(38) Administers the Oath.—The Power Not Arbitrary, but Controlled by the House— Continued.

In 1899 a Member-elect, challenged as he was about to take the oath, stood aside on the request of the Speaker. Volume **I,** section **474.**

(39) Administers the Oath.—To Witnesses.

The Speaker, the Chairman of the Committee of the Whole or any other committee, or any Member may administer oaths to witnesses in any case under examination. Volume **III,** section **1769.**

In 1832 the Speaker was empower to administer the oath to witnesses in the contempt case of Samuel Houston. Volume **II,** section **1617.**

Form of oath administered by the Speaker to a person about to be examined at the bar of the House. Volume **II,** section **1633.**

(40) Duty as to the Quorum.—Counts When There is No Record Vote.

Mr. Speaker Reed in 1890 revived the count by the Chair as a method of determining the presence of a quorum at times when no record vote is ordered. Volume **IV,** section **2909.**

Mr. Speaker Reed held in 1890 that it was the function of the Speaker to determine in such manner as he could deem accurate and suitable the presence of a quorum. Volume **IV,** section **2932.**

The Speaker's count of a quorum is not subject to verification by tellers. Volume **IV,** section **2916.** Volume **VI,** section **647.**

Instance wherein the Speaker permitted his count of the House to be verified by tellers, but did not concede it a right of the House to have tellers under such circumstances. Volume **IV,** section **2888.**

In counting to ascertain the presence of a quorum the Chair counts all Members in sight, whether in the cloakrooms or within the bar. Volume **IV,** section **2970.**

A call of the House is not in order after the previous question is ordered unless it appears on an actual count by the Speaker that a quorum is not present. Volume **V,** section **5447.**

In 1836 it seems to have been customary for the Chairman of the Committee of the Whole to count the committee to ascertain as to the presence of a quorum. Volume **II,** section **1653.**

The Presiding Officer of the Senate sitting in an impeachment trial directed the counting of the Senate to ascertain the presence of a quorum. Volume **III,** section **2107.**

It is not incumbent upon the Chair to announce the names of Members present and not voting but counted to make a quorum. Volume **VI,** section **642.**

(41) Duty as to the Quorum.—When the Yeas and Nays are Taken.

When a vote taken by yeas and nays shows that no quorum has voted, it is the duty of the Chair to take notice of that fact. Volume **IV,** sections **2953, 2963.**

When a vote by yeas and nays shows no quorum the Chair takes cognizance of the fact, and, unless the House adjourns, orders a call under the rule without suggestion from the floor. Volume **VI,** section **679.**

When a quorum fails on a yea-and-nay vote the call of the House is automatic under the rule, and the Speaker directs the roll to be called without motion from the floor. Volume **VI,** section **678.**

In 1890 Mr. Speaker Reed directed the Clerk to enter on the Journal as part of the record of a yea-and-nay vote names of Members present but not voting, thereby establishing a quorum of record. Volume **IV,** section **2895.**

(42) Duty as to the Quorum.—In General.

A quorum is presumed to be present unless it is otherwise determined and it is not necessarily the function of the Speaker to ascertain the presence of a quorum unless the point is raised. Volume **VI,** section **565.**

SPEAKER—Continued.

(42) Duty as to the Quorum.—In General—Continued.

It is not the duty of the Speaker to take cognizance of the absence of a quorum unless disclosed by a yea-and-nay vote or questioned by a point of order. Volume **VI,** section **624.**

It is the duty of the Speaker to announce the absence of a quorum without unnecessary delay. Volume **VI,** section **652.**

The Speaker orders the doors closed only when a call of the House is in progress. Volume **VI,** section **703.**

The Speaker may, without suggestion from the floor, take note of the failure of a quorum to vote on the pending question, and on his own initiative direct a call of the House under the rule. Volume **VI,** section **699.**

Prayer by the Chaplain at the opening of the daily session is not business requiring the presence of a quorum, and the Speaker declines to entertain a point of no quorum before prayer is offered. Volume **VI,** section **663.**

When the roll which is called in Committee of the Whole when a quorum fails shows that a quorum responded the Speaker directs the committee to resume its session, although less than a quorum may have appeared on an intervening motion to adjourn. Volume **IV,** section **2969.**

When the Committee of the Whole for supposed lack of a quorum rises and reports a roll call, a motion to adjourn may be admitted before the Speaker, on information of a quorum, directs the committee to resume its sitting. Volume **IV,** section **2969.**

Discussion of the authority of the Speaker to issue a warrant for the arrest of absent Members during a call of the House. Volume **IV,** section **3043.**

The lack of a quorum being disclosed, in the absence of any motion the Speaker will issue warrants to bring in absent Members. Volume **VI,** section **680.**

Under the rule for a call of the House, the Speaker issues warrants for arrest of absentees without further authorization from the House. Volume **VI,** section **702.**

A motion directing the Speaker to issue warrant for arrest of absentees may be entertained during proceedings to secure the attendance of a quorum. Volume **VI,** section **681.**

The House having agreed to a motion directing the issuance of a warrant for arrest of absentees during proceedings to secure a quorum, the Speaker disregarded the direction and declined to sign the warrant. Volume **VI,** section **681.**

(43) Preserves Order.—On the Floor, in the Galleries, etc.

The Speaker preserves order on the floor and in the galleries and lobby. Volume **II,** section **1343.**

A point of order being raised against an interruption from the galleries, the Speaker admonished the galleries. Volume **VI,** section **259.**

The Sergeant-at-Arms attends the sittings and under direction of the Speaker or Chairman of the Committee of the Whole maintains order. Volume **I,** section **257.** Volume **VI,** section **29.**

Extreme disorder arising on the floor, the Speaker directed the Sergeant-at-Arms to enforce order with the mace. Volume **VI,** section **258.**

The Speaker represses a Member who is out of order, but except naming him may not otherwise censure or punish him. Volume **II,** section **1345.**

The Speaker may name any Member persisting in disorderly conduct. Volume **II,** section **1344.**

The parliamentary law provides that the House shall deal with a Member named by the Speaker. Volume **II,** section **1344.**

A spectator in the gallery having created disturbance, the Speaker ordered his arrest. Volume **II,** section **1605.**

After their affray on the floor Messers. Lyon and Griswold were required to pledge themselves before the Speaker to keep the peace during the session. Volume **II,** section **1643.**

SPEAKER—Continued.

(44) Preserves Order.—Intervenes in Committee of the Whole.

Extreme disorder arising in the Committee of the Whole, the Speaker may take the chair "without order to bring the House into order." Volume **II,** section **1348**

Two Members having created disorder in Committee of the Whole by an encounter, the Speaker took the chair and restored order and the House immediately referred the subject to a select committee. Volume **II,** section **1650.**

Two Members having created disorder in Committee of the Whole, the Speaker took the chair and restored order, whereupon the committee rose and the House adjourned before taking action on the disorder. Volume **II,** section **1657.**

A Member having defied and insulted the Chairman of the Committee of the Whole, the Chairman left the chair, and on the chair being taken by the Speaker reported the facts to the House. Volume **II,** section **1653.**

An assault occurring between two Members in Committee of the Whole, the committee rose and the Speaker restored order before receiving the report. Volume **II,** section **1652.**

The Committee of the Whole having risen informally because of disorder created by a Member, the Speaker directed the committee to resume its sitting after the Member had explained and when no further action in relation thereto was proposed. Volume **II,** section **1350.**

In 1838, in case of great disorder in Committee of the Whole, the Speaker took the chair "without order to bring the House into order." Volume **II,** section **1648.**

In 1840 great disorder occurred in Committee of the Whole, whereupon the Speaker, without order, took the chair and restored order. Volume **II,** section **1649.**

In 1844 the Speaker took the chair to quell disorder which had arisen in Committee of the Whole, whereupon the Chairman stated to the House the facts as to the disorder. Volume **II,** section **1651.**

In 1880 the Speaker took the chair to quell disorder in Committee of the Whole, but that being accomplished, yielded the chair to the Chairman, that the committee might rise in due form before the House should adjourn. Volume **II,** section **1349.**

(45) Preserves Order.—The "Call to Order" During Debate.

If any Member, in speaking or otherwise, transgress the rules of the House it is the duty of the Speaker and the privilege of any Member to call him to order, and he may be punished by censure or otherwise. Volume **V,** section **5175.**

The Speaker, without suggestion from the floor, may call a Member to order for breach of order in debate. Volume **V,** sections **5161, 5162.**

The Speaker sometimes interposes to prevent breach of order in debate without waiting for a question to be raised by a Member. Volume **V,** sections **5163, 5169.**

In the early practice of the House the Speaker intervened to prevent in debate even the mildest imputation on the motives of a Member. Volume **V,** sections **5161, 5162.**

It is the duty of the Speaker to suppress personalities in debate. Volume **V,** section **5131.**

It is the duty of the House, and particulary of the Speaker, to suppress in debate expressions which may give ground of complaint to the other House. Volume **V,** section **5095.**

It has always been considered the particular duty of the Speaker to prevent expressions offensive to the Senate or Senators. Volume **V,** section **5130.**

It is the duty of the Speaker to prevent expressions offensive to the other House. Volume **VIII,** section **2521.**

It is the duty of the Chair, without suggestion from the floor, to interfere when statements are made in debate which might give Senators ground for complaint. Volume **VIII,** section **2520.**

A Member who resumes his seat after being called to order loses his claim to prior right of recognition. Volume **V,** section **5016.**

Although debate on a question of order is within control of the Speaker, yet he puts to the House the question whether a Member called to order during such debate shall "be allowed to proceed in order." Volume **V,** section **5190.**

SPEAKER—Continued.

(45) Preserves Order.—The "Call to Order" During Debate—Continued.

While the Speakers have entertained appeals from their decisions as to irrelevancy in debate, they have held that such appeals were not debatable. Volume **V,** sections **5056–5063.**

Examples of personal and recriminating remarks held out of order in debate by the Speaker. Volume **V,** sections **5163, 6169.**

References to discussions of the power of the Vice-President to call to order (footnote). Volume **II,** section **1345.**

If the Member digress or otherwise transgress the rules in the discussion of a question of privilege, it is the duty of the Speaker to call him to order. Volume **VIII,** section **2481.**

If a Member in debate transgress the rules it is the duty of the Speaker to intervene and require that he proceed in order. Volume **VIII,** section **3479.**

It is a breach of order to reflect upon or to refer invidiously to the decisions of present or former Speakers. Volume **VIII,** section **2531.**

Action by the House on words taken down and reported from the Committee of the Whole is contingent on the Speaker's decision that a breach of order is involved. Volume **VIII,** section **2528.**

When the Committee of the Whole reports to the House words taken down on demand, the Speaker in passing on the question raised is restricted to the words reported and may not take into consideration associated language not reported by the committee. Volume **VIII,** section **2533.**

When a demand is made that words spoken in Committee of the Whole be taken down, no further business is in order and the Committee automatically rises and reports the words to the House for decision by the Speaker. Volume **VIII,** section **2539.**

Consideration of words reported to the House from Committee of the Whole having been disposed of, either by decision of the Speaker holding them in order or by action of the House if held unparliamentary, the House resolves into the Committee of the Whole automatically. Volume **VIII,** section **2539.**

Recognition by the Speaker to move that words reported from the Committee of the Whole be expunged is tantamount to a decision holding them unparliamentary. Volume **VIII,** section **2539.**

(46) Decides Questions of Order.—General Principles.

The Speaker decides questions to order. Volume **V,** section **6863.**

It is not the duty of the Speaker to decide a hypothetical question. Volume **VI,** section **253.**

The Speaker decides all questions of order, subject to appeal. Volume **II,** section **1313.**

The Speaker sits while rendering decisions on points of order or when participating in debate thereon (footnote). Volume **II,** section **1367.**

A question of order arising out of any other question must be decided before that question. Volume **V,** section **6864.**

A point of order having been made, all points of order on the same proposition should be submitted before decision on any. Volume **VIII,** section **2310.**

Instance wherein the Speaker reversed as erroneous a decision made in a previous session. Volume **VIII,** section **2794.**

Questions of order arising during a division are decided peremptorily by the Speaker. Volume **V,** section **5926.**

It is not the duty of the Speaker to decide any question which is not directly presented in the course of the proceedings of the House. Volume **II,** section **1314.**

Instance wherein the Speaker retained the chair and ruled as to a resolution which in effect proposed a censure of a decision made by him as Speaker. Volume **III,** section **2621.**

The Chair is constrained in his rulings to give precedent its proper influence. Volume **II,** section **1317.**

Discussion as to the influence of precedent upon the rulings of the Chair. Volume **VII,** section **1363.**

SPEAKER—Continued.

(46) Decides Questions of Order.—General Principles—Continued.

The Chair in his ruling is constrained to follow precedent and to obey a well-established rule even if unreasonable, but one precedent alone when unsupported by others is not necessarily conclusive. Volume **VI,** section **48.**

The decisions of the Speaker on questions of order are not like judgments of courts which conclude the rights of parties, but may be reexamined and reversed. Volume **IV,** section **4637.**

The Speaker held that while the courts may not construe a law in the light of debate attending its passage in the Legislature, the rules are to be interpreted according to views of their purport expressed at the time of adoption. Volume **VII,** section **1023.**

The Speaker may require that a question of order be presented in writing. Volume **V,** section **6865.**

The question of admitting an amendment should be decided from the provisions of its text rather than from purposes which circumstances may suggest. Volume **IV,** section **3998.**

In passing upon a point of order it is not within the province of the Chair to consider contingencies which might subsequently affect the question presented. Volume **VII,** sections **1409, 1541.**

In deciding as to dividing a question the Chair considers only the existence of substantive propositions, and not the merits of the questions presented. Volume **V,** section **6122.**

Debate on a point of order is for the information of the Chair, and therefore within his discretion. Volume **V,** sections **6919, 6920.**

The Journal records the rulings but not the remarks of the Speaker. Volume **IV,** section **2840.**

In later years, although not in the very earliest practice, the Journal has recorded the reasons for the decisions of the Speakers. Volume **IV,** section **2841.**

The Journal does not record the response of the Speaker to a parliamentary inquiry. Volume **IV,** section **2842.**

The effect or purport of a proposition is not a question to be passed on by the Chair. Volume **VI,** section **254.**

The question as to whether an officer of the House is properly discharging the duties of his office is a legal proposition, and one which the Speaker is not called upon to decide. Volume **VI,** section **30.**

In passing upon the privilege of a bill for report at any time the Speaker does not take into consideration his personal knowledge and estimate of the probable effects of the passage of the bill. Volume **VIII,** section **2280.**

(47) Decides Questions of Order.—Sometimes Reserves Decision.

Discussion of instances in which Speakers have reserved rulings on points of order. Volume **VII,** section **2106.**

The Speaker may, on a difficult question of order, decline to rule until he has taken time for examination of the question. Volume **III,** section **2725.**

An instance wherein the Speaker by unanimous consent reserved his decision on a point of order. Volume **VIII,** section **2396.**

Instance wherein the Speaker, desiring further time for consideration of a point of order, reserved his decision until the following day. Volume **VI,** section **432.**

An instance in which the Speaker took a question under advisement and rendered a decision on a subsequent day. Volume **VIII,** section **2174.**

An instance in which the Speaker deferred ruling on an unusual point of order until time could be had to consult the precedents. Volume **VIII,** section **3475.**

An instance in which the Speaker asked unanimous consent to elaborate on an opinion previously rendered. Volume **VII,** section **1111.**

SPEAKER.—Continued.

(47) Decides Questions of Order.—Sometimes Reserves Decision—Continued.

An instance in which the Speaker announced to the House that after further consideration he did not desire a recent decision to be considered as a precedent. Volume **VIII,** section **2424.**

(48) Decides Questions of Order.—Rarely Submits Them to the House Itself.

The Speaker, of his own initiative, has submitted to the House for decision a question as to procedure. Volume **II,** sections **1315, 1316.** Volume **VIII,** section **3405.**

The House has laid on the table a question submitted by the Speaker as to whether or not a question of privilege was involved in a pending proposition. Volume **II,** section **1277.**

Instance in which the Speaker submitted to the House the decision as to whether or not a question involved privilege. Volume **VIII,** section **2597.**

Instance in which a question of procedure was submitted by the Speaker of the House, which overruled his former decision. Volume **VI,** section **565.**

Instance wherein the Speaker submitted to the House the question as to whether a statement objected to in debate was in order. Volume **VI,** section **617.**

Instance wherein the Speaker submitted to the House a question as to the order of disposing of several unapproved journals. Volume **IV,** section **2771.**

The Speakers in infrequent instances have referred questions of order to the House for decision. Volume **IV,** sections **3173, 3282, 4930.** Volume **V,** sections **5014, 5323, 5403, 5835, 5855, 6701.**

(4) Decides Questions of Order.—As to Questions of Privilege.

Whenever it is asserted on the floor that the privileges of the House are invaded the Speaker entertains the question. Volume **II,** section **1501.**

A paper offered as involving a question of privilege should be read to the House rather than privately by the Speaker before a decision is made regarding its privilege. Volume **III,** section **2546.**

The Speaker held that a protest by Members should be read before any decision as to whether or not it might be offered as a question of privilege. Volume **III,** section **2597.**

While the Speaker should not entertain every motion which may be offered as a matter of privilege, he should submit to the House whatever relates to the privileges of the House or a Member. Volume **III,** sections **2536, 2537.**

The Speakers have been accustomed for many years to give a preliminary determinations as to questions presented as involving privilege. Volume **III,** section **2678.**

The Speaker may pass on a question presented as of privilege instead of submitting it directly to the House. Volume **III,** section **2641.**

In 1855 the Speaker held it the right of the Chair to decide whether or not a question alleged to be of privilege should be submitted to the House. Volume **IV,** section **2799.**

Early instance wherein the Speaker and not the House decided whether or not a question was one privilege. Volume **III,** section **2642.**

Early instances wherein the Speaker passed on questions presented as of privilege instead of submitting them directly to the House. Volume **III,** sections **2649, 2650.**

It has been decided that it was for the House and not the Speaker to decide whether or not a question or privilege was involved. Volume **III,** section **2527.**

Early custom of the Speakers to leave to the House to decide whether or not a proposition involved privilege. Volume **III,** section **2718.**

Instance wherein the Speaker submitted to the decision of the House the question as to whether or not a matter involved privilege. Volume **III,** section **2709.**

In 1842 the Speaker could find no precedent for deciding as to a question offered as of privilege. Volume **III,** section **2654.**

Instance wherein the Speaker left to the House to decide whether or not a proposition involved a question of privilege. Volume **III,** section **2648.**

It being claimed that a charge of crime against a Member involved a question of privilege, the Speaker submitted the question to the House. Volume **II,** section **1277.**

SPEAKER—Continued.

(49) Decides Questions of Order.—As to Questions of Privilege—Continued.

The President pro tempore of the Senate declined to take the responsibility of directing the Secretary to omit from the call of the yeas and nays the names of two Senators who had been declared in contempt. Volume **II,** section **1665.**

The validity of a question of privilege is determined by the Speaker, and newspaper articles upon which the alleged question is based are not necessarily laid before the House. Volume **VI,** section **604.**

A question of privilege is in order after the House has voted to resolve into Committee of the Whole, the Speaker being still in the chair. Volume **VI,** section **554.**

(50) Decides Questions of Order.—Does Not Pass on Legislative Effect of a Proposition.

It is for the House and not the Speaker to decide on the legislative effect of a proposition. Volume **II,** sections **1323, 1324.** Volume **VII,** sections **2112, 2841.**

The change of a single word in the text of a proposition is sufficient to prevent the Speaker ruling it out of order as one already disposed of by the House. Volume **II,** section **1274.**

The inconsistency of a proposed amendment with one already agreed to is not a matter for the decision of the Speaker. Volume **V,** section **5781.**

The question of inconsistency of pending legislation with existing law is not passed upon by the Chair. Volume **VII,** section **2112.**

The fact that a proposed amendment is inconsistent with the text or embodies a proposition already voted on constitutes a condition to be passed on by the House and not by the Speaker. Volume **II,** sections **1328–1336.**

It is not within the province of the Chair to decide whether proposed legislation conflicts with treaty obligations. Volume **VI,** section **252.**

A point of order as to the competency or meaning of an amendment does not constitute a parliamentary question. Volume **VI,** section **254.**

The fact that the provision of a proposed amendment is contained in a later portion of the bill constitutes no reason why it should be ruled out by the Speaker. Volume **II,** section **1327.**

While the Chair in passing upon a point of order may not speculate as to the effect of legislation, he is authorized to take judicial cognizance of statutory law. Volume **VII,** section **1535.**

The consistency of a proposed amendment with the text is a question to be passed on by the House and not by the Speaker. Volume **VIII,** section **3458.**

The fact that an amendment proposed to a Senate amendment would in effect change a provision of the text to which both Houses have agreed does not constitute a reason why the Speaker should rule it out. Volume **II,** section **1335.**

The fact that an amendment proposed to a Senate amendment would in effect change a provision of the text to which both Houses have agreed does not constitute a reason why the Speaker should rule it out. Volume **V,** sections **6183–6185.**

The question of order being raised that a pending resolution reflected on the Senate, the Speaker held that it was a matter for the House and not the Chair to pass on. Volume **III,** section **1744.**

(51) Decides Questions of Order.—Does Not Pass on the Constitutional Powers of the House.

It is not the duty of the Speaker to construe the Constitution as affecting proposed legislation. Volume **II,** sections **1255, 1318–1320.** Volume **VIII,** sections **2225, 3031.**

It is for the House and not the Speaker to pass on a question relating to the constitutional prerogatives of the House. Volume **II,** sections **1490, 1491.**

It is for the House and not the Speaker to determine whether or not a proposed action is within the constitutional power of the House. Volume **IV,** section **3507.**

SPEAKER—Continued.

(51) Decides Questions of Order—Does Not Pass on the Constitutional Powers of the House—Continued.

It is for the House and not the Speaker to decide whether or not a Senate amendment on the subject of revenue violates the privileges of the House. Volume **II,** sections **1320, 1322.**

The competency of the House to take a proposed course of action is a matter for the decision of the House rather than the Speaker. Volume **II,** section **1321.**

(52) Decides Questions of Order.—General Matters Not for His Decision.

The fact that the subject of a pending bill has already been acted on in another form is a matter for the consideration of the House, but does not justify the Speaker in ruling the bill out. Volume **II,** section **1325.**

Under the early practice the Speakers used to rule subjects out of order because they were already before the House in another form. Volume **II,** section **1326.**

The Speaker does not rule out a pending legislative proposition, even though the lapse of time may have rendered it futile. Volume **II,** section **1337.**

It is for the House and not the Speaker to determine whether or not a person arraigned for contempt shall be heard before being ordered into custody. Volume **III,** section **1684.**

Whether or not it was proper to censure a Member who had resigned was held to be a question for the House and not the Chair. Volume **II,** section **1275.**

Whether the House shall continue the legislative day into Sunday is not a question for the decision of the Speaker. Volume **V,** section **6695.**

The propriety of continuing a session into Sunday does not constitute a question of order for the Speaker, who may not adjourn the House against its will. Volume **V,** section **6728.**

The Speaker held that he could not prevent a majority of the House from so amending the Journal as to undo an actual transaction. Volume **IV,** sections **3091–3093.**

Instance wherein an act performed by the Speaker under the rules was reversed by an amendment changing the Journal entry. Volume **IV,** sections **3091–3093.**

On the call of committees each bill must be called on authorization of the committee, but in case of dispute as to the authorization the Speaker cannot decide as to the fact. Volume **IV,** section **3127.**

It is not within the province of the Chair to decide whether an amendment is inconsistent with previous action of the committee. Volume **VI,** section **256.**

A question as to the inconsistency of a proposed amendment with action previously taken by the committee is a proposition to be passed upon by the committee and not by the Chair. Volume **VI,** section **257.**

The question as to whether a proposed amendment embodies a proposition already voted on is one to be passed upon by the House and not by the Speaker. Volume **VI,** section **255.**

It is for the House and not the Speaker to decide whether or not an office is incompatible with membership in the House. Volume **VI,** section **253.**

The Speaker held that it was for the House rather than the Chair to decide whether a bill was "of the same substance" as another previously considered. Volume **VII,** section **1049.**

The effect of an amendment upon a bill is a question for the House and is not passed upon by the Speaker. Volume **VII,** section **2142.**

It is for the House and not the Chair to decide on the propriety of words demanded to be taken down as unparliamentary. Volume **VIII,** section **2540.**

A Member proposing to read in his own time a paper on which a vote was not to be taken, objection was made, and the Speaker submitted the question to the House. Volume **VIII,** section **2597.**

Objection being made to the reading of a paper in debate, the Chair takes the sense of the House, on motion or without motion from the floor, and without debate. Volume **VIII,** section **2607.**

SPEAKER—Continued.

(52) Decides Questions of Order.—General Matters Not for His Decision—Continued.

Whether motions to instruct are inconsistent with action previously taken by the House, is a question for the House, and the Speaker declines to rule such motions out of order on that ground. Volume **VIII,** section **3230.**

(53) Decides Questions of Order.—Authority as to Reports of Committees.

While a rule requires that every bill reported from a committee shall be accompanied by a written report, the sufficiency of that report is passed on by the House and not the Speaker Volume **IV,** section **4653.**

It is for the House and not the Speaker to decide as to the sufficiency of a report made in writing by a committee. Volume **II,** section **1339.**

The Speaker, being satisfied of the correctness of the authorization of a report, may decide that it shall be received. Volume **IV,** sections **4592, 4593.**

The Speaker may, upon statements from the chairman and other members of a committee, rule that the calling up of a bill has been authorized by a committee. Volume **IV,** section **3128.**

The Speaker may not rule out a report because the committee have failed to comply with their instructions in relation to it. Volume **IV,** section **4689.**

When a committee had made a report which exceeded its instructions the Speaker ruled out the excess portion but permitted the remainder of the report to stand. Volume **IV,** section **4404.**

A question as to whether or not a committee in its report has violated its instructions is passed on by the House and not the Speaker. Volume **II,** section **1338.**

(54) Decides Questions of Order.—As to Conference Reports and Statements.

In the later but not the earlier practice the Speaker rules a conference report out of order on a question being raised. Volume **V,** sections **6409, 6410.**

It is only in later years that the Speakers have assumed authority to determine whether or not the managers of a conference have transcended their powers. Volume **V,** sections **6414–6416.**

While the Chair may not pass upon the completeness of the written statement accompanying a conference report he may require it to be in proper form. Volume **V,** section **6513.**

It is for the House and not the Speaker to determine whether or not the detailed statement accompanying a conference report is sufficient to comply with the rule. Volume **V,** sections **6511, 6512.**

(55) Decides Questions of Order.—Review of an Appeal.

The decision of a question of order by the Chair is subject to appeal by any Member. Volume **V,** section **6938.**

An appeal from the decision of the Chair is in order during a call of the House. Volume **VI,** section **681.**

The right of appeal insures the House against the arbitrary control of the Speaker and can not be taken away from the House. Volume **V,** section **6002.**

An appeal may not be taken from a response of the Speaker to a parliamentary inquiry. Volume **V,** section **6955.**

There is no appeal from a decision by the Speaker on a question of recognition. Volume **VIII,** sections **2429, 2446.**

When the vote on an appeal has resulted in a tie the Chair has sometimes given a casting vote in favor of his own decision. Volume **V,** section **6956.**

Instance wherein on a tie vote on an appeal the Speaker voted in the affirmative. Volume **V,** section **5686.**

When on an appeal from the decision of the Chair the vote would be a tie after the Chair should have voted to sustain his own decision an interesting question would be presented. Volume **V,** section **6957.**

SPEAKER—Continued.

(55) Decides Questions of Order.—Review of an Appeal—Continued.

On an appeal from a decision of the chairman in a committee the Chair voted to sustain his ruling, thereby producing a tie, and so the decision was sustained. Volume **IV,** section **4569.**

An amendment to the Journal disapproving a ruling of the Speaker was held out of order without question as to the propriety of calling another to the chair. Volume **IV,** section **2848.**

The motion to postpone to a day certain was held to be applicable to an appeal from the decision of the Chair. Volume **VIII,** section **2613.**

A decision of the Speaker which was overruled by the House was subsequently reaffirmed and sustained, and embodies the established practice of the House. Volume **VIII,** section **3376.**

(56) Decides Questions of Order.—Instances of Decisions Overruled and Principles Established Thereby.

Instance where Speaker was overruled. Volume **V,** section **5948.**

A Member who was absent when a vote was taken may not move to reconsider (Speaker overruled). Volume **V,** section **5619.**

A modification of a proposition being dependent on the right of withdrawal may not be made after the previous question is ordered (Speaker overruled). Volume **V,** section **5484.**

The previous question being ordered, a Member may not ask a decision of the House on his request for the reading of a paper not before the House (Speaker overruled). Volume **V,** section **5296.**

A resolution to investigate a charge that a Member had improperly abstracted papers from the files of an Executive Department was entertained as privileged (Speaker overruled). Volume **III,** section **2655.**

It is the practice of the House not to limit general debate in Committee of the Whole until it has begun (Speaker overruled). Volume **V,** section **5205.**

A division of the question may not be demanded on a motion to lay a series of resolutions on the table. Volume **V,** section **6138.**

In the general, although not universal, practice debate has not been closed by the ordering of the yeas and nays until one Member has responded to the call. Volume **V,** section **6102.**

The requirement as to consideration in Committee of the Whole applies to amendments as well as to bills. Volume **IV,** section **4793, 4794.**

The House has overruled a decision of a Speaker admitting an appeal. Volume **V,** section **6953.**

The Committee of the Whole declined to heed an appeal that it overrule its Chairman in order to place legislation urged as desirable on an appropriation bill. Volume **IV,** section **3820.**

Overruling the Speaker, at his invitation, the House decided that a billing providing for the establishing of a national park and conferring authority on the Secretary of the Interior to administer, protect, and develop it, required consideration in the Committee of the Whole. Volume **VIII,** section **2412.**

Provision for contingent hearings conducted by Cabinet members to determine requirements for a bridge across navigable waters was held by the House (overruling the Speaker) not to be sufficiently patent as a charge upon the Government to require consideration in Committee of the Whole. Volume **VIII,** section **2391.**

The House (overruling the Speaker) held the motion discharging a committee from the consideration of a bill to be of higher privilege on suspension day than the motion to resolve into Committee of the Whole for the consideration of revenue or appropriation bills. Volume **VII,** section **1016.**

The House decided (overruling the Speaker) that the motion to reconsider the vote on a proposition having been once agreed to, and the vote having again been taken, a second motion to reconsider may not be made unless the nature of the proposition has been changed by amendment. Volume **VIII,** section **2788.**

SPEAKER—Continued.

(57) Duty as to Motions and Votes.—Rarely Submits a Motion From the Floor.

In very rare cases the Speaker takes the floor to make a motion. Volume **II,** sections **1375, 1376.**

Calling a Member to the chair, Mr. Speaker Colfax offered from the floor a resolution for the expulsion of a Member. Volume **II,** section **1253.**

(58) Duty as to Motions and Votes.—Putting the Question.

The question, if in order, must be put. Volume **II,** section **1312.**

It is the duty of the Speaker to put a motion in order under the rules and practice without passing on its constitutional effect. Volume **IV,** section **3550.**

The motion as stated by the Chair in putting the question and not as stated by the Member in offering the motion, is the proposition voted upon. Volume **VI,** section **247.**

The rules prescribe the form in which the Speaker shall put the question. Volume **V,** section **5927.**

Rule as to forms in which the Speaker shall put the question and method of determining the result. Volume **II,** section **1311.**

When a motion is made the Speaker shall state it or cause it to be read by the Clerk before being debated. Volume **V,** section **5304.**

Debate should not begin until the question has been stated by the Speaker. Volume **V,** section **4982.**

The House insists on compliance with the rule that a motion must be stated by the Speaker or read by the Clerk before debate shall begin. Volume **V,** section **4983.**

Every motion made to the House and entertained by the Speaker shall be reduced to writing on the demand of any Member. Volume **V,** section **5300.**

Before debate is in order the motion must be stated by the Member or even be reduced to writing, if required, and announced by the Chair. Volume **V,** section **4986.**

Every motion entertained by the Speaker shall be entered on the Journal, with the name of the Member making it, unless it be withdrawn the same day. Volume **V,** section **5300.**

A motion which is not entertained by the Speaker is not entered on the Journal. Volume **IV,** section **2813.**

A motion which has been stated by the Speaker or read by the Clerk is in possession of the house, but may be withdrawn before a decision or amendment. Volume **V,** section **5304.**

(59) Duty as to Motions and Votes.—May Not Entertain Dilatory Motions.

Finding the ordinary and proper parliamentary motions used solely for delay and obstruction, Mr. Speaker Reed ruled them out as dilatory, and was sustained on appeal. Volume **V,** section **5713.**

No dilatory motion shall be entertained by the Speaker. Volume **V,** section **5706.**

Review of the conditions which resulted in the rule empowering the Speaker to decline to recognize for dilatory motions. Volume **V,** section **5706.**

When motions or appeals have been made with an evident purpose of obstruction the Speaker, acting under the rule, has held them dilatory, either on a point of order being made or without it. Volume **V,** sections **5715–5722.**

A motion must be manifestly for delay in order to justify its rejection as dilatory. Volume **V,** section **5714.**

The constitutional right of a Member to demand the yeas and nays may not be overruled as dilatory. Volume **V,** section **5737.**

The motion to reconsider has been ruled out as dilatory when manifestly made for purpose of delay. Volume **V,** section **5735.**

The Speaker has ruled a demand for tellers dilatory when satisfied that it was made only for purposes of delay. Volume **V,** sections **5735, 5736.**

The Speaker has declined to entertain debate or appeal on a question as to dilatoriness of a motion. Volume **V,** section **5731.**

SPEAKER—Continued.

(59) Duty as to Motions and Votes.—May Not Entertain Dilatory Motions.—Continued.

The presence of a quorum having been ascertained, the Speaker has overruled points of "no quorum" made very soon thereafter. Volume **V,** sections **5726–5730.**

A rule giving the Speaker power to hold as dilatory certain motions, a resolution condemning his action thereunder was not admitted as a question of privilege. Volume **III,** section **2621.**

Special orders are often used to further the consideration of business by preventing dilatory motions, and in such cases the Chair has exercised discretion as to entertaining motions to adjourn, for recess, and appeals. Volume **IV,** sections **3210–3213.**

Pending consideration of a report from the Committee on Rules the Speaker is forbidden to entertain dilatory motions. Volume **V,** section **5738.**

Pending a motion to suspend the rules the Speaker may entertain one motion that the House adjourn, but thereafter no other dilatory motion may be made. Volume **V,** section **5743.**

The Speaker, during the period when the rules made in order a motion to excuse a Member from voting, held the motion dilatory when applied to votes on adjourning or for a call of the House, since it might be used to prevent adjourning or the procuring of a quorum. Volume **V,** sections **5709–5712.**

In a rare instance in the earlier history of the House a Speaker declined to entertain an appeal which was evidently trivial. Volume **V,** section **5723.**

During the electoral count of 1877, when the proceedings were prescribed by law, the Speaker rule that a motion interfering with the promptness of those proceedings was dilatory. Volume **III,** section **1955.**

A motion to recommit having been ruled out of order, another motion is in order if offered in good faith, but subsequent recognition to move recommitment is within the discretion of the Speaker and may be denied if dilatory. Volume **VIII,** section **2760.**

The question as to whether a motion is dilatory is determined within the discretion of the Speaker by the evident motive of the Member presenting it. Volume **VIII,** section **2713.**

If apparent that a motion is offered for the purpose of delaying the business of the House it is the duty of the Speaker to rule it out as dilatory without waiting for suggestion from the floor. Volume **VIII,** section **2796.**

Although circumstances seemed to indicate that a motion had been made for purposes of obstruction, the Speaker inquired as to the motives prompting the motion, and being assured by the proponent that it was offered in good faith, declined to hold it dilatory. Volume **VIII,** section **2797.**

The question of dilatoriness is not necessarily determined by the length of time which has elapsed since the ascertainment of the presence of a quorum, or the character of business intervening, but by the opinion of the Speaker as to whether under the circumstances the motion is made with intent to delay the business of the House. Volume **VIII,** section **2804.**

The point of no quorum has been ruled out as dilatory immediately following a roll call or count by the Chair disclosing the presence of a quorum, but the Chair will not so rule unless the presence of a quorum is patent. Volume **VIII,** section **2807.**

The Chair being satisfied that a quorum was present and that a point of no quorum was made for dilatory purposes declined to entertain it. Volume **VIII,** section **2808.**

When convinced that a point of no quorum is made for purposes of obstruction the Speaker has declined to entertain it even after the intervention of business. Volume **VIII,** section **2811.**

(60) Duty as to Motions and Votes.—The Demand for a Second.

When a motion to suspend the rules is entertained the Speaker is accustomed to ask at once "Is a second demanded?" Volume **V,** section **6800.**

SPEAKER—Continued.

(60) Duty as to Motions and Votes.—The Demand for a Second—Continued.

On a motion to suspend the rules it is the right of a Member to demand a second, but not the duty of the Chair to call for it. Volume **V,** section **6801.**

On the failure of a quorum in a vote by tellers on seconding the old motion to discharge a committee the Chair directed a call of the House under the rule. Volume **VI,** section **707.**

(61) Duty as to Motions and Votes.—Voting Viva Voce and by Division.

The integrity of the Speaker in counting a vote has never been questioned in the House. Volume **VIII,** section **3115.**

On a vote the Speaker first decides by the sound, but if he or any Member is dissatisfied a division by rising is had. Volume **V,** section **5926.**

One of the suppositions on which the parliamentary law is founded is that the Speaker will not betray his duty to make an honest count on a division. Volume **V,** section **6002.**

The reading of papers other than the one on which the vote is taken is usually permitted under the parliamentary law without question, but if objection is made the Speaker must take the sense of the House. Volume **V,** section **5258.**

(62) Duty as to Motions and Votes.—Voting by Tellers.

Tellers may be ordered by the Speaker if he is in doubt, or by one-fifth of a quorum. Volume **V,** section **5985.**

After gentlemen favoring an amendment had declined to act as tellers for a pending vote the Chair appointed the second teller from those opposed. Volume **V,** section **5988.**

Two Members of the minority party having successively declined to act as tellers, the Speaker directed the Member who had been appointed teller for the majority party to count the vote. Volume **V,** section **5989.**

The count by tellers becoming uncertain by reason of confusion, the Chair ordered the vote taken again. Volume **V,** section **5991.**

(63) Duty as to Motions and Votes.—Voting by Yeas and Nays.

In passing on a demand for the yeas and nays the Speaker need determine only whether one-fifth of those present sustain the demand. Volume **V,** section **6043.** Volume **VIII,** sections **3112, 3115.**

In counting to ascertain the presence of a quorum or whether a sufficient number have voted to order yeas and nays, the Chair counts all Members visible, including those in lobbies and cloakrooms. Volume **VIII,** section **3120.**

While the count of the Speaker in determining whether a requisite number of Members has sustained a demand for the yeas and nays is not subject to verification, and a call for those opposed may not be demanded as a matter of right, in exceptional instances requests for tellers have been entertained. Volume **VIII,** sections **3112, 3115.**

On a demand for the yeas and nays it is not in order to request a rising vote in the negative and the count of the Chair is not subject to verification. Volume **VIII,** section **3114.**

In ascertaining whether one-fifth of the Members present support a demand for the yeas and nays the Speaker is not required to take a rising vote of those opposing but counts all present. Volume **VIII,** section **3114.**

The Speaker has declined during a call of the yeas and nays to entertain an appeal from his decision that the roll call might not be interrupted. Volume **V,** section **6051.**

After the roll call is completed the Speaker is forbidden to entertain a request to record a vote, unless in a case where a Member's presence has been noted in ascertaining a quorum. Volume **V,** section **6046.**

A Member who is listening when his name should be called and fails to hear it is permitted to vote at the end of the roll call, but under no other circumstances may the Speaker entertain a Member's request to be recorded. Volume **V,** sections **6071, 6072.**

SPEAKER—Continued.

(63) Duty as to Motions and Votes.—Voting by Yeas and Nays—Continued.

It is not permissible to entertain the request of a Member to record his vote after he has, on the call of his name, refrained from voting because of a misunderstanding as to a pair. Volume **V,** section **6081.**

The Speaker may not entertain the request of a Member to answer "present" at the conclusion of the roll call provided for by section 1 of Rule XV. Volume **V,** section **6069.**

The Speaker is forbidden to entertain a request for the announcement of a pair at a time other than that in which such announcements are in order. Volume **V,** section **6046.**

A Member may not, as a matter of right, demand a recapitulation of a yea-and-nay vote, but if the vote be close the Speaker usually orders it. Volume **V,** sections **6049, 6050.**

The fact that a Member responded under an erroneous belief as to a pair does not justify the Speaker in entertaining a request to change the record after a vote is declared. Volume **V,** section **6080.**

The statement that a Member who is alleged to be absent has been recorded as voting should be sustained by undoubted evidence to justify the Chair in ordering the vote stricken off. Volume **V,** section **6096.**

It is the duty of the Speaker to qualify a Member asking to vote at the end of the roll, but it is for the Member and not the Speaker to say whether he was in the Hall and listening and unless he answers categorically in the affirmative he may not vote. Volume **VIII,** section **3139.**

On an uncontradicted assertion that a Member recorded as voting had not been present and had not voted the Chair directed the name to be stricken from the list of those voting. Volume **V,** sections **6097, 6098.**

A Member having stated on his responsibility that another Member recorded as voting on a preceding day was not then present, the Speaker ordered the correction of the Journal before its approval. Volume **V,** section **6099.**

All requests by Members as to whether recorded or how recorded on a roll call are properly addressed to the Speaker from the floor and not to the clerks at the desk. Volume **VI,** section **194.**

A Member may not, as a right, demand the recapitulation of a yea-and-nay vote, but if the vote is close the Speaker usually orders it. Volume **VIII,** section **3126.**

Recapitulation of a vote is within the discretion of the Speaker and may not be demanded as a matter of right. Volume **VIII,** section **3128.**

The Speaker declined to entertain an appeal from his decision refusing recapitulation of a vote. Volume **VIII,** section **3128.**

(64) Duty as to Motions and Votes.—Voting by Ballot.

The Speaker appointed four tellers to count the ballots for managers of the Johnson impeachment. Volume **III,** section **2417.**

Mr. Speaker Colfax tendered to several Members of the minority a place as one of the tellers to count the ballots for managers of the Johnson impeachment. Volume **III,** section **2417.**

Members of the minority declining to serve as tellers to count the ballots for managers of the Johnson impeachment, the Speaker appointed all from the majority party. Volume **III,** section **2417.**

(65) Duty as to Motions and Votes.—As to Right or Duty of Members to Vote.

The Speaker has no power to compel a Member to vote. Volume **V,** section **5942.**

A point of order being made that a Member was disqualified for voting by a personal interest, the Speaker held that the Chair might not deprive a Member of his constitutional right to represent his constituency. Volume **V,** section **5956.**

SPEAKER—Continued.

(65) Duty as to Motions and Votes.—As to Right or Duty of Members to Vote— Continued.

In determining whether the personal interest of a Member in the pending question is such as to disqualify him from voting thereon a distinction has been drawn between those affected individually and those affected as a class. The question as to whether a Member's personal interest is such as to disqualify him from voting is a question for the Member himself to decide and the Speaker will not rule against the constitutional right of a Member to represent his constituency. Volume **VIII,** section **3071.**

The Speaker declined to assume the authority to deprive Members present in custody of the Sergeant-at-Arms of the right to vote. Volume **V,** section **5937.**

A bill affecting a particular corporation being before the House, the Speaker held that a Member directly interested in that corporation as a shareholder had no right to vote. Volume **V,** section **5955.**

An instance wherein the Speaker decided that a Member should not vote because of disqualifying personal interest. Volume **V,** section **5958.**

On a motion to discharge a committee for consideration of a resolution affecting the seats of several Members the Chair held that the Members concerned might vote. Volume **V,** section **5960.**

(66) Vote of.

The Speaker is not required to vote unless his vote would be decisive. Volume **VIII,** section **3075.**

The Chair may vote to make a tie and so decide the question in the negative as he may vote to break a tie and decide a question in the affirmative. Volume **VIII,** section **3100.**

Recapitulation of a vote by which a bill had been passed by a majority of one having shown the actual vote to be a tie, the Speaker cast the deciding vote. Volume **VIII,** section **3075.**

The Speaker's vote is properly recorded at the end of the roll call. Volume **VIII,** section **3075.**

The Speaker as a Member of the House may object to a request for unanimous consent. Volume **VIII,** section **3383.**

(67) Duties in Relation to Committee of the Whole.

In forming a Committee of the Whole the Speaker leaves the chair after appointing a Chairman to preside. Volume **IV,** section **4704.**

Under the requirements of a special order the Speaker declares the House resolved into Committee of the Whole without action of the House itself at the time. Volume **IV,** section **3214.**

The Speaker recognizes only reports from the Committee of the Whole made by the Chairman thereof. Volume **V,** section **6987.**

Questions of order relating to procedure (as distinguished from cases of disorder or contempt) arising in Committee of the Whole are decided by the Chairman, and the Speaker has declined to consider them. Volume **V,** sections **6927, 6928.**

The Speaker can not rule in regard to what occurs in Committee of the Whole unless the point of order is reported to the House for decision. Volume **V,** section **6987.**

The Speaker declines to entertain points of order as to conditions alleged to have existed in Committee of the Whole when the report has made no mention thereof. Volume **V,** sections **6932–6937.**

The Speaker cannot review any matter in Committee of the Whole, not even the failure of a quorum, unless it be mentioned in the report to the House. Volume **IV,** section **4914.**

A matter alleged to have arisen in Committee of the Whole but not reported by the Chairman may not be brought to the attention of the House, even on the claim that a question of privilege is involved. Volume **IV,** section **4912.**

SPEAKER—Continued.

(68) Pronounces Adjournments and Recesses.

There is no adjournment until the Speaker pronounces it, and no Member should leave his place until the Speaker has passed on. Volume **V,** section **5360.**

When the hour previously fixed for an adjournment arrives the Speaker declares the House adjourned. Volume **V,** section **6735.**

When the House adjourns sine die in pursuance of a concurrent resolution of the two Houses the adjournment is pronounced by the Speaker without motion from the floor. Volume **V,** sections **6707, 6708.**

When the House has sat to the limit of the constitutional term of the Congress a motion to adjourn may be put and carried or the Speaker may declare the adjournment sine die without motion. Volume **V,** sections **6711–6713.**

When the House has sat to the limit of the constitutional term of the Congress the Speaker pronounces an adjournment sine die, without a motion being put or carried (footnote). Volume **V,** section **6709.**

The Speaker interrupts a roll call and declares the House adjourned sine die, without motion or vote of the House, when the hour of expiration of the term of the Congress arrives. Volume **V,** sections **6715–6718.**

The hour for final adjournment arriving in the midst of a call of the roll the Speaker directed the call to be suspended and declared the House adjourned sine die. Volume **V,** section **6325.**

At the time fixed for adjournment sine die the Speaker has interrupted a roll call, even when its continuance might have passed a resolution extending the session. Volume **V,** sections **6719, 6720.**

The hour fixed for adjournment sine die having arrived the Speaker delivered his valedictory and declared the House adjourned, although no quorum was present. Volume **V,** section **6721.**

The two Houses have the power to provide that their Presiding Officers shall declare an adjournment sine die in case that after a recess a quorum shall be lacking in either House. Volume **V,** section **6686.**

The hour fixed by the rules for a recess having arrived the Speaker declares the House in recess, although less than a quorum may be present. Volume **IV,** section **2965.**

When the hour previously fixed for a recess arrives the Chair declares the House in recess, even in the midst of a division (but not a roll call) or when a quorum is not present. Volume **V,** sections **6665, 6666.**

The hour fixed by special order for a recess having arrived, the Speaker held the House to be in recess although a quorum was not present. Volume **VI,** section **664.**

An instance wherein a recess was taken subject to the call of the Speaker. Volume **VIII,** section **3358.**

In providing for merely formal sessions, the House has authorized the Speaker to designate a date on which the regular routine of the House should be resumed. Volume **VIII,** section **3369.**

(69) Reception and Reference of Messages.

The ceremony of receiving a messenger from the President of the United States in the House. Volume **V,** section **6591.**

Messengers are saluted by the Speaker for the House. Volume **V,** section **6590.**

The Speaker has exercised his discretion about interrupting the pending business to permit the reception of a message. Volume **V,** section **6602.**

As a Committee of the Whole may not receive a message, the Speaker takes the chair informally if a message be received while the committee is sitting. Volume **V,** section **6590.**

A message being announced while the Committee of the Whole is in session, the committee rises informally and the Speaker takes the chair to receive it. Volume **IV,** section **4786.**

Ordinary messages of the President are referred without debate, usually by the Speaker, but sometimes by the House itself. Volume **V,** section **6631.**

SPEAKER—Continued.

(69) Reception and Reference of Messages—Continued.

A message of the President is usually referred by direction of the Speaker, but a Member may move a reference. Volume **IV,** section **4053.**

While the specific time at which a message shall be laid before the House is within the Speaker's discretion, it may not be deferred to a day subsequent except by order of the House. Volume **VII,** section **1104.**

While bills returned with the President's objections are taken up for consideration on the day received, the time of the day of laying the message before the House is within the discretion of the Speaker. Volume **VII,** section **1100.**

(70) Reception and Reference of Executive Communications.

Executive communications are addressed to the Speaker and are by him referred. Volume **IV,** section **3573.**

The statutes provide that the House or any one of its committees having jurisdiction may transmit a claim to the Court of Claims for a finding of fact, which shall be transmitted to the House through the Speaker. Volume **IV,** section **3303.**

The Speaker may not treat as confidential official communications received from the heads of executive departments. Volume **VI,** section **434.**

Messages from the President are laid before the House on the day on which received at a convenient time within the discretion of the Speaker. Volume **VIII,** section **3341.**

Special messages from the President touching on one subject only are referred ordinarily by the Speaker without motion from the floor. Volume **VIII,** section 3346.

Messages of the President when not referred on motion from the floor are referred to the appropriate committee by the Speaker. Volume **VIII,** section **3347.**

While the annual message of the President is customarily referred by the House, special messages usually are referred by the Speaker, but it has been held that any Member may object and offer a motion for a different reference. Volume **VIII,** section **3348.**

(71) Disposition of Other Communications to the House.

The Speaker has considered it his duty to present the proper communication of a citizen addressed through him to the House on a public matter. Volume **IV,** section **3319.**

The Speaker often presents, in regular order or by unanimous consent, communications or memorials addressed to the House. Volume **V,** sections **6657–6660.**

Discussion of the duty of a Presiding Officer in relation to the presentation of communications. Volume **IV,** section **3320.**

The House has declared that a communication from person not a Member criticizing words spoken in debate by a Member should not be received. Volume **III,** section **2683.**

A communication from a Member relating to a controversy over a subject before the House was laid before the House by the Speaker by unanimous consent. Volume **V,** section **6655.**

The Speaker laid before the House a letter of explanation from a Senator who was aggrieved by a reference to him personally in a House report. Volume **V,** section **6654.**

The Speaker has considered it his duty to lay before the House a communication from a suspended consul-general who asked an investigation. Volume **III,** section **1749.**

Neither by unanimous consent nor by suspension of the rules was the Speaker allowed to present to the House the report of the peace congress of 1861. Volume **V,** section **6656.**

An instance wherein a Delegate gave notice of a contest by a telegram, which was submitted to the House by the Speaker. Volume **I,** section **467.**

The Clerk while presiding at the organization declined to open a paper addressed to the Speaker, although it was supposed to inclose a missing credential. Volume **I,** section **47.**

The Speaker sometimes by unanimous consent lays before the House invitations to it to participate in public ceremonies. Volume **V,** section **7052.**

Only on special occasions are communications addressed to the Speaker recorded in the Journal. Volume **IV,** section **2835.**

SPEAKER—Continued.

(71) Disposition of Other Communications to the House—Continued.

The Speaker having made a verbal statement concerning a communication returned by him to the governor of a State, the Journal simply recorded the fact that such a statement was made. Volume **IV,** section **2834.**

(72) Presentation and Reference of Petitions and Memorials.

Petitions, memorials, and other papers addressed to the House may be presented by the Speaker as well as by a Member. Volume **IV,** section **3312.**

The Speaker presents petitions from the country at large in the method prescribed by the rule. Volume **IV,** section **3318.**

Any petition or memorial of an obscene or insulting nature may be returned by the Speaker to the Member presenting it for reference. Volume **IV,** section **3364.**

The Speaker explained to the House that he declined to present a paper, in the nature of a memorial, disrespectful to his office. Volume **IV,** section **3317.**

Instance wherein the Speaker presented a petition in which were preferred charges against a Federal judge. Volume **III,** section **2030.**

An instance wherein impeachment proceedings were set in motion by memorials filed with the Speaker and by him transmitted to a committee of the House. Volume **VI,** section **552.**

A memorial addressed to the Speaker and setting forth charges against a civil officer was referred to the Committee on the Judiciary, which recommended an investigation. Volume **VI,** section **543.**

(73) Duties as to Reference, etc., of Bills and Reports.

The reference of a private bill is indorsed on it by the Member introducing it, while the reference of a public bill is made by the Speaker. Volume **IV,** section **3364.**

Reference of public bills is by the Speaker through the Clerk at the Speaker's table. Volume **VII,** section **1031.**

Discretion of the Speaker in referring to the committees bills on the Speaker's table. Volume **IV,** sections **3107, 3111.**

Nonprivileged reports are delivered to the Clerk for reference to the calendars under direction of the Speaker. Volume **IV,** section **3116.**

The Speaker makes it his duty, ordinarily, to object to a request for unanimous consent that a bill may be acted on without being read. Volume **IV,** section **3390.** Volume **VII,** section **1054.**

A private bill, reported from a committee not having jurisdiction of the subject, was ordered by the Speaker to be recommitted as a step preliminary to a change of reference. Volume **IV,** section **4392.**

A bill passed notwithstanding the objections of the President is sent by the Presiding Officer in the House which last acts on it to the Secretary of State for preservation. Volume **IV,** section **3524.**

The Speaker being satisfied that a committee had not exceeded its jurisdiction in authorizing a report decided it should be received . Volume **VIII,** section **2224.**

The reference of a bill, or a change in the reference of a bill, by the Speaker does not preclude the point of order, when called up for consideration, that it has been improperly referred. Volume **VII,** section **863.**

The House having agreed to the introduction of a bill after adjournment, the Speaker announced its reference to a committee. Volume **VII,** section **1030.**

The Senate reference of a bill is not considered in determining the committee to which it shall be referred when taken from the Speaker's table for reference in the House. Volume **VII,** section **1033.**

It is the function of the Speaker to enforce the provision of the statutes prescribing forms of bills. Volume **VII,** section **1034.**

There being no question as to the facts affecting the validity of a report the Speaker decided that it should be received. Volume **VII,** section **2311.**

SPEAKER—Continued.

(73) Duties as to Reference, etc., of Bills and Reports—Continued.

Bills on the wrong calendar may be transferred to the proper calendar as of date of original reference by direction of the Speaker. Volume **VII,** sections **744, 746, 869.**

Bills on the wrong calendar are transferred to the proper calendar by direction of the Speaker without reference to the House. Volume **VIII,** section **2407.**

Bills erroneously referred to calendars are transferred to the proper calendar by direction of the Speaker. Volume **VII,** section **859.**

The Speaker may correct the reference of a bill to the calendars at any time before consideration begins and while the question of consideration is pending. Volume **VI,** section **748.**

A point of order that a resolution was on the wrong calendar being sustained, the Speaker directed the Clerk to refer the resolution to the appropriate calendar. Volume **VIII,** section **2416.**

A bill reported by the Committee of the Whole to be improperly on the Private Calendar was thereupon referred by the Speaker without action on the part of the House to the proper calendar as of the date of original reference. Volume **VIII,** section **2373.**

The right of the Speaker to correct the erroneous reference of bills to the calendars does not apply to references made by the House. Volume **VI,** section **749.**

(74) Duty as to the Journal.

Duties of the Speaker regarding the opening of the session and the reading of the Journal. Volume **II,** section **1310.**

The Speaker's right to examine and correct the Journal after it is made up by the Clerk has always been affirmed. Volume **IV,** sections **2735–2737.**

The only Journal which may be read to the House is one that has been examined and corrected by the Speaker under the rule. Volume **IV,** section **2734.**

The preliminary right of the Speaker to correct the Journal should be exercised before it is read to the House. Volume **IV,** section **2738.**

Discussion of the scope of the Speaker's power to correct the Journal before it is read. Volume **IV,** section **2734.**

The Journal being correct, the Speaker nevertheless entertained a motion to amend it so as to cause it to state what was not the fact, leaving the House to decide on the propriety of the action. Volume **IV,** section **2785.**

The Speaker has ruled out of order a motion to expunge a portion of the Journal. Volume **IV,** sections **2790, 2791.**

(75) Duty and Power as to the Congressional Record.

As a general principle the Speaker has no control over the official record of debates. Volume **V,** section **7017.**

A question as to the authority of the Speaker over the Congressional Record. Volume **V,** section **6984.**

The Speaker supervises the work of the official reporters and stenographers, and may remove for cause. Volume **V,** section **6958.**

The Speaker exercises jurisdiction over the Official Reporters of the House and the committee stenographers and their assistants and substitutes. Volume **VIII,** section **3459.**

The Record failing to include communications read from the desk and objection being made on that account, the Speaker directed that they be printed in the Record of the following day. Volume **VI,** section **229.**

The Speaker has no authority over the Congressional Record, but the House may correct it in any manner it may please. Volume **V,** section **6983.**

The Speaker has no control over the Congressional Record and no authority to censor or exclude speeches of Members. Volume **VIII,** section **3474.**

A resolution to correct the Congressional Record is privileged, and such correction is not within control of the Speaker. Volume **V,** section **7019.**

Words spoken by a Member after he has been called to order may be excluded from the Congressional Record by direction of the Speaker. Volume **V,** sections **6975–6978.**

SPEAKER—Continued.

(75) Duty and Power as to the Congressional Record—Continued.

It is for the House and not the Chair to decide whether or not a copyrighted article shall be printed in the Congressional Record. Volume **V,** section **6985.**

It has been the practice to allow a Member, with the approval of the Speaker, to revise his remarks in the Record, provided such revision does not affect the remarks of another Member. Volume **V,** section **6971.**

The House and not the Speaker decides whether or not a Member has exceeded the leave given him to print in the Record. Volume **V,** sections **6998–7000.**

It is for the House and not the Speaker to pass on an alleged abuse of the leave to print in the Congressional Record. Volume **V,** section **7012.**

It is for the House and not the Speaker to determine whether matter inserted in the Congressional Record under leave to print is in violation of the rules. Volume **VIII,** section **3475.**

The Speaker may order stricken from the notes of the reporters remarks made by Members who have not been recognized and to whom the Member having the floor has declined to yield. Volume **VIII,** section **3466.**

The Speaker has no authority over the Congressional Record, and it is for the House to say when the rules have been violated and to enforce their observance. Volume **VIII,** section **3483.**

In exceptional instances words flagrantly disorderly have been excluded from the Record by direction of the Speaker. Volume **VIII,** section **3471.**

The House and not the Speaker determines what liberty shall be allowed to a Member who has leave to extend his remarks in the Record. Volume **V,** section **6997.**

(76) As to Entry of Addresses, etc., of, in the Journal.

The address of the Speaker on taking the chair, as well as his remarks on leaving it, is often entered on the Journal without special order (footnote). Volume **II,** section **1362.**

The practice has not been uniform as to the recording of the addresses of Speakers in the Journal. Volume **IV,** section **2851.**

The farewell address of the Speaker appears in full in the Journal. Volume **I,** section **233.**

The remarks of the Speaker announcing the death of John Quincy Adams were printed in full in the Journal by order of the House. Volume **V,** section **7160.**

The Speaker having been ordered by the House to communicate a resolution to the last surviving signer of the Declaration of Independence, laid before the House a copy of the letter, and it was entered in the Journal. Volume **V,** section **7088.**

The Speaker having been directed to communicate with relatives of George Washington concerning the removal of his remains, copies of the correspondence were entered in the Journal without special order. Volume **V,** section **7075.**

(77) Signature of.—To Enrolled Bills. See also "Signing."

Enrolled bills are signed first by the Speaker, then by the President of the Senate. Volume **IV,** section **3429.**

The House may, by unanimous consent, authorize the Speaker to sign an enrolled bill that is not certified by report of the committee. Volume **IV,** section **3452.**

The Speaker may not sign an enrolled bill in the absence of a quorum. Volume **III,** section **3458.**

The Speaker declines to sign an enrolled bill until a pending motion to reconsider has been disposed of. Volume **V,** section **5705.**

An error having been discovered in an enrolled bill, the House authorized the Speaker to erase his signature, and the error was corrected by a concurrent resolution. Volume **IV,** section **3453.**

By unanimous consent the Speaker, on request of the Senate, was authorized to cancel his signature to an enrolled pension bill, the beneficiary of which was dead. Volume **IV,** sections **3455, 3456.**

SPEAKER—Continued.

(77) Signature of.—To Enrolled Bills—Continued.

A request of the Senate that the House vacate the signature of the Speaker to an enrolled bill was denied by the House, unanimous consent being refused. Volume **IV,** section **3457.**

(78) Signature of.—To Certificates of Salaries and Mileage.

The Speaker during sessions and the Clerk during recess of Congress certifies to the compensation of Members, and the Speaker certifies as to mileage. Volume **II,** section **1156.**

Certificates of salary and mileage of Members may be signed for the Speaker by a designated employee. Volume **II,** section **1157.**

A certificate issued by the Speaker of the House of Representatives within the meeting of sections 47 and 48 of the Revised Statutes and as such is conclusive upon the accounting officers of the Treasury. Volume **VI,** section **202.**

(79) Signature of.—To Articles, Replication, etc., in an Impeachment.

The article of impeachment in the Peck case was signed by the Speaker and attested by the Clerk. Volume **III,** section **2370.**

The articles in the Blount impeachment were signed by the Speaker and attested by the Clerk. Volume **III,** section **2302.**

The articles impeaching Judge Pickering, with signature of the Speaker and attestation of the Clerk. Volume **III,** section **2328.**

The articles impeaching Judge Humphreys were signed by the Speaker and attested by the Clerk. Volume **III,** section **2390.**

The articles impeaching President Johnson were signed by the Speaker and attested by the Clerk. Volume **III,** section **2420.**

The articles impeaching Secretary Belknap were signed by the Speaker and attested by the Clerk. Volume **III,** section **2449.**

The replication in the Chase impeachment was signed by the Speaker and attested by the Clerk. Volume **III,** section **2352.**

The replication of the House to the plea in Blount's case was signed by the Speaker and attested by the Clerk. Volume **III,** section **2311.**

The replication in the Johnson trial was signed by the Speaker and attested by the Clerk. Volume **III,** section **2432.**

The surrejoinder of the House of Representatives in the Belknap trial was signed by the Speaker and attested by the Clerk. Volume **III,** section **2455.**

(80) Signature of.—To Subpoenas, Writs, Warrants, etc.

The Speaker signs all acts, addresses, writs, warrants, and subpoenas. Volume **II,** section **1313.**

The Sergeant-at-Arms executes the commands of the House and all of its processes directed to him by the Speaker. Volume **I,** section **257.**

Instance wherein witnesses in a contested election case were to be summoned by subpoenas issued by the Speaker. Volume **I,** section **598.**

The Speaker may be authorized and directed to issue subpoenas during a recess of Congress. Volume **III,** section **1806.**

By concurrent resolution the two Houses empowered the Vice-President and Speaker to sign subpoenas during a recess of Congress. Volume **III,** section **1763.**

An investigating committee being empowered to sit during recess, the Speaker was authorized and directed to sign subpoenas as during a session. Volume **III,** section **1753.**

The Speaker has authority to issue a warrant of arrest only by order of the House. Volume **I,** section **287.**

Instance wherein the House authorized the Speaker to issue warrant for the arrest of absentees. Volume **VI,** section **638.**

By direction of the House, the Speaker issued and the Sergeant-at-Arms served a warrant for the arrest of a person charged with contempt of the House. Volume **VI,** section **532.**

SPEAKER—Continued.

(81) Signature of.—In Certifying Cases of Contumacious Witnesses to the Courts, etc.

The statutes provide that the fact of a witness's contumacy shall be certified by the Speaker under seal of the House to the district attorney of the District of Columbia. Volume **III,** section **1769.**

A witnesses having declined to answer a pertinent question before a committee charged with an investigation, the House Directed the Speaker to certify that fact to the United States District Attorney. Volume **VI,** section **385.**

The Speaker, without order of the House and under the law, certifies the Case of a contumacious witness to the district attorney, but the Journal may contain no record of his act. Volume **III,** section **1691.**

The Journal did not record the Speaker's act in certifying the Wolcott case to the district attorney. Volume **III,** section **1672.**

Although the House imprisoned Wolcott for contempt, the Speaker also certified the case to the district attorney in pursuance of law. Volume **III,** section **1672.**

An instance wherein the Speaker announced that he had certified to the district attorney the case of a contumacious witness. Volume **III,** section **1686.**

The Journal contains no reference to the act of the Speaker in certifying the case of the witness Kilbourn to the district attorney. Volume **II,** section **1609.**

The House sometimes directs the Speaker to certify to the Executive authority testimony taken by a House committee and affecting an official. Volume **III,** section **1785.**

(82) Administers Censure by Direction of the House.

The Speaker may not pronounce censure except by order of the House. Volume **VI,** section **237.**

Form of censure administered by the Speaker to a Member by order of the House. Volume **II,** section **1259,** Volume **VI,** section **236.**

For attempting to bribe a Member John Anderson was censured by the Speaker at the bar of the House. Volume **II,** section **1606.**

The Committee of the Whole having reported language alleged to be unparliamentary, a resolution of censure was held to be in order without a prior decision of the Speaker that the words were in fact out of order. Volume **II,** section **1259.**

Censure inflicted by the Speaker on a citizen and his apology to the House appear in full in the Journal. Volume **VI,** section **333.**

The Speaker having, by order of the House, censured a Member, the words of censure were spread on the Journal. Volume **II,** sections **1249, 1251.** Volume **VI,** section **236.**

A Member having been subjected to censure, the Speaker, after deliberation, laid before the House a letter of explanation and apology from the Member. Volume **VI,** section **236.**

(83) Duty as to Vacancies in Membership.

An inquiry of the Clerk having elicited from the State executive the fact that a Member had resigned, the Speaker directed his name to be stricken from the roll. Volume **II,** section **1209.**

A seat being declared vacant, the House directed the Speaker to notify the executive of the State. Volume **I,** section **824.**

A seat being declared vacant, the Speaker was directed to inform the executive of the State. Volume **I,** section **709.**

When received, a resignation is laid before the House by the Speaker and no action by the House is required. Volume **VI,** section **226.**

(84) Executive Duties as to the Hall.—Control of Corridors and Rooms.

The Speaker has general control of the hall, corridors, and unappropriated rooms in the House Wing of the Capitol. Volume **II,** section **1354.** Volume **VI,** section **261.**

SPEAKER—Continued.

(84) Executive Duties as to the Hall.—Control of Corridors and Rooms—Continued.

The control of the Speaker extends only to the "unappropriated rooms" of the House Wing, and the House itself controls the disposition of the other rooms. Volume **V,** sections **7273–7281.**

Instance wherein the Speaker directed the removal of a placard posted in the lobby of the House. Volume **VI,** section **262.**

(85) Executive Duties as to the Hall.—Use of the Galleries.

A portion of the east gallery is assigned to the use of families of Members, the Speaker issuing a card to each Member for his family and visitors. Volume **V,** section **7302.**

The Speaker controls one bench in the gallery assigned to the families of Members. Volume **V,** section **7302.**

The Speaker is required to set aside a portion of the west gallery for persons admitted on the cards of Members. Volume **V,** section **7302.**

The Speaker is required to set aside a portion of the west gallery for the use of the President, members of his Cabinet, justices of the Supreme Court, and foreign ministers and suites and their respective families. Volume **V,** section **7302.**

The Speaker having declined to order the galleries to be cleared, a motion to effect that purpose was offered from the floor and entertained. Volume **II,** section **1353.**

In the absence of the customary resolution relating to disposition of the galleries during the electoral count, the usual reservations were made by the direction of the Speaker. Volume **VI,** section **443.**

(86) Executive Duties as to the Hall.—Care of the House Wing and Grounds.

The care, preservation, and orderly keeping of the House Wing of the Capitol devolve on the Superintendent under regulations prescribed by the Speaker. Volume **V,** section **7312.**

The electrician and laborers connected with the lighting, heating, and ventilating of the House are under direction of the Superintendent, subject to the control of the Speaker. Volume **V,** section **7312.**

The Speaker and President of the Senate have discretion as to the use of the Capitol grounds for processions, assemblies, music, and speeches on occasions of national interest. Volume **V,** section **7312.**

(87) Executive Duties as to the Hall.—Enforcement of the Rule as to Privilege of the Floor.

The Speaker is forbidden to entertain a request for suspension of the rule relating to the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

The rule forbidding the Speaker to entertain requests for the suspension of the rule relating to admission to the floor is held to apply also to the chairman of the Committee of the Whole. Volume **V,** section **7285.**

It being alleged that an ex-Member was violating the privileges of the floor, the Speaker declared it a matter for the House and not the Chair to consider. Volume **V,** section **7286.**

An ex-Member who was abusing the privileges of the floor was excluded by direction of the Speaker. Volume **V,** section **7288.**

Rigid enforcement of the rule forbidding requests for extension of the privileges of the floor. Volume **V,** section **7284.**

(88) Executive Duties as to the Hall.—Admission of Representatives of the Press.

Stenographers and reporters other than the official reporters are admitted by the Speaker to the gallery over the Speaker's chair under such regulations as he may prescribe. Volume **V,** section **7304.**

Representatives of certain specified new associations are admitted to the floor of the House under regulations prescribed by the Speaker. Volume **V,** section **7304.** Volume **VIII,** section **3642.**

SPEAKER—Continued.

(88) Executive Duties as to the Hall.—Admission of Representatives of the Press—Continued.

Representatives of the press have been admitted by permission of the Speaker. Volume **V,** sections **7305–7310.**

Supervision of the press gallery, including designation of its employees, is vested in the standing committee of correspondents, subject to the direction and control of the Speaker. Volume **VIII,** section **3642.**

(89) Status at Joint Meetings of the Two Houses, etc.

In the electoral count of 1817 the Speaker presided with the President of the Senate and ruled on a proposition made by a Member of the House. Volume **III,** section **1935.**

In early years the President made a speech to the Congress, and the House attended the Speaker in presenting the address in reply. Volume **II,** section **1139.**

Method of examining witnesses through the Speaker in a contempt case tried at the bar of the House in 1795. Volume **II,** section **1602.**

Instance wherein a Speaker gave testimony before a committee of investigation. Volume **III,** section **1776.**

Where a motion not in order under the rules is made without objection and agreed to by the House by major vote the action is binding on the House and the Speaker. Volume **IV,** section **3177.**

A Member may not present as involving a question of personal privilege a newspaper criticism of his relations with other Members or the Speaker. Volume **III,** section **2695.**

At the electoral count of 1821 the Speaker was made, so far as the action of the House could control, Presiding Officer of the House portion of the joint meeting, and he did in fact so preside. Volume **III,** section **1937.**

Mr. Speaker Colfax presided with the President pro tempore at the electoral count of 1869, although he was ascertained by that count to be the Vice-President-elect. Volume **III,** section **1950.**

Disorder arising in the joint meeting during the electoral count of 1869, the Speaker called Members of the House to order and directed the Sergeant-at-Arms to assist. Volume **III,** section **1950.**

At the presentation of the articles impeaching President Johnson the Speaker was, by order of the Senate, escorted to a seat beside the President pro tempore. Volume **III,** section **2420.**

In response to the President's annual speech the Speaker, attended by the House, used to deliver an address. Volume **V,** section **6629.**

(90) Thanks to.

Form of resolution thanking the Speaker at the adjournment of a Congress. Volume **V,** sections **7046–7048.** Volume VIII, sections **3509, 3513.**

References to divisions on the resolution of thanks to the Speaker (footnote). Volume **V,** section **7046.**

The resolution of thanks to the Speaker at the end of his term of service is presented as privileged. Volume **V,** sections **7050, 7051.**

(91) In general.

A resolution declaring vacant the office of Speaker is presented as a matter of high constitutional privilege. Volume **VI,** section **35.**

The rules require Members to address themselves to "Mr. Speaker" only, and it is a breach of parliamentary law for Members to preface remarks by addressing themselves to "Gentlemen of the House," "Ladies and gentlemen," etc. Volume **VI,** section **285.**

The seal of the House is in control of the House rather than of the Speaker. Volume **I,** section **256.**

A newspaper charge that a Member had been influenced in his action as a Representative by the Speaker was held to involve a question of privilege. Volume **III,** section **2694.**

SPEAKER—Continued.

(91) In General—Continued.

Before rules are adopted the House is governed by general parliamentary law, but the Speakers have been inclined to give weight to the precedents of the House in modifying the usual constructions of that law. Volume **V,** sections **6758–6760.** Volume **VIII,** sections **3384, 3386.**

Before the adoption of rules the Speaker has declined to record the vote of a Member who failed to qualify as being in the Hall and listening when his name was called. Volume **VIII,** section **3386.**

The Speaker held it his duty to proceed in accordance with the mandatory provision of a law in the enactment of which the then existing House had concurred. Volume **II,** section **1341.**

Ceremonies at the presentation of portraits of ex-Speakers. Volume **V,** sections **7065–7069.**

The Clerk, presiding during organization, declined to put a question, whereupon a Member-elect put the question from the floor. Volume **I,** section **67.**

The Speaker being absent at adjournment sine die, the House transmitted to him a resolution of symapathy. Volume **VIII,** section **3513.**

An instance wherein the House extended felicitations to a former Speaker. Volume **VIII,** section **3515.**

Proceedings on the occasion of the birthday of a former Speaker. Volume **VIII,** section **3514.**

In 1910 provision was made by resolution for the painting of portraits of all former speakers of whom no acceptance portrait was in possession of the House. Volume **VIII,** section **3530.**

Under the later practice portraits of the Speakers are painted by order of the House in the course of their incumbency and are hung without ceremony. Volume **VIII,** section **3530.**

SPEAKER PRO TEMPORE.

(1) Nature of the office.—In general.
(2) Nature of the office.—As to oath of.
(3) Nature of the office.—As to authority to appoint committees.
(3) Nature of the office.—Authority to sign enrolled bills.
(5) In general.
(6) Election of.
(7) Designation of.
(8) Notification of Senate and President of the election of.
(9) Members of minority party as.
(10) When a question involves the personal interest of the Speaker.

(1) Nature of the Office.—In General.

A Speaker pro tempore is appointed by the Speaker or elected by the House. Volume **II,** section **1377.** Volume **VI,** section **263.**

Discussion of the nature and functions of the office of Speaker pro tempore. Volume **I,** section **229.**

As to the competency of a Speaker pro tempore to administer the oath to Members. Volume **I,** section **170.**

There may be a call of the House with a Speaker pro tempore in the chair. Volume **IV,** section **2989.**

Instance wherein the Speaker pro tempore administered the oath to a Member. Volume **VI,** section **20.**

Under a call of House warrants for the arrest of Members may be issued by the Speaker pro tempore. Volume **VI,** section **688.**

SPEAKER PRO TEMPORE—Continued.

(2) Nature of the Office.—As to Oath of.

A Speaker pro tempore is not sworn. Volume **II,** section **1394.**

A Speaker pro tempore, elected only for the temporary absence of the Speaker, is not sworn. Volume **II,** section **1386.**

A Speaker pro tempore elected by the House is not sworn. Volume **I,** section **229.**

A Speaker pro tempore elected by the House is sworn as a prerequisite to signing enrolled bills. Volume **VI,** section **274.**

The House having approved the Speaker's designation of a Speaker pro tempore, the oath was administered and the Clerk was directed to notify the President and the Senate. Volume **VI,** section **280.**

(3) Nature of the Office.—As to Authority to Appoint Committees.

A Member called to the chair by the Speaker was permitted to appoint a committee by a vote of the House. Volume **II,** section **1360.**

A Member called to the chair to preside temporarily was given special authority by the House to appoint a committee. Volume **II,** section **1365.**

A Speaker pro tempore by designation merely asks consent of the House before appointing committees. Volume **II,** section **1395.**

A Speaker pro tempore by designation merely asks consent of the House before appointing conferees. Volume **II,** sections **1396–1398.**

A Speaker pro tempore whose designation has received the approval of the House appoints committees. Volume **II,** section **1404.**

A Member called to the Chair during the day's sitting does not sign enrolled bills or appoint committees. Volume **VI,** section **276.**

(4) Nature of the Office.—Authority to Sign Enrolled Bills.

A Member called to the chair during the day's sitting does not sign enrolled bills. Volume **II,** sections **1399, 1400.** Volume **VI,** section **276.**

There being doubt about the signing of enrolled bills by a Speaker pro tempore designated by the Speaker, the House proceeded to elect. Volume **II,** section **1401.**

A Speaker pro tempore whose designation has received the approval of the House signs enrolled bills. Volume **II,** section **1404.** Volume **VI,** section **277.**

The House approved the designation of a Speaker pro tempore as a prerequisite to his signing enrolled bills. Volume **VI,** section **278.**

A Speaker pro tempore elected by the House is sworn as a prerequisite to signing enrolled bills. Volume **VI,** section **274.**

The Senate by rule empowers a Presiding Officer by designation to sign enrolled bills. Volume **II,** section **1403.**

(5) In General.

A Speaker pro tempore is sometimes thanked for his services. Volume **V,** section **7049.**

Discussion of a proposition to elect a Speaker pro tempore for the period of organization before the election of a regular Speaker (footnote). Volume **I,** section **223.**

Recently it has been the general, though not the universal practice, to designate as Speaker pro tempore during eulogies on a deceased Member, the dean of the State delegation regardless of party affiliation. Volume **VI,** section **265.**

Women presiding in the House or in the Committee of the Whole are properly addressed as "Madam Speaker" and "Madam Chairman" respectively. Volume **VI,** section **284.**

(6) Election of.

For an absence extending over a number of days it was considered expedient to elect a Speaker pro tempore. Volume **VI,** section **275.**

Form of resolution naming a Speaker pro tempore. Volume **VI,** section **268.**

When the Speaker is absent at the beginning of a session the House may adjourn or elect a Speaker pro tempore. Volume **I,** section **227.**

SPEAKER PRO TEMPORE—Continued.

(6) Election of—Continued.

In the absence of the Speaker the House, unless it adjourn, elects a Speaker pro tempore for the day or part of the day. Volume **III,** sections **1386–1389.**

A Speaker pro tempore is sometimes elected for a temporary absence of the Speaker within the legislative day. Volume **II,** section **1380.**

The Speaker pro tempore whom the House had just elected not being present, the Clerk held that the motion to adjourn was not business, and, under the circumstances, was the only motion in order. Volume **I,** section **228.**

By a rule, which is not adopted usually until a Speaker is elected, the Sergeant-at-Arms is directed to preserve order under the direction of the Clerk pending the election of a Speaker or Speaker pro tempore. Volume **I,** section **257.**

(7) Designation of.

Form and history of Rule I, Section 7, the rule relating to the Speaker's appointment of a Speaker pro tempore. Volume **VI,** section **263.**

Instance wherein the House authorized the Speaker to designate a Speaker pro tempore for a term extending beyond the time provided by the rules. Volume **VI,** section **280.**

The House having agreed to an order for formal sessions on two days only of each week over an extended period, authorized the Speaker to appoint Speakers pro tempore at will during that time. Volume **VI,** section **267.**

For an absence extending beyond the legislative day and not caused by illness the Speaker may designate a Speaker pro tempore only with consent of the House. Volume **II,** section **1381.**

The Speaker does not always name in open House the Member whom he calls to the chair temporarily during the day's sitting. Volume **II,** section **1379.**

A Speaker about to be absent sometimes obtains the consent of the House to name a Speaker pro tempore. Volume **II,** sections **1390–1393.** Volume **VI,** sections **266, 277.**

Form of Speaker's designation of a Speaker pro tempore. Volume **II,** sections **1378, 1401.** Volume **VI,** sections **269, 272.**

Form of resolution approving designation of Speaker pro tempore. Volume **VI,** section **278.**

Form of resolution approving designation of Speaker pro tempore and authorizing him to sign enrolled bills and appoint committees. Volume **VI,** section **272.**

The House having approved the Speaker's designation of a Speaker pro tempore, the oath was administered and the Clerk was directed to notify the President and the Senate. Volume **VI,** section **280.**

A Speaker pro tempore sometimes designates another Speaker pro tempore. Volume **II,** section **1384.** Volume **VI,** section **275.**

In the Senate a temporary President pro tempore sometimes designates another. Volume **II,** section **1385.**

Calling a Member to the chair, Mr. Speaker Colfax offered from the floor a resolution for the expulsion of a Member. Volume **II,** section **1253.**

Where the Speaker names a Member to preside during the remainder of a day's sitting the Journal properly records the fact. Volume **IV,** sections **2849, 2850.**

The President pro tempore of the Senate has general power to designate in writing a Senator to perform the duties of the Chair during his absence. Volume **II,** section **1413.**

In the Senate the process of designating a President pro tempore for the day's sitting has been the subject of much discussion. Volume **II,** sections **1414–1416.**

(8) Notification of Senate and President of the Election of.

A Speaker pro tempore being elected the Senate and President are informed. Volume **II,** section **1401.**

When the House elects a Speaker pro tempore for any considerable time it is usual to notify the Senate, and sometimes the President of the United States also. Volume **II,** sections **1406–1412.**

SPEAKER PRO TEMPORE—Continued.

(8) Notification of Senate and President of the Election of—Continued.

It is proper to inform the Senate of the election of a Speaker pro tempore. Volume **II,** sections **1386, 1389.**

A Speaker pro tempore being elected by the House, the Senate is notified. Volume **II,** section **1405.**

The House having approved the designation of a Speaker pro tempore, the Speaker directed the Clerk to notify the President and the Senate. Volume **VI,** sections **226, 277.**

The President and the Senate were informed of the election of a Speaker pro tempore. Volume **VI,** sections **375, 280.**

(9) Members of Minority Party as.

In rare instances Members of the minority party have been called to the chair by the Speaker. Volume **II,** sections **1286, 1363.** Volume **III,** section **2596.**

In rare instances in the later practice Members of the minority party have been called to preside in the Committee of the Whole or as Speakers pro tempore. Volume **II,** section **1382.**

In the earlier practice a Member of the minority party was sometimes named as Speaker pro tempore. Volume **II,** sections **1390, 1391.**

Instance wherein a Member of the minority party was designated as Speaker pro tempore for an occasion of ceremony. Volume **II,** section **1383.**

A Member of the minority party is sometimes designated as Speaker pro tempore on formal occasions. Volume **VI,** section **270.**

(10) When a Question Involves the Personal Interest of the Speaker.

The Speaker leaves the chair during the transaction of any business concerning himself, even the reference of a paper. Volume **II,** section **1359.**

The Speaker called a Member to the chair during consideration of a resolution criticizing his official conduct. Volume **VI,** section **565.**

A matter concerning himself being before the House, the Speaker called a Member to the chair. Volume **II,** section **1360.**

Charges being made against the Speaker he called a Member of the minority party to the chair during their consideration. Volume **II,** section **1363.**

The Speaker being implicated by certain charges, a Speaker pro tempore selected from the minority party was empowered to appoint a committee of investigation. Volume **II,** section **1286.**

A select committee being authorized to investigate the conduct of the Speaker, they were appointed by the Member called to the chair as Speaker pro tempore. Volume **II,** section **1364.**

A newspaper having made certain charges against the official character of the Speaker, he called a Member to the chair and moved an investigation, which was voted. Volume **II,** section **1364.**

When the House was considering a resolution censuring a Member for an alleged insult to the Speaker the Speaker called another Member to the chair. Volume **II,** section **1248.**

The Speaker of the House, being the Vice-President-elect, called a Member to the chair during discussion of a question relating the electoral count. Volume **II,** section **1365.**

During consideration of a resolution to censure a Member for disrespect for the Speaker the Member likewise assailed the Speaker pro tempore, whereupon the Speaker resumed the chair while the House acted on the latest breach of privilege. Volume **II,** section **1366.**

An amendment to the Journal disapproving a ruling of the Speaker was held out of order without question as to the propriety of calling another to the chair. Volume **IV,** section **2848.**

SPEAKER'S TABLE

(1) Rule for disposal of business on.

(2) Conditions of direct action on a Senate bill from.

(3) Disposal of House bills with Senate amendments involving charge on the Treasury, etc. See also "Amendments, Senate."

(1) Rule for Disposal of Business on.

Discussion with reference to the "Speaker's table." Volume **VIII,** section **2610.**

The rule governing the disposition of business on the Speaker's table. Volume **IV,** section **3089.**

Messages from the President and communications from the heads of Departments and from other sources are referred from the Speaker's table. Volume **IV,** section **3089.**

History of practice of the House as to disposition of business on the Speaker's table. Volume **IV,** section **3090.**

Messages and bills from the Senate are either referred from the Speaker's table or placed before the House directly. Volume **IV,** section **3089.**

Discretion of the Speaker in referring to the committees bills on the Speaker's table. Volume **IV,** sections **3107, 3111.**

If a Senate bill be such as to require consideration Committee of the Whole it may not be taken from the Speaker's table for direct action of the House. Volume **IV,** section **3101.**

It is not in order to discharge a committee from consideration of a bill and return the bill to the Speaker's table. Volume **VII,** section **1818.**

Bills received from the Senate go the Speaker's table, from which they are referred to appropriate committees by the Speaker unless sooner called up for consideration under the rules. Volume **VI,** section **727.**

While it is the practice to refer promptly bills messaged over from the Senate, it has been held that the rule requiring reference is merely directory and not mandatory and that the length of times such bills may remain on the Speaker's table before being referred is within the Speaker's direction. Volume **VI,** section **727.**

An exceptional instance wherein a bill messaged from the Senate was retained on the Speaker's table for a period of 10 months. Volume **VI,** section **727.**

(2) Conditions of Direct Action of a Senate Bill From.

A Senate bill received in the House after a House bill substantially the same has been reported and placed on the House Calendar is privileged and may be called up from the Speaker's table for consideration by the committee having jurisdiction of the House bill. Volume **VI,** section **727.**

The three conditions needed in order that a Senate bill on the Speaker's table may be taken up for direct action by the House. Volume **IV,** section **3098.** Volume **VI,** section **734.**

Form of special order for taking Senate bill from Speaker's table and considering House bill in lieu thereof in Committee of the Whole. Volume **VII,** section **800.**

Procedure in the consideration of Senate bills called up from the Speaker's table under the rule. Volume **VI,** section **738.**

A Senate bill in order to be brought up directly from the Speaker's table must have come to the House after and not before a House bill substantially the same has been placed on the House Calendar. Volume **IV,** section **3096.** Volume **VI,** section **738.**

In order for a Senate bill to brought up directly from the Speaker's table, the House bill to which it is similar be on the House Calendar. Volume **VI,** section **736.**

In order to acquire privilege under the rule a Senate bill must have been messaged to the House after the House bill of similar tenor has been reported and it is not sufficient that the Senate bill was referred from the Speaker's table after the House bill was reported. Volume **VI,** section **727.**

SPEAKER'S TABLE—Continued.

(2) Conditions of Direct Action on a Senate Bill From—Continued.

Interpretation of the words "substantially the same" as used in the rule providing for calling a Senate bill from the Speaker's table for immediate consideration. Volume **IV,** section **3099.** Volume **VI,** section **734.**

In determining the degree of similarity of a Senate bill on the Speaker's table to a House bill already reported, the Chair considers the House bill as reported by the committee and not as originally introduced. Volume **VI,** section **734.**

The fact that a House bill substantially the same as a Senate bill on the Speaker's table has passed the House and gone to the Senate does not detract from the privilege of the Senate bill under the rule. Volume **VI,** section **734.**

In determining whether a House bill is substantially the same as a Senate bill on the Speaker's table, amendments recommended by the committee of the House are considered. Volume **VI,** section **736.**

In ascertaining whether a Senate bill proposed to be taken from the Speaker's table was sufficiently similar to a House bill already on the calendar, a bill limiting certain banks to loans of $15,000 wad deemed not substantially the same as a bill limiting such banks to loans of $25,000. Volume **VI,** section **737.**

In order to render them privileged, action in calling up Senate bills from the Speaker's table for direct action by the House must be authorized by the standing committee having jurisdiction. Volume **VI,** section **739.**

A Senate concurrent resolution substantially the same as a House bill on the House Calendar may be taken from the Speaker's table for consideration. Volume **IV,** section **3097.**

Although a committee must authorize the calling up of a Senate bill directly from the Speaker's table, the actual motion need not be made by one of the committee. Volume **IV,** section **3100.**

The rule providing for consideration of Senate bills on the Speaker's table applies to private as well as public bills. Volume **IV,** section **3101.**

A point of order against taking from the Speaker's table a Senate bill substantially the same as a House bill already reported favorably and on the House Calendar, comes too late after actual consideration has begun. Volume **VIII,** section **2438.**

The question of consideration may not be raised on a motion to take from the Speaker's table Senate bills substantially the same as House bills already favorably reported and on the House Calendar. Volume **VIII,** section **2443.**

A bill messaged from the Senate to the House having been retained on the Speaker's table indefinitely without reference to a committee of the House, the Senate declined to act on a resolution proposing investigation of the delay. Volume **VI,** section **727.**

(3) Disposal of House Bills with Senate Amendments Involving Charge on the Treasury, etc. See also "Amendments, Senate."

A House bill with Senate amendments requiring consideration in Committee of the Whole should be referred from the Speaker's table to the proper standing committee under the rules. Volume **IV,** sections **3106, 3107.**

A House bill returned with Senate amendments involving a new matter of appropriation, whether with or without a request for a conference, is referred directly to a standing committee, and on being reported therefrom is referred to the Committee of the Whole. Volume **IV,** sections **3108–3110.**

The point being made and sustained that a Senate amendment to a House bill must be considered in Committee of the Whole, the bill is referred directly from the Speaker's table to the standing committee having jurisdiction. Volume **IV,** sections **3094–3095.**

Instance wherein a House bill returned from the Senate with amendments was taken from the Speaker's table and sent to conference on one motion through the medium of a special order. Volume **V,** section **6405.**

SPEARS.

The Alabama election case of Spears v. Burnett in the Fifty-seventh Congress. Volume **II,** section **1119.**

SPECIAL ORDERS.

(1)Origin and uses of.
(2) Forms of.—Providing for consideration of House bills in Committee of the Whole.
(3) Forms of.—Relating to Senate amendments and conference reports.
(4) Forms of.—Relating to Senate bills.
(5) Forms of.—Relating to points of order, amendments, etc.
(6) Forms of.—Relating to tariff and general appropriation bills.
(7) Forms of.—General.
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(14) Precedence of.—As related to other special orders.
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(17) Previous question ordered by the terms of.
(18) As affecting resolving into Committee of the Whole and rising of committee.
(19) As affecting consideration in Committee of the Whole.
(20) As affecting business on Monday, Wednesday, and Friday.
(21) Effect and Interpretation of.—As related to amendments.
(22) Effect and Interpretation of.—As related to time of sitting and debate.
(23) Effect and Interpretation of.—Miscellaneous.
(24) In relation to motions to postpone, rescind, recommit, etc.
(25) In general.

(1) Origin and Uses of.

Tabulation, by sessions, of number of special orders providing for consideration of business, adopted since the Sixtieth Congress. Volume **VII,** section **762.**

In 1832 the pressure of business began to bring into use the request for unanimous consent and the special order. Volume **IV,** sections **3155–3159.**

Discussion of the purpose of using special orders by the majority side of the House. Volume **IV,** section **3265.**

Discussion as to the distinction between a special order and a standing order. Volume **V,** section **5323.**

The privilege conferred on a bill by a special rule making in order a motion to resolve into the Committee of the Whole for its consideration is equivalent to that enjoyed by revenue and appropriation bills under clause 9 of Rule XVI. Volume **VIII,** section **2259.**

A special rule providing for the consideration of a bill is not invalidated by the fact that at the time the rule was reported the bill was not on the calendar. Volume **VIII,** section **2259.**

An instance in which a bill was considered in the House under the provisions of a special order without having been reported by a standing committee. Volume **VIII,** section **2996.**

A exceptional instance in which bills relating to the same subject and proposing the enactment of conflicting provisions of law were reported simultaneously with favorable recommendation, followed by announcement in reporting of a rule providing for their consideration that it was not to be taken as a precedent. Volume **VI,** section **575.**

Special orders are often used to further the consideration of business by preventing dilatory motions, and in such cases the Chair has exercised discretion as to entertaining motions to adjourn, for a recess, and appeals. Volume **IV,** sections **3210–3213.**

SPECIAL ORDERS—Continued.

(1) Origin and Uses of—Continued.

To prevent dilatory tactics the House adopted, under suspension of the rules, a special order for consideration of the articles impeaching President Johnson. Volume **III,** section **2414.**

A special order may provide that all points of order against a proposition be considered as waived. Volume **VII,** section **769.**

A special order may provide that certain enumerated and described amendments shall be offered to a bill, and thereby exclude amendments to these amendments or other amendments. Volume **IV,** sections **3204, 3205.**

An example of a special order which provided for fixing a ratio number by specifying a series of numbers which might be offered successively as amendments. Volume **IV,** section **3204.**

Instance wherein a House bill returned from the Senate with amendments was taken from the Speaker's table and sent to conference on one motion through the medium of a special order. Volume **V,** section **6405.**

In the House the discharge of conferees from the subject committed to them is effected by an order reported from the Committee on Rules and agreed to by the House. Volume **V,** section **6526.**

Jurisdiction and functions denied a committee under the rules may be conferred by special order. Volume **VII,** section **780.**

The House by special order provided for election of House members of a joint select committee previously authorized by law. Volume **VI,** section **371.**

Instance wherein a bill with Senate amendments was taken from the Speaker's table and the Senate amendment agreed to by resolution from the Committee on Rules. Volume **VIII,** section **3149.**

Instance wherein a conference report rejected on a point of order was considered under a special order from the Committee on Rules. Volume **VIII,** sections **3258, 3270.**

(2) Forms of.—Providing for Consideration of House Bills in Committee of the Whole.

Form of special order for consideration of a bill in Committee of the Whole and in the House, with provisions for daily recess and evening sessions. Volume **VII,** section **816.**

Form of special order for considering a class of bills in Committee of the Whole, with a limit of debate for each bill. Volume **IV,** section **3237.**

Form of special order providing for the consideration successively of certain joint resolutions in Committee of the Whole. Volume **VII,** section **815.**

Form of special order for the consideration, successively, of a number of bills in designated order in Committee of the Whole and in the House, excepting days set apart by the rules for certain classes of business and providing against interference with other business privileged under the rules. Volume **VII,** section **817.**

Form of special order authorizing the motion to resolve into Committee of the Whole for consideration of a bill, with provision for termination of consideration on a day certain. Volume **VII,** section **812.**

Form of special order resolving the House automatically into the Committee of the Whole for the consideration of a bill. Volume **VII,** section **806.**

Form of special order for resolving automatically into Committee of the Whole for consideration of a bill with the usual provisions as to limit and control of debate. Volume **VII,** section **805.**

Form of special order authorizing motion to resolve into Committee of the Whole for the consideration of a bill with the usual provisions, for limitations on debate, control of time, and disposition in the House. Volume **VII,** section **797.**

Form of special order limiting the time of consideration of a bill in Committee of the Whole and in the House. Volume **IV,** section **3229.**

Form of special order for consideration of a bill in Committee of the Whole, providing for hour at which House shall meet during consideration. Volume **VII,** section **809.**

SPECIAL ORDERS—Continued.

(2) Forms of.—Providing for Consideration of House Bills in Committee of the Whole— Continued.

Form of special order for considering a bill in Committee of the Whole with provision for a report and action in the House at a certain time. Volume **IV,** sections **3238–3241.**

Form of special order making it in order to consider in the Committee of the Whole a bill on the House Calendar. Volume **VII,** section **811.**

Form of special order providing for the consideration, within certain limits of time, of a substitute in lieu of a pending bill, in the Committee of the Whole in the House. Volume **VII,** section **810.**

(3) Forms of.—Relating to Senate Amendments and Conference Reports.

Example of special order for disposition of Senate amendments. Volume **IV,** section **3250.**

Form of special order providing for summary agreement to Senate amendment. Volume **VII,** section **33149.**

Form of special order authorizing a motion to consider Senate amendments in Committee of the Whole. Volume **VII,** section **825.**

Form of special order discharging committee from consideration of House bill with Senate amendments and providing for consideration in Committee of the Whole. Volume **VII,** section **819.**

Form of special order for considering numerous Senate amendments to a House bill without permitting debate and a vote on each separate amendment, and for asking a conference at the same time. Volume **IV,** sections **3243–3249.**

Forms of special order making in order a motion to take from the Speaker's table and send to conference bill with Senate amendments. Volume **VII,** section **822.**

Form of special order taking from the Speaker's table and sending to conference a House bill with Senate amendments. Volume **VII,** section **826.**

Form of special order discharging committee from consideration of bill with Senate amendments and providing for conference. Volume **VII,** sections **820, 821.**

Form of a special order reported from the Committee on Rules providing for consideration of a resolution instructing conferees. Volume **VIII,** section **3345.**

Form of resolution for consideration of conference report invalidated on point of order. Volume **VIII,** section **3270.**

Form of special order providing for consideration of two conference reports as one report. Volume **VII,** section **775.**

Form of special order for discharging managers of a conference and disposing of amendments in dispute. Volume **V,** section **6526.**

(4) Forms of.—Relating to Senate Bills.

Form of special order for amending a Senate bill and asking a conference with the Senate thereon. Volume **IV,** section **3242.**

Form of special order for considering a Senate bill in the Committee of the Whole making in order House committee amendments and providing for separate vote on each. Volume **VII,** section **799.**

Form of special order for taking Senate bill from Speaker's table and considering House bill in lieu thereof in Committee of the Whole. Volume **VII,** section **800.**

Form of special order for consideration of committee amendments to a Senate bill on the House Calendar. Volume **VII,** section **801.**

Form of special order for consideration of a House bill with provision for substitution of Senate bill in Committee of the Whole. Volume **VII,** section **843.**

(5) Forms of.—Relating to Points of Order, Amendments, etc.

Form of special order authorizing consideration of a bill in Committee of the Whole without intervention of points of order either against provisions of the original bill or certain amendments recommended by the committee reporting the bill. Volume **VII,** section **832.**

SPECIAL ORDERS—Continued.

(5) Forms of.—Relating to Points of Order, Amendments, etc.—Continued.

Form of special order for considering a bill in Committee of the Whole, with clause exempting provisions from points of order. Volume **VII,** section **813.**

Form of special rule making in order all provisions of a bill pending in the House, and all portions of the bill as reported and previously stricken out on points of order. Volume **VII,** section **814.**

Form of special order authorizing consideration of amendments not otherwise in order. Volume **VII,** section **831.**

Form of special order for consideration of an omnibus claims bill in the House and in Committee of the Whole, with arrangement for purging the bill of unauthorized items. Volume **IV,** section **3251.**

Forms of special orders for limiting the time of consideration of a bill in the House and restricting amendments. Volume **IV,** sections **3231–3236.**

Form of special order providing for consideration of House substitute for Senate bill regardless of the rule requiring germaneness. Volume **VII,** section **803.**

Form of special order for consideration of a resolution and report thereon in Committee of the Whole with provisions for vote on a substitute. Volume **VII,** section **802.**

Form of rule authorizing Members to demand a separate vote on each amendment recommended by the Committee of the Whole. Volume **VII,** section **803.**

Form of special order providing for suspension of rules on other than a suspension day. Volume **VII,** section **833.**

Form of resolution making in order motions to suspend the rules during the remainder of a session. Volume **VII,** section **836.**

Example of special order providing for temporary modification of a rule. Volume **VII,** section **835.**

(6) Forms of.—Relating to Tariff and General Appropriation Bills.

Form of rule providing for consideration of a general tariff bill. Volume **VII,** section **794.**

Forms of special orders for considering in Committee of the Whole and the House, within certain limits of time a general tariff bill. Volume **IV,** sections **3258, 3259.**

Form of rule utilized in expediting consideration of a general tariff bill. Volume **VII,** section **775.**

Forms of special order for considering in the Committee of the Whole and the House, within certain limits of time, a general tariff bill. Volume **VII,** section **829.**

Forms of special orders authorizing legislative provisions appropriation bills. Volume **IV,** sections **3260–3263.**

Form of special order authorizing the consideration of an amendment to a general appropriation bill. Volume **VII,** section **844.**

Form of resolution making in order proposed amendments to a general appropriation bill otherwise not germane and not previously authorized by law. Volume **VII,** section **845.**

(7) Forms of.—General.

Forms of special orders. Volume **V,** section **5821.**

Forms of special orders providing a series of rules to regulate the consideration of a bill and fix its relations to other business. Volume **IV,** section **3265.**

Form of special orders for assigning a day for consideration in the House of bills reported from a certain committee. Volume **IV,** sections **3252, 3253.**

Form of special order providing for the consideration of two distinct bills successively, either in the House alone or in Committee of the Whole. Volume **IV,** sections **3254–3257.**

Forms of special order conferring privileged status on a bill. Volume **VII,** section **837.**

Form of special order conferring upon a bill for the current session the status enjoyed by bills reported from committees having leave to report at any time. Volume **VII,** section **841.**

Form of special order conferring privileged status on a number of bills not to interfere with the consideration of privileged business. Volume **VII,** section **840.**

SPECIAL ORDERS.—Continued.

(7) Forms of.—General—Continued.

Form of special order providing for consideration of a bill with reservation as to days set apart by the rules for classes of business. Volume **VII,** section **808.**

Form of special order for consideration of a resolution declaring war. Volume **VIII,** section **2460.**

Form of special order authorizing a committee to call up a bill for consideration with reservations as to certain privileged business. Volume **VII,** section **842.**

Form of special order providing temporarily for an additional suspension day. Volume **VII,** section **834.**

Form of special order for assigning a day for consideration in the House of bills reported from a certain committee. Volume **VII,** section **818.**

Form of special order providing for the consideration of a joint resolution in the House. Volume **VII,** section **804.**

Form of special order providing for consideration of report of a committee of investigation. Volume **VI,** section **374.**

(8) Making of.—General Principles as to.

Special orders are made either by vote of the House on a report from the Committee on Rules, by suspension of the rules, or by unanimous consent. Volume **IV,** sections **3152, 3153.**

A special order being in effect a change of the rules establishing the regular order of business may be made only in the manner prescribed for making a change of the rules. Volume **IV,** sections **3161, 3162.**

In the early practice a committee might not present a special order to be adopted by majority vote. Volume **IV,** section **3153.**

It is not in order to move in the House that a subject be made a special order for a given date. Volume **IV,** section **3163.**

A bill called up in the morning hour may not be made a special order by a motion to postpone to a day certain. Volume **IV,** section **3164.**

Although a rule may confine a certain session of the House to a specified course of business, yet if a quorum be present, and no objection be made effective, a special order may be made binding on the house at a future session. Volume **IV,** sections **3167, 3168.**

Unless otherwise provided, special orders may be altered by unanimous consent only. Volume **VII,** section **763.**

Special orders reported by the Committee on Rules are exceptions, as provided in section 6 of Rule XVI, and are not divisible. Volume **VIII,** section **3164.**

(9) Making of.—By Unanimous Consent or Suspension of the Rules.

A special order may be made by unanimous consent. Volume **VII,** section **758.**

A special order is sometimes agreed to by unanimous consent without formal resolution. Volume **VII,** section **760.**

Special orders are sometimes made by unanimous consent, without awaiting the process required for changing the rules. Volume **IV,** sections **3165, 3166.**

The first special orders were made by unanimous consent or suspension of the rules. Volume **IV,** sections **3155–3159.**

A special order may be made under suspension of the rules. Volume **IV,** section **3154.**

In the earlier years of the House special orders were made by a two-thirds vote on a motion to suspend the rules. Volume **IV,** sections **3161, 3162.**

(10) Making of.—Through Action of Committee on Rules.

The Committee on Rules may report orders of procedure subject to two limitations only: it may not provide for abrogation of the Calendar Wednesday rule except by two-thirds vote or for denial of the motion to recommit while the previous question is pending on final passage. Volume **VIII,** section **2262.**

SPECIAL ORDERS—Continued.

(10) Making of.—Through Action on Committee on Rules—Continued.

While the Committee on Rules is forbidden to report special orders abrogating the Calendar Wednesday rule or excluding the motion to recommit after ordering of the previous question, a resolution making possible that ultimate result was on one occasion held in order. Volume **VIII,** section **2267.**

The limitation on the Committee on Rules in reporting orders of business operating to prevent the motion to recommit while the previous question is pending, applies to resolutions for the consideration of bills only and not to a resolution designating a day to be devoted to motions to suspend the rules. Volume **VIII,** section **2265.**

The first step by which the Committee on Rules became an instrumentality through which the House may exercise special power for a particular piece of legislation. Volume **V,** section **6780.**

In 1883 the House first began the practice of making a special order by majority vote on a report from the Committee on Rules. Volume **IV,** section **3160.**

History of the evolution of the special order as made on a report from the Committee on Rules. Volume **IV,** section **3152.**

In 1875 the function of the Committee on Rules for special purposes was so little used that there was doubt as to its validity without a two-thirds vote. Volume **V,** section **6775.**

A special order, reported by the Committee on Rules, is agreed to by majority vote. Volume **IV,** section **3169.**

The Committee on Rules may report a resolution providing for the consideration of a bill which has not yet been introduced. Volume **VIII,** section **3388.**

The Committee on Rules may report a resolution for the consideration of a bill, even though the effect be to discharge a committee and bring before the House a bill not yet reported. Volume **V,** section **6771.**

In 1886 the former custom of permitting the various committees to propose special a orders for the consideration of business reported by them began to cease, the function being absorbed by the Committee on Rules. Volume **V,** section **6774.**

Special orders providing for the consideration of individual bills or classes of bills are reported by the Committee on Rules. Volume **IV,** section **4326.**

A special order providing for the consideration of a particular bill is properly reported from the Committee on Rules. Volume **IV,** section **3160.**

A special order fixing a day for particular business has been held to be so far in the nature of a change of rules as to permit the Committee on Rules to report it under its leave to report at any time. Volume **V,** section **6774.**

A resolution from the Committee on Rules providing for the consideration of a bill relating to a certain subject may not be amended by a proposition providing for the consideration of another and not germane subject. Volume **V,** sections **5834–5836.**

The Committee on Rules may report a resolution rescinding or modifying a special order of business. Volume **VIII,** section **3390.**

(11) Making of.—By Discharge of Committee on Rules. See also "Discharge."

A motion may be filed to discharge the Committee on Rules from the consideration of special orders referred to that committee seven days prior. Volume **VII,** section **1007.**

If a motion to discharge the Committee on Rules prevails the House immediately votes on the adoption of the special order and if decided in the affirmative proceeds at once to its execution. Volume **VII,** section **1007.**

Form of resolution providing for consideration of a bill taken from the Committee on Rules under motion to discharge and providing for consideration of a bill adversely reported by the committee to which it was referred. Volume **VII,** section **1012.**

(12) Making of.—Before the Adoption of Rules.

Before the adoption of rules, and consequently before there is a rule prescribing an order of business, a Member may offer for immediate consideration a special order. Volume **V,** section **5450.**

SPECIAL ORDERS—Continued.

(12) Making of.—Before the Adoption of Rules—Continued.

While the House was proceeding under general parliamentary law, before rules had been adopted, a Member offered from the floor a special order for the consideration of a bill. Volume **V,** section **4971.**

(13) Precedence of.—In General.

A special order suspends the regular order of business for the time being and a motion to proceed to the regular order is not in order. Volume **IV,** sections **3170–3172.**

Although a special order may provide for the consideration of a bill immediately after the reading of the Journal on a given day, it does not lose its privileged position if called up at a later hour. Volume **IV,** section **3184.**

When a special order applies to one day only, a bill taken up but left undisposed of on that day loses its privileged position thereafter. Volume **IV,** section **3186–3191.**

A bill on which the previous question has been ordered takes precedence of a special order, although the latter may provide for immediate consideration. Volume **V,** section **5520.**

When a bill has been made a special order its consideration has precedence over reports made privileged by the rules. Volume **IV,** sections **3175, 3176.**

A special order merely providing that the House should consider a certain bill "until the same is disposed of," it was held that the consideration of a conference report might intervene. Volume **V,** section **6454.**

A conference report has precedence during a time set apart by a special order for a particular class of business. Volume **V,** section **6455.**

A motion to suspend the rules is not in order during consideration of a bill under a special order. Volume **V,** section **6838.**

While the House was acting under a special order a motion to suspend the rules to enable a Member to exceed the hour rule of debate was admitted. Volume **V,** section **6839.**

A motion to adjourn is in order when a quorum fails, notwithstanding any terms of an existing special order of the House. Volume **V,** section **5365.**

Although a special order may set apart a day for a special purpose, yet the House may transact other business by unanimous consent. Volume **V,** section **7246.**

A bill on which the previous question had been ordered at adjournment on Wednesday was taken up as the unfinished business on Thursday and took precedence of a motion to go into the Committee of the Whole for the consideration of a bill privileged by special order. Volume **VIII,** section **2674.**

The consideration of a bill under special order takes precedence of reading of engrossed copy of bill on which the previous question has been ordered. Volume **VII,** section **764.**

(14) Precedence of.—As Related to Other Special Orders.

When two special orders provide for the consideration of two bills at one time the order first made has priority, but by raising the question of consideration against either bill the House may determine the order. Volume **IV,** sections **3193–3196.**

A special order setting apart a day for the consideration of a particular bill or of business from a particular committee has precedence over a continuing order for the consideration of a bill or of business from a committee. Volume **IV,** sections **3197, 3198.**

(15) As Related to Questions of Privilege.

A question of privilege has precedence at a time set apart by a special order for other business. Volume **III,** sections **2524, 2525.** Volume **VI,** section **560.**

A motion raising a question relating to the privilege of the House was held to take precedence over a special order. Volume **IV,** section **558.**

A question of the privilege of the House takes precedence over the consideration of a proposition privileged by special order. Volume **VI,** section **395.**

A matter of constitutional privilege takes precedence of a special order. Volume **III,** section **2554.**

SPECIAL ORDERS—Continued.

(16) As Related to the Question of Consideration.

The question of consideration may not be demanded against a class of business in order under a special order or a rule, but may be demanded against each bill individually as it is brought up. Volume **V,** sections **4958, 4959.**

The question of consideration may be raised against a bill which has been made a special order. Volume **IV,** section **3175.**

Although a bill may come up by reason of being individually specified in a special order, yet the question of consideration may be raised against it. Volume **V,** sections **4953–4957.**

Where a special order provides that immediately upon its adoption a certain bill shall be considered the question of consideration may not be raised against that bill. Volume **V,** section **4960.**

In the later but not in the earlier practice it has been held that the question of consideration may not be raised against a report from the Committee on Rules relating to the order for considering individual bills. Volume **V,** sections **4961–4963.**

The fact that a bill had been made a special order for a certain day, and that the House on that day refused to consider it, was held not to prevent it coming up in regular order with other business of its class on a later day. Volume **IV,** section **3183.**

(17) Previous Question Ordered by the Terms of.

When a special order declares that at a certain time the previous question shall be considered as ordered on a bill to the final passage it has usually, but not always, been held that the motion to commit is precluded. Volume **IV,** sections **3207–3209.**

When the terms of a special order are such as in effect to order the previous question business unfinished with the day set apart by the order does not fall, but is in order the next day after the reading of the Journal. Volume **IV,** section **3185.**

A special order providing that the previous question be considered as ordered "without intervening motion except one motion to recommit" was held to preclude both amendment and debate on the motion to recommit. Volume **VII,** section **776.**

A special rule, ordering the previous question on a pending bill and amendments to final passage when reported from the Committee of the Whole was held not to preclude a recommendation by the Committee of the Whole that the bill be recommitted. Volume **VII,** section **777.**

A recommendation from the Committee of the Whole to recommit a bill on which the previous question had been ordered by special rule, being rejected, the question recurs on the passage of the bill. Volume **VII,** section **777.**

(18) As Affecting Resolving Into Committee of the Whole and Rising of Committee.

A special order providing that the House resolve into Committee of the Whole is held to operate automatically. Volume **VII,** section **791.**

When a special order provides for resolving into the Committee of the Whole, the House resolves automatically on announcement by the Speaker and without motion from the floor. Volume **IV,** section **3214.** Volume **VII,** sections **783, 794.**

Under a special order providing that the House shall resolve into Committee of the Whole, the House resolves automatically, and a motion to go into committee is not in order. Volume **VII,** section **789.**

Under a special order that the House immediately resolve into Committee of the Whole, the House resolves into the committee automatically and the consideration of other business is not in order. Volume **VII,** section **790.**

Under a special order providing for consideration in Committee of the Whole, the House automatically resolves into the committee after voting on a motion to close debate for which the committee has risen. Volume **VII,** section **765.**

SPECIAL ORDERS—Continued.

(18) As Affecting Resolving Into Committee of the Whole and Rising of Committee— Continued.

A special order providing that the Committee of the Whole rise at the conclusion of the reading of a bill and report it to the House and that the previous question operate to final passage was held not to interfere with the right of the committee to report with recommendation to recommit. Volume **VIII,** section **2375.**

When provision is made by special order for the automatic rising of Committee of the Whole at a designated time, a motion is required to rise before that time and is in order. Volume **VII,** section **793.**

(19) As Affecting Consideration in Committee of the Whole.

A bill being made a special order, the requirement that it shall be considered in Committee of the Whole is waived. Volume **IV,** sections **3217–3224.**

A special order providing for consideration of a bill, the requirement that it be considered in Committee of the Whole is waived. Volume **IV,** section **3199.**

When a bill in Committee of the Whole is made a special order for a certain date without specifying as to consideration in Committee of the Whole, the effect of the order is to discharge the committee and bring the bill into the House for consideration. Volume **IV,** section **3216.**

By refusing to go into Committee of the Whole to consider a bill which has been made a special order for consideration therein, the House may then consider business prescribed by the regular order. Volume **IV,** section **3088.**

Instance wherein, under special order, the Chairman of the Committee of the Whole declared the committee in recess from one calendar day to another. Volume **VIII,** section **3360.**

Under provisions of a special rule for the consideration of a bill, the Chairman of the Committee of the Whole declared the committee in session from day to day without the House having adjourned, recessed, or convened, and without the Speaker appearing in the chair. Volume **VIII,** section **3360.**

The Committee of the Whole has no authority to modify an order of the House. Volume **IV,** section **4712.**

A Committee of the Whole ordinarily reports only such amendments as it has agreed to, but sometimes by direction of a special order it reports also amendments pending and undisposed of when it rises. Volume **IV,** sections **3225–3228.**

A Committee of the Whole, directed by order of the House to consider certain bills, reported also certain other bills, whereupon the Speaker held that so much of the report as related to the latter bills could be received only by unanimous consent. Volume **IV,** section **4911.**

When a special order directs a Committee of the Whole to report "pending amendments," this does not include an amendment only partially read when the Committee of the Whole rises. Volume **IV,** section **3229.**

A special order providing that a bill should be open to amendment in Committee of the Whole was held to prevent a motion to strike out the enacting clause. Volume **IV,** section **3215.**

(20) As Affecting Business on Monday, Wednesday, and Friday.

A special order which provides for the consideration of a bill from day to day until disposed of includes, unless exception be made, a day such as Monday or Friday set apart by the rules for a class of business. Volume **IV,** sections **3201, 3202.** Volume **VII,** sections **763, 771, 772, 791.**

On a District of Columbia day (Monday) a motion to go into the Committee of the Whole to consider District business and a motion to go into the Committee to consider business generally privileged under a special order are of equal privilege, and recognition to move either is within the discretion of the Chair. Volume **VII,** section **877.**

A special order providing for the consideration of a bill from day to day until disposed of includes Mondays and Fridays, but not Wednesdays. Volume **VII,** section **789.**

SPECIAL ORDERS—Continued.

(20) As Affecting Business on Monday, Wednesday, and Friday—Continued.

The Speaker declines to entertain requests for unanimous consent to establish special orders for Wednesday. Volume **VII,** section **888.**

A special order providing for the consideration of a bill from day to day until disposed of does not include Wednesday unless specifically mentioned. Volume **VII,** section **773.**

When the House, by special order, devotes Friday entirely to business other than private business the special rules governing the use of the day are thereby suspended. Volume **IV,** section **3282.**

If the terms of a special order seem to abrogate a rule for a recess and an evening session for special business the question of order should be raised before the House goes into recess, and not after the House has met in evening session. Volume **IV,** section **3284.**

(21) Effect and Interpretation of.—As Related to Amendments.

A special order making committee amendments to any part of the bill in order at any time was construed to permit the offering of amendments to paragraphs already passed in reading for amendment. Volume **VII,** section **792.**

When a special order provides for the consideration of an amendment as the original bill, the amendment and not the bill is read when called up for consideration. Volume **VII,** section **784.**

Under provision by special order that an amendment be read and considered in lieu of the bill, the amendment is treated as original text and is subject to amendment in the second degree. Volume **VII,** section **783.**

Under a special order providing that certain amendments shall be voted on, it is not necessary that such amendments be offered and the Chair will put the question without motion from the floor. Volume **VII,** section **782.**

Under a special order providing that a specified amendment "shall be voted on," that particular amendment only must be voted on and no similar amendment or substitute, even though germane, is in order. Volume **VII,** section **782.**

Amendments authorized by special order may be supplanted or amended by germane propositions of the same import though expressed in different phraseology. Volume **VII,** section **781.**

A special order having been agreed to providing for consideration of a paragraph proposed legislation on an appropriation bill, germane amendments were held in order but amendments proposing additional legislation were not admitted. Volume **VII,** section **1397.**

(22) Effect and Interpretation of.—As Related to Time of Sitting and Debate.

Where a special order provides for convening of daily sessions at 11 o'clock while a bill is under consideration, the House meets at 11 o'clock only on days when consideration of the bill is in order. Volume **VII,** section **763.**

Time consumed in the discussion of points of order is not chargeable to time fixed by special order for debate. Volume **VIII,** section **2556.**

Under a special order providing for equal division of time for debate between those favoring and those opposing a bill, without designating who should control the time, it was held to be within the discretion of the Chair to recognize a Member supporting and a Member opposing the measure, each of whom should respectively control half the time. Volume **VII,** section **785.**

Where a special order for the consideration of a bill limited general debate to one hour without providing for control of the time it was held that the Member in charge should be recognized to control the time in favor of the bill; the ranking minority Member to control the time in opposition; and if none of the minority opposed the bill the minority leader should control the time in opposition. Volume **VIII,** section **2461.**

Where a special order provided for a vote on an amendment at a designated time, the Chairman at that time put the question, and pending amendments to the amendment were not acted upon. Volume **VII,** section **795.**

Special Orders—Continued.

(22) Effect and Interpretation of.—As Related to Time of Sitting and Debate—Continued.

Special orders are interpreted literally, and a rule providing that consideration of a bill continue until a specified time was held to preclude a motion to rise and report prior to that time. Volume **VII,** section **794.**

A special order fixing a time beyond which consideration of a bill should not continue was held not to prevent conclusion of consideration prior to that time. Volume **VII,** section **793.**

When a special order prescribes limits beyond which debate may not continue, the House may, on motion, close debate at any time within such limits. Volume **VII,** section **765.**

The House having adopted a special order susceptible of an interpretation waiving the rule limiting Members to one hour debate, the Speaker held the rule to remain in force unless specifically abrogated. Volume **VII,** section **766.**

(23) Effect and Interpretation of.—Miscellaneous.

A special order is strictly construed and supersedes rules with which it may be in conflict. Volume **VII,** section **780.**

A special order is interpreted literally and without regard to the practicability of its provision. Volume **VII,** section **779.**

A special order does not deprive the Member of his right to demand the reading of the engrossed bill. Volume **IV,** section **3401.**

Where a special order for the consideration of a bill prohibited "intervening motions" between the vote on an amendment and a final vote it was held to exclude a motion to reconsider. Volume **IV,** section **3203.**

A special order prohibiting "debate or intervening motion," it was held that an appeal should be entertained. Volume **V,** section **6954.**

An instance of the difficulties arising from the terms of a special order which permitted two substitute amendments to a bill to be pending at once. Volume **IV,** section **3206.**

A special order having assigned a certain day for such business as a certain committee may present, the committee may call up its own bills, wherever they may be, whether in the committee or on the calendar. Volume **IV,** section **3199.**

Two days having been assigned a committee generally for consideration of its business in the House, it was held that they should be days on which public business would be in order. Volume **IV,** section **3200.**

The term "minority" in a special order was construed to refer to the minority party in the House and not to those in the minority on the pending question. Volume **VII,** section **767.**

The laying before the House of a message from the President was held not to be business within the terms of a special order restricting the transaction of business, but being objected to, was not insisted upon. Volume **VII,** section **761.**

A special order providing certain business "Shall be in order for consideration" does not preclude consideration of other privileged business which the House may prefer to consider. Volume **VI,** section **413.**

Where a special order provided for the consideration of a bill from day to day until disposed of it was held that conference reports and messages from the Senate might intervene. Volume **VII,** section **789.**

Interpretation of a special order providing for consideration of Senate bills on the Private Calendar in the closing days of a session. Volume **VII,** section **796.**

The recommendation of the Committee of the Whole to recommit a bill being decided in the negative, the question was held to recur on the amendments and bill under a special rule ordering the previous question on the bill and amendments to final passage. Volume **VIII,** section **2375.**

Special orders providing for consideration of bills, unless making specific exemption, do not preclude the point of order that reports on such bills fail to indicate proposed changes in existing law. Volume **VII,** section **2245.**

SPECIAL ORDERS—Continued.

(23) Effect and Interpretation of.—Miscellaneous—Continued.

A committee granted additional powers by special order is limited in the exercise of those powers to matters specified in such order. Volume **VII,** section **780.**

A committee having been given the right by special order to report from the floor, members of the committee are entitled to the same privilege in presenting minority views. Volume **VIII,** section **2227.**

Where a special order provided for the appointment of conferees "without any intervening motion," it was held to exclude the motion to instruct conferees, but not the motion to recommit. Volume **VIII,** section **774.**

A special order authorizing managers as provided by section 2 of Rule XX to agree to a Senate amendment making appropriations, precludes the point or order that the House has not voted separately on a new appropriation in such amendment. Volume **VII,** section **768.**

(24) In Relation to Motions to Postpone, Rescind, Recommit, etc.

It is not in order to move to postpone a special order providing for the consideration of a class of bills. Volume **V,** section **4958.**

A bill which comes before the House by the terms of a special order merely assigning the day for its consideration may be postponed by a majority vote. Volume **IV,** sections **3177–3182.**

It has been held in order to move to postpone indefinitely the further execution of an order relating to the election of officers of the House. Volume **V,** section **5318.**

The House having postponed the election of an officer until a day certain, a resolution to proceed to the election was held not in order before that date. Volume **I,** section **263.**

A motion to rescind a special order was decided by the House not to be privileged under the rules. Volume **V,** section **5323.**

A motion to rescind a special order is not privileged under the rules regulating the order of business. Volume **IV,** sections **3173, 3174.**

The Senate rescinded its order prescribing the method of voting on the articles in the Johnson trial, although it was partially executed. Volume **III,** section **2442.**

A session of the House extending, by failure to adjourn, through the succeeding calendar day, a special order for the legislative day expected to be held on that calendar day falls, as the session is of the legislative day. Volume **IV,** section **3192.**

A special order to lay before the House a bill on the Speaker's table with the previous question ordered on a motion to concur in Senate amendments, does not prevent submission of a motion to recommit. Volume VII, section **778.**

Where a special order provided for the motion to recommit, a conference report was admitted although Senate conferees had been discharged, the special order having been adopted after their discharge. Volume **VII,** section **779.**

Provision in a special order that conference shall be asked and the Speaker shall immediately appoint conferees without intervening motion, precludes the motion to instruct. Volume **VIII,** section **3394.**

A special order providing that a bill should be considered for amendment under the 5-minute rule was construed to admit the motion to strike out the enacting clause. Volume **VII,** section **787.**

(25) In General.

When a special order applies to certain days only, a bill taken up but left undisposed of can be called up again only on a day specified in the order. Volume **VII,** section **763.**

When business which by unanimous consent has been made a special order remains unfinished at adjournment, it continues in order until disposed of. Volume **VII,** section **770.**

A bill undisposed of at adjournment on a day devoted to special business comes up as unfinished business on the next day when that class of business is again in order. Volume **VIII,** section **2334.**

SPECIAL ORDERS—Continued.

(25) In General—Continued.

When the House adjourns on days set apart for special business without ordering the previous question, the pending measure comes up as the unfinished business on the next day on which that class of business is again in order. Volume **VIII,** section **2694.**

A special order was held in abeyance, no objection having been offered. Volume **VII,** section **791.**

SPECIFIC APPROPRIATIONS.

Reference to the establishment of the system of specific appropriations (footnote). Volume **IV,** section **4032.**

SPEECHES. See also "Congressional Record."

If there is an evident abuse of the patience of the House and objection is made the Member must have leave of the House to read a paper in his place, even though it be his own written speech. Volume **V,** section **5258.**

One House should not take notice of bills or other matters pending in the other or votes or speeches until they be communicated. Volume **III,** section **2656.**

The Speaker and President of the Senate have discretion as to the use of the Capitol grounds for processions, assemblies, music and speeches on occasions of national interest. Volume **V,** section **7312.**

SPEER.

The investigation into the conduct of Judge Emory Speer. Volume **VI,** section **527.**

SPEIGHT, JESSE, of North Carolina, Chairman.

Decisions on questions of order relating to—

Committee of the Whole. Volume **V,** section **6736.**

Points of order. Volume **V,** section **6956.**

SPENCER

The Senate election case of Sykes v. Spencer, from Alabama, in the Forty-third Congress. Volume **I,** section **342–344.**

The Louisiana election case of Spencer v. Morey in the Forty-fourth Congess. Volume **II,** sections **913, 914.**

The Mississippi election case of Newman v. Spencer in the Fifty-fourth Congress. Volume **I,** section **754.**

SPINK.

The election case of Burleigh and Spink v. Armstrong, from Dakota Territory, in the Forty-second Congress. Volume **II,** section **889.**

SPRINGER, WILLIAM M., of Illinois, Speaker Pro Tempore and Chairman.

Decisions on questions of order relating to—

Adjourn, motion to. Volume **V,** section **5388.**

Appropriations. Volume **VII,** section **1528.**

Authorization of appropriations. Volume **IV,** section **3657.**

Conference reports. Volume **V,** sections **6505, 6509** (footnote), **6540.**

House as in Committee of the Whole. Volume **IV,** section **4927.**

Points of order. Volume **IV,** section **4783.**

Reading of bills. Volume **IV,** section **3400.**

Yeas and nays. Volume **IV,** section **3010.**

STABILIZING CURRENCY.

Bills providing for stabilization of currency, formerly held to be within the jurisdiction of the Committee on Coinage, Weights, and Measures, are now considered by the Committee on Banking and Currency. Volume **VII,** section **1796.**

The Banking and Currency Committee exercises jurisdiction of bills establishing legal tender, stabilizing currency and maintaining parity of moneys issued. Volume **VII,** section **1792.**

STAFF, GENERAL.

Appropriations for clerks in the office of the Chief of Staff belong on the army bill. Volume **IV,** section **4182.**

STAFFORD, WILLIAM H., of Wisconsin, Speaker pro tempore.

Decisions on questions of order relating to—

Amendment. Volume **VIII,** sections **2833, 2842.**

Amendment, germaneness of. Volume **VII,** sections **860, 1377.** Volume **VIII,** sections **2988, 3013, 3025, 3031, 3047.**

Appropriations. Volume **VII,** sections **2138, 2156.** Volume **VIII,** section **2342.**

Bills. Volume **VIII,** section **2374.**

Debate. Volume **VIII,** sections **2572, 3416.**

Enacting clause, strike out. Volume **VIII,** section **2430.**

Question of order. Volume **VIII,** section **3430.**

Reading. Volume **VIII,** section **2346.**

Recognition. Volume **VI,** section **305.** Volume **VIII,** section **2360.**

Voting. Volume **VI,** section **696.** Volume **VIII,** section **3120.**

STALLINGS.

The Alabama election case of Clark v. Stallings in the Fifty-fifth Congress. Volume **I,** section **747.**

STAND ASIDE.

In 1899 a Member-elect, challenged as he was about to take the oath, stood aside on the request of the Speaker. Volume **I,** section **474.**

STANDARD OF VALUE.

Bills for defining and fixing the standard of value and regulating coinage and exchange of coin are within the jurisdiction of the Committee on Coinage, Weights, and Measures. Volume **IV,** section **4095.**

STANDARD WEIGHTS, ETC.

Bills for the establishment of a standardizing bureau and the adoption of the metric system have been reported by the Committee on Coinage, Weights, and Measures. Volume **IV,** section **4091.**

The Committee on Coinage, Weights, and Measures exercises jurisdiction over legislation providing for the establishment of standard packages and grades in interstate commerce. Volume **VII,** section **1799.**

The Committee on Coinage, Weights, and Measures has jurisdiction over the establishment of standard weights and measures for cereal mill products, foodstuffs, and commercial feeds. Volume **VII,** section **1800.**

Standards of quality and regulations for the control of interstate distribution of coal and other fuels and the procuring and publication of statistics relative thereto, are subject within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1830.**

Bills providing for the standardization in quality, weight, and measure of agricultural products and breadstuffs have been considered by the Committee on Agriculture. Volume **VII,** section **1868.**

STANDING COMMITTEES. See "Committees."

STANDING ORDERS.

Discussion as to the distinction between a special order and a standing order. Volume **V,** section **5323.**

The resolution of the House fixing the hour of daily meeting is a standing order rather than a rule. Volume **I,** sections **116, 117.**

The House has by standing order provided that it should meet on two days only of each week instead of daily. Volume **V,** section **6675.**

STANDING ORDERS—Continued.

A resolution changing or construing a standing rule or order is in order only when presented in the manner prescribed for changing the rules. Volume **V,** sections **6778, 6779.**

The House is governed by the rules of Jefferson's Manual in all cases in which they are applicable and in which they are not inconsistent with the standing rules and orders of the House. Volume **V,** section **6757.**

Deputies with authority to execute warrants may be appointed by the Sergeant at Arms under a standing order of the Senate. Volume **VI,** section **341.**

The House has by standing order provided that it should meet on two days only of each week instead of daily. Volume **VIII,** section **3369.**

The motion to recess to the regular hour of meeting on the succeeding day is not admissible because in contravention of a standing order of the House, but if taken to such hour, the House when convened is still in session as of the preceding day. Volume **VIII,** section **3356.**

STANTON.

The Senate election case of Stanton v. Lane, of Kansas, in the Thirty-seventh Congress. Volume **I,** section **491.**

STARK.

In 1862, before the enactment of the test oath for loyalty, the Senate, after mature consideration, declined to exclude for alleged disloyalty Benjamin Stark, whose credentials were unimpeached. Volume **I,** section **443.**

STATE CANVASS. See "Elections."

STATE CONSTITUTION. See "Elections."

Summary of provisions of State constitutions relating to impeachment and removal by address. Volume **III,** section **2023.**

STATE COURTS. See "Elections."

STATE DEPARTMENT.

An enrolled bill, when signed by the President, is deposited in the office of the Secretary of State. Volume **IV,** section **3429.**

A statute requires that bills signed by the President shall be received by the Secretary of State from the President. Volume **IV,** section **3485.**

When a bill returned without the President's approval is passed by the two Houses the Secretary of State receives the bill from the Presiding Officer of the House in which it last was passed. Volume **IV,** section **3485.**

Discussion of the status of the Department of State in relation to resolutions of inquiry. Volume **III,** section **1905.**

The original notice of ratification of a constitutional amendment by a State is transmitted to the Secretary of State and a copy to the House, where it is laid before the House by the Speaker and filed in its archives. Volume **VIII,** section **3507.**

STATE EXECUTIVE.

A seat being declared vacant, the House directed the Speaker to notify the executive of the State. Volume **I,** section **824.**

A seat being declared vacant, the House directs that the executive of the State be informed. Volume **II,** sections **1203–1205.**

It was long the practice to notify the executive of the State when a vacancy was caused by the death of a Member during a session. Volume **II,** sections **1198–1202.**

An instance wherein the State executive transmitted the resignation of a Member with the credentials of his successor. Volume **II,** section **1196.**

STATE EXECUTIVE—Continued.

The executive of a State may inform the House that he has received the resignation of a Member. Volume **II,** sections **1193, 1194.**

The governor of a State, as canvassing officer, is not justified in rejecting votes duly cast and returned. Volume **II,** section **884.**

The action of a State executive in throwing out votes was disregarded by the House. Volume **II,** section **884.**

Criticism of a governor who issued a certificate on a canvass omitting decisive county returns because of legal proceedings to secure a recount. Volume **II,** section **1036.**

A Senator may resign, appointing a future day for his resignation to take effect, and the State executive may by appointment fill the vacancy before that date. Volume **II,** section **1228.**

Reference to cases in the Senate relating to the authority of State executives to make appointments to fill vacancies in the United States Senate (footnote). Volume **I,** section **790.**

STATE LAW AS TO ELECTIONS. See "Elections."

STATE OFFICERS. See "Elections."

STATE OF THE UNION.

The Constitution provides that the President shall from time to time give Congress information of the state of the Union and make recommendations. Volume **V,** section **6612.**

STATEMENT.

(1) Accompanying a Conference Report. See also "Conferences."
(2) In general.

(1) Accompanying a Conference Report. See also "Conferences."

Each conference report shall be accompanied by a detailed statement sufficiently explicit to explain the effect of the provisions of the report. Volume **V,** section **6443.**

The statement accompanying a conference report should be in writing and signed by at least a majority of the House managers. Volume **V,** sections **6505, 6506.**

It is for the House and not the Speaker to determine whether or not the detailed statement accompanying a conference report is sufficient to comply with the rule. Volume **V,** sections **6511, 6512.**

While the Chair may not pass upon the completeness of the written statement accompanying a conference report, he may require it to be in proper form. Volume **V,** section **6513.**

A conference report and the accompanying statement are required to be printed in the Congressional Record before being considered, except during the last six days of a session. Volume **V,** section **6516.**

A conference report may not be received without the accompanying statement required by the rule. Volume **V,** sections **6507–6510.**

Form of statement to accompany a report of managers of a conference to the House. Volume **V,** sections **6504, 6514, 6515.**

Form of written statement that managers of a conference have failed to agree. Volume **V,** sections **6568, 6569.**

The consideration of a conference report may be interrupted, even in the midst of the reading of the statement, by the arrival of the hour previously fixed for a recess. Volume **V,** section **6524.**

(2) In General.

A verbal statement may not be received in the House as the report of a committee. Volume **IV,** section **4654.**

A committee controls its journal, and sometimes grants leave to Members to incorporate in it signed statements of their views. Volume **IV,** section **4579.**

STATES. See also "Apportionment" and "Electoral Count."

(1) As related to procedure of the House.—Memorials from.
(2) As related to procedure of the House.—Jurisdiction as to claims.
(3) As related to procedure of the House.—Jurisdiction of other subjects.
(4) As related to procedure of the House.—Right to investigate.
(5) As related to procedure of the House.—In general.
(6) Presentations for Statuary Hall.

(1) As Related to Procedure of the House.—Memorials From.

Joint resolutions of State legislatures intended as communications to Congress are treated as memorials. Volume **IV,** section **3312.**

Memorials of State legislatures were for a time spread on the Journal in full, but the practice has ceased. Volume **IV,** sections **2855, 2856.**

State memorials and petitions may be printed in full in the Record of the House proceeding only by leave of the House as extension of remarks. Volume **VII,** section **1024.**

Origin of the order for the former call of States for petitions. Volume **IV,** section **3313.**

(2) As Related to Procedure of the House.—Jurisdiction as to Claims.

The Committee on Claims has shared in jurisdiction over public bills for adjusting accounts between the United States and the several States and Territories. Volume **IV,** section **4267.**

The war claims of States and Territories against the United States have been considered, although not exclusively, by the Committee on War Claims. Volume **IV,** section **4271.**

Claims of States against the United States and the adjustment of accounts between the States and the United States have been considered by the Judiciary Committee. Volume **IV,** section **4080.**

The Committee on Public Lands has reported projects of general legislation relating to various classes of land claims, as related both to States and individuals. Volume **IV,** section **4203.**

(3) As Related to Procedure of the House.—Jurisdiction of Other Subjects.

The Committee on the Territories has, by rule, jurisdiction of subjects relating "to Territorial legislation, the revision thereof, and affecting Territories or the admission of States." Volume **IV,** section **4208.**

The rule gives to the Committee on the Militia jurisdiction of subjects relating "to the militia of the several States." Volume **IV,** section **4252.**

Bills relating to the militia of the District of Columbia as well as to that of the various States have been considered by the Committee on the Militia. Volume **IV,** section **4253.**

The settlement of boundary lines between States, or between a State and a Territory, is within the jurisdiction of the Committee on the Judiciary. Volume **IV,** section **4064.**

As to jurisdiction in relation to overdue bonds of certain States held in the Treasury as part of Indian trust funds. Volume **IV,** section **4207.**

(4) As Related to Procedure of the House.—Right to Investigate.

Discussion of the effect of a State law as a limitation on the right of the House to investigate. Volume **III,** section **1696.**

A subject being within the power of the House to investigate, it was held that State officers might not decline to produce records on the plea that they possessed them in their official capacities. Volume **III,** section **1698.**

In 1860 the Massachusetts court decided that a warrant directed only to the Sergeant-at-Arms of the United States Senate might not be served by deputy in that State. Volume **III,** section **1718.**

(5) As Related to Procedure of the House.—In General.

Revenue and general appropriation bills, river and harbor bills, certain bills relating to the public lands, for the admission of new States, and general pension bills may be reported at any time. Volume **IV,** section **4621.**

STATES—Continued.

(5) As Related to Procedure of the House.— In General—Continued.

Ministers from Foreign Governments and Governors of States (but not Territories) have the privilege of the floor. Volume **VIII,** section **3634.**

(6) Presentations for Statuary Hall.

A statute authorizes the contribution by each State of statues of two of its distinguished citizens to be placed in National Statuary Hall. Volume **VIII,** section **3643.**

Ceremonies in accepting statues for Statuary Hall. Volume **V,** sections **7089–7099.**

Form of resolution accepting from a State a statue for Statuary Hall. Volume **V,** sections **7089–7099.**

STATIONERY.

Each Member is allowed $125 annually for stationery, and the Clerk maintains a stationery room for supplying articles. Volume **II,** sections **1161, 1162.**

The disposition of stationery allowance to Members through the stationery room. Volume **VI,** section **213.**

Purchase through the stationery room of articles other than stationery and necessary office supplies is restricted by law. Volume **VI,** section **213.**

Statutes authorize the sale of stationery for official use and the binding of official documents for Members by the Public Printer at cost. Volume **VI,** section **214.**

Discussion of various services of the House, including the House restaurant, House barber shops, and stationery and mileage allowances to Members. Volume **VI,** section **216.**

The Clerk keeps account of disbursement of the contingent fund and the stationery accounts of Members. Volume **I,** section **251.**

The Clerk furnishes stationery to the several committees and to the officers of the House. Volume **II,** sections **1161, 1162.**

Stationery, blank books, and other papers necessary to legislation are furnished to the House and Senate and their committees on requisition of the Clerk of the House and Secretary of the Senate, respectively. Volume **V,** section **7322.**

STATISTICS.

The abridgment of the elective franchise with reference to apportionment as well as the collection of general statistics have been considerated by the Committee on Census. Volume **IV,** section **4352.**

Bills providing for the collection or publication of general statistics have been considered by the Committee on the Census. Volume **VII,** section **2061.**

The compilation and dissemination of statistics and reports on agricultural products are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII,** section **1872.**

An appropriation for collection of market statistics on agricultural products was held to be authorized by the organic act creating the Department of Agriculture. Volume **VII,** section **1304.**

Standards of quality and regulations for the control of interstate distribution of coal and other fuels and the procuring and publication of statistics relative thereto, are subjects within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1830.**

STATUARY HALL.

A statute authorizes the contribution by each State of statues of two of its distinguished citizens to be placed in National Statuary Hall. Volume **VIII,** section **3643.**

The history of National Statuary Hall. Volume **VIII,** section **3643.**

Ceremonies in accepting statues for Statuary Hall. Volume **V,** sections **7089–7099.** Volume **VIII,** section **3545.**

Form of resolution accepting from a State a statue for Statuary Hall. Volume **V,** sections **7089–7099.**

STATUTORY HALL—Continued.
The arrangement of the Hall of the House and Statutary Hall, and the acceptance of works of art to be placed therein are subjects within the jurisdiction of the House branch of the Joint Committee on the Library. Volume **VII,** section **2083.**

STATUES.
Form of resolution accepting from a State a statue for Statuary Hall. Volume **V,** sections **7089–7099.**
Subjects relating to monuments and statues in commemoration of individuals have been considered by the House branch of the Joint Committee on the Library. Volume **IV,** section **4342.**
The rule gives to the Joint Committee on the Library jurisdiction "touching the Library of Congress, statuary and pictures." Volume **IV,** section **4337.**
Bills relating to statues, paintings, and other works of art have been reported by the House branch of the Joint Committee on the Library. Volume **VII,** section **2082.**

STATUTES.
The question as to whether or not the House, in its procedure, is bound by a law passed by a former Congress. Volume **IV,** section **3298.**
The effect of the repeal of a repealing act is regulated by statute. Volume **IV,** section **3389.**
The rule gives to the Committee on Revision of the Laws jurisdiction of subjects relating "to the revision and codification of the statutes of the United States." Volume **IV,** section **4293.**
Examples of jurisdiction of the Committee on Revision of the Law over bills embodying codifications. Volume **IV,** section **4295.**
Statutes relating to printing the laws for the use of House and Senate. Volume **V,** section **7328.**
Functions delegated to a joint committee by statute may not be usurped by the House. Volume **VII,** section **2165.**
The statutes prescribe the form of enacting and resolving clauses of bills and joint resolutions. Volume **VII,** section **1034.**
The statutes and the practice of the House prescribe the style of titles and form of bills. Volume **VII,** section **1035.**
It is the function of the Speaker to enforce the provision of the statutes prescribing forms of bills. Volume **VII,** section **1034.**

STEAM VESSELS.
The inspection of steam vessels, as to hulls and boilers, is generally within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4133.**
The inspection of steamboats, the regulation of officering and manning vessels, and the classification and salaries of clerks in the Steamboat-Inspection Service are subjects within the jurisdiction of the Committee on the Merchant Marine and Fisheries. Volume **VII,** section **1854.**

STECK.
The Senate election case of Steck v. Brookhart, of Iowa, in the Sixty-ninth Congress. Volume **VI,** section **172.**

STEELE.
The Indiana election case of Kidd v. Steele in the Forty-ninth Congress. Volume **II,** section **1005.**

STEELE, GEORGE W., of Indiana, Chairman.
Decision on question of order relating to order of business. Volume **IV,** section **3062.**
The Iowa election case of Steele v. Scott in the Sixty-fifth Congress. Volume **VI,** section **146.**

STEERING COMMITTEES.
Origin and history of the first elective steering committee in the party organization of the House. Volume **VIII,** section **3621.**

STEERING COMMITTEES—Continued.

The majority steering committee in the Sixty-fifth and Sixty-sixth Congresses consisted of five members. Volume **VIII,** section **3625.**

The majority steering committee in the Seventieth Congress. Volume **VIII,** section **3626.**

A majority steering committee was created in the Seventy-third Congress consisting of 15 elective Members elected by geographical groups sitting separately and voting by zones. Volume **VIII,** section **3622.**

Provision for steering committee to be nominated by the committee on committees and elected by the party conference. Volume **VIII,** section **3621.**

The steering committee was nominated by the majority committee on committees and elected by the party conference. Volume **VIII,** section **3625.**

The Speaker, floor leader, chairman of the caucus, and chairman of the rules committee are ex officio members of the steering committee. Volume **VIII,** section **3622.**

The membership of the steering committee is subject to recall whenever the conference determines it is not representative of party sentiment in the House. Volume **VIII,** section **3625.**

The steering committee is not responsible to the caucus, and the election of its members, individually or collectively, is not subject to caucus ratification or rejection. Volume **VIII,** section **3622.**

Members of the steering committee are directly responsible to the membership of the zone from which elected and are subject to recall at any time. Volume **VIII,** section **3622.**

The leader serves as Chairman of the steering committee which meets on call. Volume **VIII,** section **3625.**

The floor leader is ex-officio chairman of the steering committee. Volume **VIII,** section **3621.**

The chairman of the steering committee is elected by the committee and is ineligible to succeed himself. Volume **VIII,** section **3622.**

The steering committee meets at the call of the chairman or on the call of three members of the committee. Volume **VIII,** section **3622.**

Differences of opinion as to party policies are submitted to the steering committee for determination. Volume **VIII,** section **3623.**

The steering committee frequently holds hearings before reaching a decision on questions of policy. Volume **VIII,** section **3623.**

STENOGRAPHERS.

The Speaker appoints the official reporters of debates and stenographers of committees. Volume **V,** section **6958.**

The Speaker exercises jurisdiction over the Official Reporters of the House and the committee stenographers and their assistants and substitutes. Volume **VIII,** section **3459.**

Origin of the employment of committee stenographers. Volume **V,** section **6958.**

Instances wherein the Speaker announced to the House his appointment of reporters (footnote). Volume **V,** section **6958.**

The Speaker supervises the work of the official reporters and stenographers, and may remove for cause. Volume **V,** section **6958.**

Questions have arisen as to the power of the Speaker in regard to the removal of stenographers to committees (footnote). Volume **V,** section **6958.**

Stenographers and reporters other than the official reporters are admitted by the Speaker to the gallery over the Speaker's chair under such regulations as he may prescribe. Volume **V,** section **7304.**

Official stenographers to the standing committees of the House shall not furnish transcripts of testimony adduced before such committees without written authorization from the chairman of the committee. Volume **VIII,** section **3459.**

STEPHENS.

The inquiry into the conduct of Judges William P. Van Ness, Matthias B. Talmadge, and William Stephens in 1818. Volume **III,** section **2489.**

STEPHENSON.
The Senate election case of Isaac Stephenson, of Wisconsin, in the Sixty-second Congress. Volume **VI,** section **83.**

STERLING, JOHN A., of Illinois, Chairman.
Decisions on questions of order relating to—
Authorization of appropriations. Volume **IV,** section **3608.**
Debate. Volume **V,** section **5238.**

STEVENS, FREDERICK C., of Minnesota, Chairman.
Decisions on questions of order relating to—
Amendment, germaneness of. Volume **VIII,** section **2962.**

STEVENSON, ANDREW, of Virginia, Speaker.
Decisions on questions of order relating to—
Adhere, motion to. Volume **V,** sections **6242, 6308.**
Amendments. Volume **V,** section **5764.**
Amendments not germane. Volume **V,** section **5853.**
Breach of privilege. Volume **II,** section **1366.**
Call to order. Volume **V,** section **5197.**
Clerk. Volume **I,** section **188.**
Committee of the Whole. Volume **IV,** sections **4793, 4794, 4824.**
Debate. Volume **V,** sections **5050–5053, 5101, 5113, 5163, 5164, 5166, 5171, 6944.**
Disagree, motion to. Volume **V,** section **6167.**
Division of question. Volume **V,** sections **6113, 6139, 6149.**
Journal. Volume **IV,** sections **2816, 2847.** Volume **V,** section **7075.**
Memorials. Volume **IV,** section **3325.**
Points of order. Volume **II,** section **1329.** Volume **V,** section **6900.**
Postpone, motion to. Volume **V,** section **5312.**
Question of consideration. Volume **V,** sections **4938, 4943.**
Reading of papers. Volume **V,** section **5264.**
Recede, motion to. Volume **V,** sections **6204, 6207, 6215, 6308.**
Recognition. Volume **II,** section **1421.**
Reconsider, motion to. Volume **V,** section **5679.**
Refer, motion to. Volume **V,** sections **5553, 5566.**
Reports of the Committee of the Whole. Volume **IV,** sections **4874.**
Resignation. Volume **I,** section **233.**
Senate amendments. Volume **V,** section **6193.**
Service on committees. Volume **IV,** section **4511.**
Speaker pro tempore. Volume **II,** sections **1248, 1379.**
Text to which both Houses have agreed. Volume **V,** sections **6184, 6185.**
Voting. Volume **V,** section **6094.**
Withdrawal of motions. Volume **V,** section **4989.**
Yeas and nays. Volume **V,** sections **6028, 6103.**
Yielding the floor. Volume **V,** section **5015.**

STEVENSON, ADLAI E., of Illinois, Vice-President.
Certification by, of alleged cases of contempt before a Senate committee. Volume **II,** section **1612.**

STEWARD.
The Illinois election case of Steward v. Childs in the Fifty-third Congress. Volume **II,** section **1056.**

STEWART.
The Maryland election case of Stewart v. Phelps in the Fortieth Congress. Volume **I,** section **739.**

STEWART—Continued.

The Pennsylvania election case of Craig v. Stewart in the Fifty-second Congress. Volume **II,** section **1041.**

The case of Robert W. Stewart. Volume **VI,** sections **344, 345.**

STEWART, JOSEPH B.

In 1873 Joseph B. Stewart was imprisoned for contempt of the House in refusing as a witness to answer a question which, he claimed, related to the relations of attorney and client and therefore was inquisitorial. Volume **III,** section **1689.**

STOCKS.

The sale of fraudulent stocks and bonds and other "blue sky" securities is a subject considered by the Committee on the Judiciary. Volume **VII,** section **1781.**

STOCKTON.

The Senate election case of John P. Stockton, from New Jersey, in the Thirty-ninth Congress. Volume **II,** section **877.**

STOCKYARDS.

The control of stockyards and packing plants and the regulation of interstate and foreign commerce in livestock, dairy, and livestock products, poultry and poultry products, are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII,** section **1869.**

STOKES.

The South Carolina election case of Johnston v. Stokes in the Fifty-seventh Congress. Volume **II,** section **1126.**

STOLBRAND.

The South Carolina election case of Stolbrand v. Aiken in the Forty-seventh Congress. Volume **I,** section **719.**

STONE, WILLIAM J., of Kentucky, Speaker Pro Tempore.

Decision on question of order relating to dilatory motions. Volume **V,** section **5716.**

STOP–WATCH DECISIONS.

Decisions on the "stop-watch" or "Taylor system" and "bonus" or "premium" provisions proposed on general appropriation bills. Volume **VII,** section **1609.**

Conflicting decisions on amendments denying use of appropriations for payment of officers engaged in supervising stop-watch operations in Government plants. Volume **VII,** section **1609.**

STOREY.

The investigation into the conduct of William Storey, United States judge for the western district of Arkansas. Volume **III,** section **2513.**

STOVELL.

The Virginia election case of Stovell v. Cabell in the Forty-seventh Congress. Volume **I,** section **681.**

STRADER.

The Ohio election case of Eggleston v. Strader in the Forty-third Congress. Volume **II,** section **878.**

STRAIT.

The Minnesota election case of Cox v. Strait in the Forty-fourth Congress. Volume **II,** sections **911, 912.**

STREAMS.

The gauging of streams was held not to be a continuing work within the meaning of the rule. Volume **IV,** section **3795.**

STREAMS—Continued.

Legislation relating to dikes, dams, levees, and telephone and telegraph wires across navigable streams, and to change of name, navigability or diversion of water from such streams, belongs to the jurisdiction of the Commitee on Interstate and Foreign Commerce. Volume **VII,** section **1810.**

STREETCARS.

General provisions of the statutes as to concerts, operation of street cars, delivery of fuel, and landscape features of the Capitol grounds. Volume **V,** section **7312.**

STREETS.

The grant to a railroad of easement on public lands, or in streets belonging to the United States is a subject requiring consideration in Committee of the Whole. Volume **IV,** sections **4840–4842.**

STRIKE OUT, MOTION TO.

(1) General conditions as to.
(2) As to division of.
(3) Relations to motions to perfect.
(4) Relation to words already agreed to.
(5) Relation to amendment in the nature of a substitute.

(1) General Conditions as to.

A negative vote on a motion to strike out and insert does not prevent the offering of another similar motion or a simple motion to strike out. Volume **V,** section **5758.**

A motion to strike out and insert takes precedence of a simple motion to strike out the same language. Volume **VIII,** section **2854.**

A motion to strike out certain words being disagreed to, it is in order to strike out a portion of those words. Volume **V,** section **5769.** Volume **VIII,** section **2858.**

A rule of the House provides that even though a motion to strike out a proposition be decided in the negative, yet the proposition may be amended, even by a motion to strike out and insert. Volume **V,** section **5767.**

When it is proposed to strike out certain words in a paragraph it is not in order to amend by adding to them other words of the paragraph. Volume **V,** section **5768.** Volume **VIII,** section **2848.**

It is in order to insert by way of amendment a paragraph similar (if not actually identical) to one already stricken out by amendment. Volume **V,** section **5760.**

A bill being under consideration by paragraphs, a motion to strike out was held to apply only to the paragraph under consideration. Volume **V,** section **5774.**

An amendment simply striking out words already in a bill may not be held not germane. Volume **V,** section **5805.**

Under circumstances where the omission of language would sufficiently change the purport of the text to present another subject a motion to strike out has been held not to be germane. Volume **VIII,** section **2921.**

A proposal to strike out a portion of a text may not be germane to the proposition involved. Volume **VIII,** section **2917.**

Where the Senate had amended a House bill by striking out a section it was held in order in the House to concur with an amendment inserting a new text in lieu of that stricken out. Volume **V,** section **6186.**

A paragraph includes headings or subheadings and when stricken out on a point of order carries with it such titles or subtitles. Volume **VIII,** section **2353.**

When it is proposed to offer an amendment to strike out a section consisting of several paragraphs, of a bill which is being considered by paragraphs, the amendment may be moved to the first paragraph with notice that if it be agreed to, a similar motion will be made to strike out the succeeding paragraphs as they are reached. Volume **VIII,** section **2901.**

STRIKE OUT, MOTION TO—Continued.

(1) General Conditions as to—Continued.

An amendment which by striking out words would change a privileged proposition to an unprivileged proposition was held not to be in order. Volume **VIII,** section **2919.**

(2) As to Division of.

The motion to strike out and insert may not be divided for the vote. Volume **V,** section **5767.**

A motion to strike out and insert is indivisible either as to the two branches of the motion or the language proposed for insertion. Volume **VIII,** section **3169.**

A rule provides that a motion to strike out and insert shall not be divided. Volume **V,** section **6123.**

On a motion to strike out a resolution and insert several connected resolutions a division of the question so as to vote separately on each substantive proposition of the matter to be inserted was decided not to be in order (Speaker overruled). Volume **V,** sections **6124, 6125.**

Substitute resolutions offered as an amendment are not divisible, but when agreed to a division of the original as amended may be demanded. Volume **V,** sections **6127. 6128.**

(3) Relations to Motions to Perfect.

The motion to strike out and insert is a perfecting amendment and takes precedence of a simple motion to strike out. Volume **VIII,** sections **2849, 2854.**

It is in order to perfect words proposed to be stricken out and a perfecting amendment is admissible after debate on the motion to strike out has begun. Volume **VIII,** section **2860.**

A perfecting amendment, has precedence of a motion to strike out and must be first voted on when both are pending, but a member recognized on a motion to strike out may not be deprived of the floor by another member proposing a perfecting amendment. Volume **VIII,** section **2860.**

When it is proposed to strike out a paragraph it should be perfected by amendment before the question is put on striking out, although if the motion to strike out fails amendments may still be offered. Volume **V,** section **5758.**

When it is proposed to perfect a paragraph the motions to insert or strike out, if already pending, must remain in abeyance until the amendments to perfect have been moved and voted on. Volume **V,** section **5758.**

While amendments are pending to the section a motion to strike it out may not be offered. Volume **V,** section **5771.**

It is in order to perfect words proposed to be stricken out by striking out a portion of them. Volume **V,** section **5770.**

An amendment in the nature of a substitute having been prepared, amendments to the original text proposed to be stricken out are in order and are voted on before the question is taken on the substitute. Volume **VIII,** section **2861.**

(4) Relation to Words Already Agreed to.

An amendment to strike out an amendment already adopted is not in order. Volume **VIII,** sections **2712, 2851, 2853, 2854, 2987.**

While an amendment which has been agreed to may not be modified, a proposition to strike it from the bill with other language of the original test is in order. Volume **VIII,** section **2855.**

It is not in order to amend an amendment that has been agreed to, but the amendment with other words of the original paragraph may be stricken out in order to insert a new text of a different meaning. Volume **V,** section **5763.**

Words inserted by amendment may not afterwards be changed, except that a portion of the original paragraph including the words so inserted may be stricken out if in effect it presents a new proposition, and a new coherence may also be inserted in place of that stricken out. Volume **V,** section **5758.**

STRIKE OUT, MOTION TO—Continued.

(4) Relation to Words Already Agreed to—Continued.

Words once inserted in a paragraph by way of amendment may not be stricken out by another motion to amend, but words on the same subject, even though inconsistent, may be added to the paragraph. Volume **V,** section **5759.**

While it is not in order to strike out a portion of an amendment once agreed to, yet words may be added to the amendment. Volume **V,** sections **5764, 5765.**

A motion to recommit including instructions to strike out an amendment or portion of an amendment already agreed to by the House is not in order. Volume **VIII,** sections **2713, 2715, 2717, 2719, 2743.**

After the previous question had been ordered it was once held in order to move to commit with instructions to strike out a portion of an amendment already agreed to, although such a purpose might not be accomplished directly by a motion to amend. Volume **V,** section **5542.**

While a motion to recommit with instructions to strike out an amendment adopted by the House is not in order, a motion is admissible accompanied by instructions striking out the text perfected by such an amendment. Volume **VIII,** section **2698.**

Although it is not in order in connection with a motion to recommit to offer instructions striking out an amendment agreed to by the House and insert other provisions in its place, it is in order to propose instructions to strike out such an amendment with other portions of the original paragraph so that a test of different meaning may be inserted. Volume **VIII,** section **2727.**

While a motion to recommit may not provide instructions to strike out an amendment agreed to by the House, it may nevertheless provide instructions to insert an amendment previously rejected by the House. Volume **VIII,** section **2728.**

If a Committee of the Whole amend a paragraph and subsequently strike out the paragraph as amended, the first amendment falls and is not reported to the House or voted on. Volume **VIII,** section **2421.**

(5) Relation to Amendment in the Nature of a Substitute.

A motion to strike out and insert is not in order as a substitute for a simple motion to strike out. Volume **VIII,** section **2849.**

To a motion to strike out certain words in a bill and insert others, a simple motion to strike out the words in the bill may not be offered as a substitute. Volume **VIII,** sections **2847, 2854.**

An amendment striking out language other than in the pending amendment is not in order as a substitute for an amendment inserting language. Volume **VIII,** section **2880.**

To a motion to insert words in a bill a motion to strike out certain words of the bill may not be offered as a substitute. Volume **V,** Section **5790.**

A motion to strike out a paragraph being pending, and the paragraph then being perfected by an amendment in the nature of a substitute, the motion to strike out necessarily falls. Volume **V,** section **5792.** Volume **VIII,** sections **2846, 2854.**

A substitute amendment may be amended by striking out all after its first word and inserting a new text. Volume **V,** sections **5793, 5794.**

When it is proposed to offer a single substitute for several paragraphs of a bill which is being considered by paragraphs the substitute may be moved to the first paragraph with notice that if it be agreed to motions will be made to strike out the remaining paragraphs. Volume **V,** section **5795.** Volume **VIII,** section **2898.**

An amendment in the nature of a substitute for the entire bill may be offered either at the end of the bill or after the reading of the first paragraph with notice that if agreed to motions will be made to strike out the remaining paragraphs. Volume **VIII,** sections **2426, 2902.**

When it is proposed to offer a substitute for the entire bill the substitute may be moved to the first paragraph with notice that if adopted motions will be made to strike out subsequent sections as reached, but the motion to strike out all after the enacting clause is not in order until the entire bill has been read. Volume **VIII,** section **2903.**

STRIKES.

The Committee on Labor has exercised general jurisdiction of propositions to make investigations as to the conditions of laboring people, labor troubles, etc. Volume **IV,** section **4245.**

The Committee on Labor has reported on the subject of arbitration as a means of settling labor troubles. Volume **IV,** section **4246.**

STROBACH.

The Alabama election case of Strobach v. Herbert in the Forty-seventh Congress. Volume **II,** sections **966, 967.**

STUART, CHARLES E., of Michigan, Speaker Pro Tempore and Chairman.

Decisions on questions of order relating to—

Recess. Volume **IV,** section **2958.**

Recognition. Volume **II,** sections **1422, 1423, 1452.**

Reference. Volume **V,** section **6626.**

STUDIOS.

No work of art not the property of the Government shall be exhibited in the Capitol and no room shall be used for private studios without permission of the Joint Committee on the Library. Volume **V,** section **7312.**

SUBCOMMITTEES. See "Committees."

SUBJECT.

Rule governing the Member in debate, forbidding personalities, and requiring him to confine himself to the question. Volume **V,** section **4979.**

SUBMARINE BASE.

An appropriation for continuing development of a submarine base was held to be in continuation of a work already in progress. Volume **VII,** section **1353.**

Ab appropriation for the grading and drainage of land owned by the Government in connection with a submarine base was held to be in continuation of a work in progress. Volume **VII,** section **1381.**

SUPOENAS.

(1) Authorizing, signing, etc.
(2) Form of.
(3) The subpoena duces tecum.
(4) Service of.
(5) Issued by the House to officers of the Senate.
(6) Issued by the House to Senators.
(7) Issued by a court for Members of the House and Senate.
(8) Issued by a court for papers of the House.
(9) Failure or refusal to obey.
(10) In election cases.
(11) In impeachment trials.
(12) In general.

(1) Authorizing, Signing, etc.

The Speaker signs all acts, addresses, writs, warrants, and subpoenas. Volume **II,** section **1313.**

In the Whitney case the validity of a subpoena signed only by the chairman of a committee was challenged, but sustained. Volume **III,** section **1668.**

The Clerk attests and affixes the seal of the House to all writs, warrants, and subpoenas issued by order of the House. Volume **I,** section **1608.**

In the Kilbourn case the subpoena was attested for the Clerk by deputy. Volume **II,** section **1608.**

SUBPOENAS—Continued.

(1) Authorizing, Signing, etc.—Continued.

Witnesses are summoned in pursuance and by virtue of the authority conferred on a committee to send for persons and papers. Volume **III,** section **1750.**

The Kansas Committee of 1856 was empowered to send for persons and papers and to arrest and bring before the House any witnesses in contempt. Volume **III,** section **1752.**

A committee not being able to decide the question of issuing certain subpoenas authorized a member of the committee to exhibit its journal so that the House might act. Volume **III,** section **1802.**

The House may empower a subcommittee to send for persons and papers and conduct an investigation. Volume **III,** section **2029.**

Instance of the authorization of a subpoena by telegraph. Volume **III,** sections **1810, 2159.**

The Speaker may be authorized and directed to issue subpoenas during a recess of Congress. Volume **III,** section **1806.**

An investigating committee being empowered to sit during recess, the Speaker was authorized and directed to sign subpoenas as during a session. Volume **III,** section **1753.**

By concurrent resolution the two Houses empowered the Vice-President and Speaker to sign subpoenas during a recess of Congress. Volume **III,** section **1763.**

A committee was authorized to send for persons and papers and to administer oaths in an investigation delegated to it by the House. Volume **VI,** section **536.**

The House sometimes confers upon subcommittees the power to send for persons and papers. Volume **VI,** section **376.**

The two Houses, by concurrent resolution, constituted a joint select committee of investigation, with power to send for persons and papers and sit during the recess of Congress. Volume **VI,** section **380.**

Witnesses are summoned in pursuance of and by virtue of the authority conferred on a committee to send for persons and papers. Volume **VI,** section **394.**

Under a rule of the Senate subpoenas or other writs are signed by the Presiding Officer, whether the Vice President or President pro tempore, during session of the Senate sitting in trial of impeachment or in vacation. Volume **VI,** section **485.**

(2) Form of.

Form of subpoena for summoning witnesses to testify before a committee of the House and of the return thereon. Volume **III,** section **1807.**

Forms of subpoenas used at different times. Volume **III,** sections **1808, 1809.**

Form of subpoenas and return used in the case of Williams. Volume **III,** section **1673.**

A form of subpoena issued in 1834 and criticized as defective. Volume **III,** section **1732.**

Form of subpoena issued by a joint committee. Volume **III,** section **1721.**

Form of subpoena and return thereon used for summoning witnesses by a Senate committee. Volume **III,** section **1702.**

Form of subpoena served on a Member of the House. Volume **VI,** section **537.**

(3) The Subpoena Duces Tecum.

Discussion as to the use of the subpoena duces tecum in procuring papers from public officers. Volume **III,** section **1700.**

Discussion of the use of subpoena duces tecum in procuring books and papers from a private person. Volume **VI,** section **400.**

In 1876, after examination and discussion, the House declared its right through a subpoena duces tecum to compel the production of books, papers, and especially telegrams. Volume **III,** section **1812.**

In 1877 the House, in the course of an investigation of the recent Presidential election, compelled the production of telegrams by an employee of the company having actual custody of them. Volume **III,** section **1696.**

The case of M. S. Daugherty, in the Senate, in 1924. Volume **VI,** section **339.**

Form of a subpoena duces tecum issued by order of the House. Volume **III,** section **1699.**

SUBPOENAS—Continued

(3) The Subpoena Duces Tecum—Continued.

Form of subpoena duces tecum issued by order of the Senate. Volume **VI,** section **336.**

Form of subpoena duces tecum issued in the Kilbourn case. Volume **II,** section **1608.**

Instance wherein the House authorized a subpoena duces tecum by registered letter. Volume **I,** section **731.**

The House has issued a subpoena duces tecum in order to procure election returns to be used in determining election cases. Volume **I,** section **710.**

(4) Service of.

The House sometimes directs the Sergeant-at-Arms to attend the sittings of a committee and serve the subpoenas. Volume **III,** section **1753.**

A Sergeant-at-Arms serving subpoena for a committee makes his return and it is entered on the journal of the committee. Volume **III,** section **1800.**

The Sergeant-at-Arms endorses on a subpoena his authorization of his deputy to act in his stead. Volume **III,** section **1673.**

A subpoena served by a deputy did not contain certificate of the deputy's appointment. Volume **III,** section **1695.**

A discussion distinguishing between the serving of a warrant by deputy and the serving of a subpoena in the same way. Volume **III,** section **1702.**

Should the Sergeant-at-Arms make the return on a subpoena served by his deputy. Volume **III,** section **1702.**

A subpoena having been served by a deputy Sergeant-at-Arms, a certificate of his appointment should accompany a report requesting arrest of the witness for contempt. Volume **III,** section **1701.**

(5) Issued by the House to Officers of the Senate.

The Secretary of the Senate being subpoenaed to appear before a committee of the House with certain papers from the files, the Senate, after a discussion as to privilege, empowered him to attend with the papers in his custody. Volume **III,** section **2665.**

The Secretary of the Senate being subpoenaed to produce a paper from the files of the Senate, permission was given him to do so after a discussion as to whether or not he was exempted by privilege from the process. Volume **III,** section **2666.**

The Secretary of the Senate obeyed a subpoena duces tecum of a House investigating committee. Volume **III,** section **1797.**

(6) Issued by the House to Senators.

A committee of the House having summoned certain Senators by subpoena, the summons was either disregarded or obeyed under protest. Volume **III,** sections **1792, 1793.**

A Senator having neglected to accept an invitation or respond to a subpoena requesting him to testify before a House committee the House, by message, requested that the Senate give him leave to attend. Volume **III,** section **1794.**

Form of a subpoena issued to secure the attendance of a Senator. Volume **III,** section **1794.**

(7) Issued by a Court for Members of the House and Senate.

The House, after discussion, declined to make a general rule permitting Members to waive their privilege in attending court as witnesses, but gave the permission asked on behalf of a single Member. Volume **III,** section **2660.**

The House decided that the summons of a court to Members to attend and testify constituted a breach of privilege, and directed them to disregard the mandate. Volume **III,** section **2661.**

The constitutional privilege of Members in the matter of arrest has been construed to exempt from subpoena during sessions of Congress. Volume **VI,** section **588.**

A Senator being subpoenaed to appear before the grand jury of the District of Columbia announced in the Senate that he would disregard it. Volume **VI,** section **588.**

SUBPOENAS—Continued.

(7) Issued by a Court for Members of the House and Senate—Continued.

A Senator declining to heed a summons to appear and testify before a Federal grand jury, the court held that if he failed to obey the subpoena voluntarily the court was without power to compel his attendance. Volume **VI,** section **588.**

(8) Issued by a Court for papers of the House.

No officer or employee of the House may produce any paper belonging to the files of the House before a court without permission of the House. Volume **III,** section **2663.**

No officer or employee of the House may produce before a court, either voluntarily or in obedience to a subpoena duces tecum, any paper from the files without permission of the House first obtained. Volume **VI,** section **587.**

The House, in maintenance of its privilege, has refused to permit the Clerk to produce in court in obedience to a summons an original paper from the files, but has given the court facilities for making certified copies. Volume **III,** section **2664.**

The Clerk of the House having been subpoenaed to produce before the Supreme Court of the District of Columbia certain papers from the files, reported to the House, and failing to receive permission disregarded the order of the court. Volume **VI,** section **587.**

A resolution authorizing the Clerk of the House to produce papers requested in a subpoena duces tecum is presented as a matter of privilege. Volume **VI,** section **587.**

Instance wherein permission was given the clerk of a committee and the Clerk of the House, to respond to subpoena or subpoena duces tecum and to make deposition with proviso that they should take with them none of the files. Volume **VI,** section **585.**

(9) Failure or Refusal to Obey.

The statutes provide that a person summoned as a witness who fails to appear or refuses to testify shall be punished by fine or imprisonment. Volume **III,** section **1769.**

In the latest practice a committee in reporting the contempt of a witness shows that the testimony required is material and presents copies of the subpoena and return. Volume **III,** section **1701.**

A subject being within the power of the House to investigate, it was held that State officers might not decline to produce records on the plea that they possessed them in their official capacities. Volume **III,** section **1698.**

After consideration a committee concluded that an official threatened with impeachment was not in contempt for declining to be sworn as a witness or to produce documentary evidence. Volume **III,** section **1699.**

An official of a telegraph company not being in actual possession of dispatches demanded by the House, proceedings for contempt were discontinued. Volume **III,** section **1697.**

A question as to issuing a warrant for the arrest of a person who has avoided a summons by seeking a foreign country. Volume **III,** section **1805.**

In 1837, for refusing to obey the subpoena of a committee, Reuben M. Whitney was arrested and tried at the bar of the House. Volume **III,** section **1667.**

In 1858 the House arrested and arraigned J.D. Williamson for contempt in declining to respond to a subpoena. Volume **III,** section **1673.**

For declining to testify or to obey a subpoena duces tecum commanding him to produce certain papers to be used in impeachment proceedings against himself George F. Seward was arraigned for contempt. Volume **III,** section **1699.**

In 1877 the House imprisoned members of a State convassing board for contempt in refusing to obey a subpoena duces tecum for the production of certain papers relating to the election of Presidential electors. Volume **III,** section **1698.**

For declining to testify or to obey a subpoena duces tecum commanding him to produce certain papers, Harry F. Sinclair was certified to the district attorney for contempt. Volume **VI,** section **336.**

A witness having declined to attend and produce documents, the Senate by resolution ordered his arrest. Volume **VI,** section **339.**

SUBPOENAS—Continued.

(10) In Election Cases.

The law governing the application for and issuing of subpoenas for witnesses in an election case. Volume **I,** section **698.**

The notice to take depositions and a copy of the subpoena are attached to the depositions in an election case. Volume **I,** section **704.**

The House has issued a subpoena duces tecum in order to procure election returns to be used in determining election cases. Volume **I,** section **710.**

Instance wherein the House directed the issue of a subpoena duces tecum to procure the ballots for examination in an election case. Volume **I,** section **731.**

Form of resolution by which the House ordered the production of ballots as evidence in an election case. Volume **II,** section **1070.**

The ballots are among the papers of which the officer taking testimony in an election case may demand the production. Volume **II,** section **1044.**

May a notary, acting under the authority of the law of 1851, require the production of ballots against the injunction of the State court? Volume **II,** section **1070.**

Instance wherein witnesses in a contested election case were to be summoned by subpoenas issued by the Speaker. Volume **I,** section **598.**

An election committee, while authorized to subpoena witnesses and compel the production of papers in an election case, is without such authority in proceedings for expulsion unless authorized by the House. Volume **VI,** section **77.**

(11) In Impeachment Trials.

The Senate sitting on impeachment trials is empowered by rule to compel the attendance of witnesses. Volume **III,** section **2158.**

In impeachment trials subpoenas are issued on application of managers or the respondent or his counsel. Volume **III,** section **2162.**

Form of subpoena issued to witnesses in impeachment trials. Volume **III,** section **2162.**

The Senate, sitting for the Belknap trial, declined to order process to compel the attendance of a witness who had been subpoenaed by telegraph merely. Volume **III,** section **2159.**

In the Humphreys impeachment it was first provided that the subpoenas should be served by the Sergeant-at-Arms or his deputy. Volume **III,** section **2393.**

At the beginning of the Humphreys trial the returns on the subpoenas were read and the names of the witnesses called. Volume **III,** section **2394.**

The Senate provided that subpoenas for respondent's witnesses in the Belknap trial should be issued on recommendation of a committee. Volume **III,** section **2463.**

Form of direction for service of subpoenas to witnesses in impeachment trials. Volume **III,** section **2162.**

Forms of subpoena and compulsory process issued by House committee to produce persons and papers for Blout impeachment. Volume **III,** sections **2038, 2039.**

In the Pickering case the Senate provided for issuing subpoenas of a specified form on application of managers or of respondent or his counsel. Volume **III,** section **2329.**

In the Pickering impeachment the subpoenas were directed to the marshal of the district wherein the witnesses resided. Volume **III,** section **2329.**

The forms of summons and subpoenas in the Pickering case were communicated to the House and entered on its Journal. Volume **III,** section **2329.**

Form of direction to the marshal for services of subpoenas in the Pickering trial. Volume **II,** section **2329.**

Returns of the Sergeant at Arms on the summons and a subpoena in the Pickering trial were read in the court before the return day. Volume **III,** section **2330.**

The Senate, sitting for the Archbald trial, ordered process to compel the attendance of a witness who had disregarded a subpoena duly served by the Sergeant at Arms. Volume **VI,** section **486.**

SUBPOENAS—Continued.

(11) In Impeachment Trials—Continued.

In the Archbald trial the Senate provided that lists of witnesses to be subpoenaed should be furnished by managers or counsel to the Sergeant at Arms and that additional witnesses desired later should be subpoenaed on application to the Presiding Officer. Volume **VI,** section **508.**

In the Louderback impeachment the Senate ordered process to compel the attendance of a witness who declined to appear in response to subpoena. Volume **VI,** section **523.**

List of witnesses to be subpoenaed in a trial of impeachment are supplied by the managers and respondent respectively to the Sergeant at Arms of the Senate. Volume **VI,** section **484.**

After the filing of lists of witnesses to be subpoenaed in a trial of impeachment, further witnesses may be subpoenaed on application of the managers or the respondent made to be Presiding Officer. Volume **VI,** section **484.**

(12) In General.

The general authority of the House to compel testimony and the production of papers in an investigation and the relation of this right to the rights of individuals to privacy in business affairs were discussed in 1837. Volume **III,** section **1733.**

The House by resolution called on two if its Members to state what they knew concerning charges against the Chief of the Army, then under discussion. Volume **III,** section **1726.**

The House, after extended discussion, assumed the right to compel the attendance of witnesses in an inquiry entirely legislative in its character. Volume **III,** sections **1816–1820.**

The Senate has authorized the compulsory attendance of witnesses in legislative inquiries. Volume **III,** sections **1814, 1815.**

The Senate allowed a Member threatened with expulsion to be heard by counsel, but did not grant his request for a specific statement of charges or compulsory process for witnesses. Volume **II,** section **1264.**

Decision of the district court on the right of the Senate to compel testimony and the production of papers and records. Volume **VI,** section **337.**

Decision of the Supreme Court on the right of the Senate to subpoena witness and compel testimony. Volume **VI,** section **346.**

Subpoenas issued by a committee of the Senate summoning witnesses to testify in an investigation authorized by the Senate are as if issued by the Senate itself. Volume **VI,** section **341.**

SUBSTITUTE AMENDMENTS.

(1) General principles as to.
(2) For an entire bill.
(3) As related to motion to strike out.
(4) When in the third degree.
(5) For motion to recommit.
(6) For Senate amendments.
(7) Special orders relating to.
(8) Amendment of.
(9) In Committee of the Whole.
(10) Voting on.
(11) Between the Houses.

(1) General Principles as to.

History of the evolution of the amendment in the nature of a substitute. Volume **V,** section **5753.**

SUBSTITUTE AMENDMENTS—Continued.

(1) General Principles as to—Continued.

There may be pending simultaneously, the original text, an amendment to the text, an amendment to the amendment, a substitute for the amendment and an amendment to the substitute. Volume **V,** section **5753.** Volume **III,** sections **2883, 2887.**

It was settled by the practice of the House, before the adoption of the rule, that there might be pending with the amendment and the amendment to it another amendment in the nature of a substitute and an amendment to the substitute. Volume **V,** section **5785.**

Under the recent practice of the House the substitute provided for in Rule XIX has been construed as a substitute for the amendment and not a substitute for the text. Volume **VII,** section **2883.**

Sometimes by unanimous consent the House allows more than one substitute to be pending at once, in order that a choice may be offered between different propositions. Volume **V,** section **5798.**

When an amendment is pending only one substitute for the amendment is in order. Volume **VIII,** section **2883.**

The original resolution, for which a substitute is recommended by the standing committee reporting the same, must be read before the substitute is read unless such reading is dispensed with by unanimous consent. Volume **VIII,** section **2886.**

Even when a substitute has been reported to the House the original bill must be read unless dispensed with by unanimous consent. Volume **VII,** section **1054.**

To qualify as a substitute an amendment must treat in the same manner the same subject matter carried by the text for which proposed. Volume **VIII,** section **2879.**

A proposition to be accepted as a substitute must relate to the same subject and repose a related objective. Volume **VIII,** section **3490.**

To an amendment affecting one item in a paragraph a proposed substitute affecting all items in the paragraph was held not germane. Volume **VIII,** section **2999.**

An amendment in the nature of a substitute, providing simply for the establishment of land offices, was held not to be germane to a bill providing for the organization of a Territorial government. Volume **V,** section **5876.**

It is in order to propose as a substitute for a section an amendment inserting the same section with modifications and omitting amendments to the section previously agreed to by the Committee of the Whole. Volume **VIII,** section **2905.**

A proposition offered as a substitute amendment and rejected may nevertheless be offered again as an amendment in the nature of a new section. Volume **V,** section **5797.** Volume **VIII,** section **2843.**

The House having rejected a substitute recommended by the Committee of the Whole, the section of the bill for which the substitute was proposed remains in the bill in its original form and not as amended. Volume **VIII,** section **2424.**

(2) For an Entire Bill.

A new bill may be engrafted by way of amendment on the words "be it enacted," etc. Volume **V,** section **5781.**

Form of a substitute amendment for the text of an entire bill (footnote). Volume **V,** section **5785.**

A proposition in the form of a bill may not be offered as a substitute for a proposition in the form of a simple resolution. Volume **VIII,** section **3446.**

A joint resolution was substituted for a bill in amending the census act. Volume **VII,** section **1040.**

An amendment in the nature of a substitute for the entire bill may be offered either at the end of the bill or after the reading of the first paragraph with notice that if agreed to motions will be made to strike out the remaining paragraphs. Volume **VI,** sections **2426, 2884, 2902, 2903, 2904, 2905.**

SUBSTITUTE AMENDMENTS—Continued.

(2) For an Entire Bill—Continued.

When a bill is considered by sections or paragraphs an amendment in the nature of a substitute is properly offered after the reading for amendment is concluded. Volume **V,** section **5788.**

An instance wherein a substitute text for a bill was offered as a substitute for the first section and agreed to, the remaining sections being stricken out afterwards. Volume **V,** section **5796.**

One of the functions of the rule requiring germaneness is to preclude consideration of legislation which has not been considered in committee and for this reason the rule should be invoked with particular strictness against amendments proposing substitutes for an entire bill. Volume **VIII,** section **2912.**

A point of order may be raised against a substitute reported by committee, although the original resolution may have been privileged. Volume **VI,** section **418.**

A committee to which a resolution had been committed, having submitted a report making no recommendations thereon and proposing another resolution neither germane to nor recommended as a substitute for the original resolution, was permitted to withdraw it and file an amended report recommending the proposed resolution as a substitute. Volume **VI,** section **401.**

If the Committee of the Whole perfect a bill by amendment and then adopt a substitute for the entire bill, only the substitute is reported to the House, and if the House rejects the substitute the original bill without amendment is before the House. Volume **VIII,** section **2426.**

If the Committee of the Whole reports to the House a substitute for the entire bill the substitute is subject to amendment in the House unless the previous question is operating. Volume **VIII,** section **2419.**

When a Senate bill is reported by the Committee of the Whole with an amendment in the nature of a substitute and the House rejects the substitute, and the previous question is operating, the vote recurs on the Senate bill without amendment. Volume **VIII,** section **2427.**

(3) As Related to Motion to Strike Out.

To a motion to strike out certain words in a bill and insert others, a simple motion to strike out the words in the bill may not be offered as a substitute. Volume **VIII,** sections **2847, 2854.**

An amendment striking out language other than in the pending amendment is not in order as a substitute for an amendment inserting language. Volume **VIII,** section **2880.**

A motion to strike out and insert is not in order as a substitute for a simple motion to strike out. Volume **VIII,** section **2849.**

To a motion to insert words in a bill a motion to strike out certain words of the bill may not be offered as a substitute. Volume **V,** section **5790.**

A motion to strike out a paragraph being pending, and the paragraph then being perfected by an amendment in the nature of a substitute, the motion to strike out necessarily falls. Volume **V,** section **5792.** Volume **VIII,** sections **2846, 2854.**

A proposition to strike out all after the first two words of an amendment and insert a new text in lieu thereof was held to be an amendment and not a substitute. Volume **VIII,** section **2882.**

When it is proposed to offer a single substitute for several paragraphs of a bill which is being considered by paragraphs, the substitute may be moved to the first paragraph with notice that if agreed to, motions will be made to strike out the remaining paragraphs when read. Volume **V,** section **5795.** Volume **VIII,** section **2898.**

(4) When in the Third Degree.

A substitute for an amendment to an amendment is in the third degree and is not permissible. Volume **VIII,** section **2889.**

SUBSTITUTE AMENDMENTS—Continued.

(4) When in the Third Degree—Continued.

While there may be pending an amendment, an amendment to it, and another amendment in the nature of a substitute, an amendment in the third degree may not be admitted under the guise of a substitute. Volume **VIII,** section **2888.**

In considering an amendment to a committee amendment, an amendment in the nature of a substitute for the pending amendment was not admitted, being in the third degree. Volume **VIII,** section **2891.**

(5) For Motion to Recommit.

Unless the previous question is ordered, a motion to recommit with instructions is open to amendment, and a substitute striking out all proposed instructions and substituting others cannot be ruled out as interfering with the right of the minority to move recommitment. Volume **VIII,** section **2759.**

A substitute proposing to amend instructions accompanying a motion to recommit must be germane. Volume **VIII,** section **2711.**

(6) For Senate Amendments.

A motion proposing a substitute for a Senate amendment yields to a motion for a perfecting amendment. Volume **VIII,** section **3184.**

A motion to concur in a Senate amendment with an amendment is not in order while a motion to concur with another amendment is pending, but may be offered as an amendment or as a substitute for the pending motion. Volume **VIII,** section **3201.**

(7) Special Orders Relating to.

Form of special order for consideration of a House bill with provision for substitution of Senate bill in Committee of the Whole. Volume **VII,** section **843.**

Form of special order providing for the consideration, within certain limits of time, of a substitute in lieu of a pending bill, in the Committee of the Whole in the House. Volume **VII,** section **810.**

Form of special order for consideration of a resolution and report thereon in Committee of the Whole with provision for vote on a substitute. Volume **VII,** section **802.**

Form of special order providing for consideration of House substitute for Senate bill regardless of the rule requiring germaneness. Volume **VII,** section **803.**

An instance of the difficulties arising from the terms of a special order which permitted two substitute amendments to a bill to be pending at once. Volume **IV,** section **3206.**

(8) Amendment of.

Both an original proposition and a proposed amendment in the nature of a substitute may be perfected by amendments before the vote is taken on the substitute. Volume **V,** section **5786.**

A substitute amendment may be amended by striking out all after its first word and inserting a new text. Volume **V,** sections **5793, 5794.**

In considering an amendment to a substitute an amendment in the nature of a substitute for the pending amendment was not admitted, being in the third degree. Volume **V,** section **5791.**

The formal amendment striking out the last word is not in order in considering an amendment to a substitute, being in the third degree. Volume **V,** section **5779.**

(9) In Committee of the Whole.

A Committee of the Whole, like any other committee, may adopt and report an amendment in the nature of a substitute. Volume **IV,** section **4899.**

An instance where the Committee of the Whole reported a new resolution in lieu of one referred to it. Volume **IV,** section **4878.**

The closing of debate on the last section of a bill considered under the five-minute rule does not preclude debate on a substitute for the whole text of the bill. Volume **V,** section **5228.**

SUBSTITUTE AMENDMENTS—Continued.

(9) In Committee of the Whole—Continued.

An amendment reported from Committee of the Whole striking out all after the enacting clause of a bill and inserting new matter is, when reported, treated like any other amendment reported from the committee. Volume **V,** section **5341.**

An amendment in the nature of a substitute is reported from the Committee of the Whole in its perfected form, amendments to the substitute not being noted in the report. Volume **VI,** sections **4900–4903.**

An amendment reported from the Committee of the Whole may not be withdrawn, and a question as to its validity is not considered by the Speaker. Volume **IV,** section **4900.**

A bill having been considered in Committee of the Whole and the House, pending a vote on the passage, having recommitted it with instructions that it be reported "forthwith" with an amendment in the nature of a substitute, it was held that the substitute did not require consideration in Committee of the Whole. Volume **V,** sections **5545, 5546.**

Instance wherein a substitute amendment was offered to a bill reported from the Committee of the Whole with amendments, and the previous question was ordered on all the amendments and the bill to a final passage. Volume **V,** section **5472.**

A bill being under consideration "in the House as in Committee of the Whole," an amendment in the nature of a substitute is in order only after the consideration of the bill by sections has been completed. Volume **IV,** sections **4933, 4934.**

(10) Voting on.

After an amendment in the nature of a substitute is agreed to, the question must then be taken on the original proposition as amended. Volume **II,** section **983. Volume V,** sections **5785** (footnote), **5799, 5800.**

The resolution before the House providing that a contestant have leave to withdraw, the mere adoption of an amendment to seat contestant does not thereby decide the case. Volume **II,** section **983.**

An amendment in the nature of a substitute having been proposed, amendments to the original text proposed to be stricken out are in order and are voted on before the question is taken on the substitute. Volume **V,** section **5753. Volume III,** sections **2861, 2894, 2895.**

When the four amendments in order under the rule are pending, the vote is taken first on the amendment to the amendment and then on the amendment to the substitute. Volume **VIII,** section **2892.**

An amendment in the nature of a substitute may be proposed before amendments to the original text have been acted on, but may not be voted on until such amendments have been disposed of. Volume **V,** section **5787.** Volume **VIII,** section **2896.**

Substitute resolutions offered as an amendment are not divisible. Volume **VIII,** section **3168.**

Substitute resolutions offered as an amendment are not divisible, but when agreed to a division of the original as amended may be demanded. Volume **V,** sections **6127, 6128.**

Under exceptional circumstances a substitute amendment to a bill which was being considered by paragraphs was once voted on before all the paragraphs had been read. Volume **V,** section **5789.**

The vote on a substitute and the vote on the original resolution as amended by the substitute, if the substitute entirely replaces the original resolution, is the same proposition within the practice prohibiting a second motion to reconsider the same proposition unless changed by amendment. Volume **VIII,** section **2788.**

Under a special order providing that a specified amendment "shall be voted on," that particular amendment only must be voted on and no similar amendment or substitute, even though germane, is in order. Volume **VII,** section **782.**

(11) Between the Houses.

One House may amend a bill of the other by striking out all after the enacting clause and inserting a new text. Volume **V,** section **6321.**

SUBSTITUTE AMENDMENTS—Continued.

(11) Between the Houses—Continued.

A motion being made to agree to an amendment of the other House with an amendment, it is in order to perfect that amendment by another amendment and a substitute. Volume **V,** section **6175.**

An instance of substitute amendments between the Houses carried to the furthest degree. Volume **V,** section **6178.**

Where one House strikes out all of the bill of the other after the enacting clause and inserts a new text and the differences over this substitute are referred to conference, the managers have a wide discretion in incorporating germane matters, and may even report a new bill on the subject. Volume **V,** sections **6421–6423.** Volume **VIII,** sections **3248, 3276.**

Where an entire bill has been stricken out and a new text inserted, the conferees exercise broad authority and may discard language occurring both in the bill and the substitute. Volume **VII,** section **3266.**

A Senate bill with a proposed committee amendment in the nature of a substitute being under consideration in Committee of the Whole, the bill was first read by sections for amendment and then the substitute was perfected. Volume **IV,** section **4741.**

Where a substitute has been proposed by one House for the entire bill passed by the other House, provisions in either the bill or the substitute are germane when offered in motion to instruct managers. Volume **VIII,** section **3230.**

Where an amendment of one House proposes to strike out a paragraph of a bill of the other, whether a substitute therefor is proposed or not, and the amendment has been disagreed to, the conferees have the whole subject before them and may report any provision germane thereto. Volume **VIII,** section **3288.**

Form of conference report wherein an entirely new text is reported in place of an amendment in the nature of a substitute. Volume **V,** section **6426.**

SUCCESSION TO THE PRESIDENCY.

Subjects relating to the succession of the office of President in case of his death, disability, etc., have been within the jurisdiction of the Committee on Election of President, Vice-President, and Representatives in Congress. Volume **IV,** section **4304.**

SUITS.

The statutes provide for the defense of any person against whom an action is brought for acts done while an officer of either House in the discharge of his duty. Volume **I,** section **283.**

The House has assumed the expenses incurred by Members and officers in defended suits brought by persons punished by the House for contempt. Volume **III,** sections **1716, 1717.**

Suit having been filed against members of a joint committee, the House granted permission to the members on the part of the House to enter appearance in response to judicial process, while the Senate declared it to be an invasion of constitutional privilege and directed the Senate members of the committee to make no appearance in response thereto. Volume **VII,** section **2164.**

Decision of Federal court maintaining jurisdiction of suit brought against Members in their official capacity. Volume **VII,** section **2164.**

A witness in the custody of the Sergeant at Arms having procured a writ of habeas corpus, the Senate requested the President to direct the Attorney General to defend the suit. Volume **VI,** section **339.**

The fact that testimony sought by a committee of the House might militate against the interest of the witness in a pending suit was held not to excuse him from supplying information properly within the scope of the inquiry. Volume **VI,** section **338.**

An appropriation for expenses incurred in suits to determine the rights of Indians was held to be in order in an appropriation bill. Volume **VII,** section **1211.**

SULLIVAN.

The California election case of Sullivan v. Felton in the Fiftieth Congress. Volume **II,** sections **1016, 1017.**

SULZER.

The Alaska election case of Wickersham v. Sulzer and Grigsby in the Sixty-sixth Congress. Volume **VI,** section **113.**

The Alaska election case of Wickersham v. Sulzer in the Sixty-fifth Congress. Volume **VI,** section **147.**

SUMMONS.

(1) As related to privilege of Members.
(2) Of witnesses.

(1) As Related to Privilege of Members.

Jefferson's discussion of the privilege conferred on Members by the Constitution, especially as to arrest, summons, etc. Volume **III,** section **2672.**

The House has decided that the summons of a court to Members to attend and testify constitutes a breach of privilege, but sometimes gives the Members permission to attend. Volume **III,** sections **2660, 2661.**

A Member, being summoned before a Federal grand jury, presented the matter to the House as a question of personal privilege, expressing readiness to respond in event formal permission was granted by the House. Volume **VI,** section **586.**

A committee having summoned a Member to testify as to statements made by him in debate, he protested that it was an invasion of his constitutional privilege. Volume **VI,** section **537.**

Instance wherein a Member declined to obey a summons to appear and testify before a committee of the House. Volume **VI,** section **537.**

A Senator declining to heed a summons to appear and testify before a Federal grand jury, the court held that if he failed to obey the subpoena voluntarily the court was without power to compel his attendance. Volume **VI,** section **588.**

(2) Of Witnesses.

Each House of Congress has power through its own process to summon a private individual before one of its committees to give testimony which will enable it the more efficiently to exercise its constitutional legislative function. Volume **VI,** section **342.**

Witnesses are summoned in pursuance and by virtue of the authority conferred on a committee to send for persons and papers. Volume **III,** section **1750.** Volume **VI,** section **394.**

The law for summoning and examining witnesses in an election case. Volume **I,** section **700.**

The rules provide for the rate of compensation of witnesses summoned to appear before the House or its committees. Volume **VI,** section **393.**

The statutes provide that a person summoned as a witness who fails to appear or refuses to testify shall be punished by fine or imprisonment. Volume **III,** section **1769.**

Subpoenas issued by a committee of the Senate summoning witnesses to testify in an investigation authorized by the Senate are as if issued by the Senate itself. Volume **VI,** section **341.**

A committee asserted the power of the House to arrest and imprison recalcitrant Members in order to compel obedience to its summons. Volume **VI,** section **537.**

SUMNER.

Enunciation of Mr. Senator Sumner's theory that the Senate was not a court and the Senators were not constrained by the obligations of judges in an impeachment trial. Volume **III,** section **2057.**

SUMNERS, HATTON W., of Texas, Chairman.

Decisions on questions of order relating to—

Debate. Volume **VIII,** section **2592.**

SUNDAY.

(1) Usually a dies non.
(2) May be made a legislative day.
(3) When Saturday's session is prolonged into.

(1) Usually a Dies Non.

In the ordinary practice of the House Sunday is regarded as a dies non. Volume **V,** section **7245.**

In computing the days of a session Sunday has not always been treated as a dies non. Volume **V,** section **6733.**

Sunday is not taken into account in making the constitutional adjournment of "not more than three days." Volume **V,** sections **6673, 6674.**

A bill not returned by the President within ten days (Sundays excepted) becomes a law as if signed, unless Congress by adjournment prevents its return. Volume **IV,** section **3520.**

Sundays and legal holidays are not excluded in computing the forty days allowed for taking testimony in an election case. Volume **I,** section **685.**

In counting the three days required under the consent rule, Sunday is not included. Volume **VII,** section **995.**

The Senate is required by rule to continue in session from day to day (Sundays excepted) during impeachment trials, unless otherwise ordered. Volume **III,** section **2079.**

When March 4 falls on Sunday the inauguration of the President of the United States occurs at noon March 5. Volume **III,** section **1996.**

When the inaugural date falls on Sunday the inauguration of the President of the United States occurs at noon, the following day. Volume **VI,** section **449.**

(2) May be Made a Legislative Day.

Sunday may be a legislative day. Volume **V,** section **7246.**

By vote of the House Sunday has been made a legislative day. Volume **V,** section **6732.**

Sunday has been made a legislative day for eulogies of deceased Members. Volume **V,** sections **7168, 7169.**

Sunday has been made a legislative day by concurrent action of the two Houses. Volume **V,** section **6731.**

(3) When Saturday's Session is Prolonged Into.

The House has declined to affirm that it may not transact business on Sunday. Volume **V,** section **6730.**

For many years the House has continued its session of Saturday into Sunday when under stress of business. Volume **V,** section **6728.**

An adjournment does not necessarily take place at 12 p.m. Saturday, the House having power to continue in session on Sunday if it be so pleased. Volume **V,** sections **6728, 6729.**

Instance of an early protest against prolonging a session into the hours of Sunday. Volume **V,** section **5946.**

The propriety of continuing a session into Sunday does not constitute a question of order for the Speaker, who may not adjourn the House against its will. Volume **V,** section **6728.**

Whether the House shall continue the legislative day into Sunday is not a question for the decision of the Speaker. Volume **V,** section **6695.**

SUNDRY CIVIL APPROPRIATION BILL.

River and harbor improvements not authorized or placed under contract may not be appropriated for in the sundry civil appropriation bill. Volume **IV,** sections **4122–4124.**

An amendment providing for the construction of the Nicaraguan Canal was held not to be germane to the sundry civil appropriation bill. Volume **IV,** section **3782.**

An appropriation for repairs and improvements of the House of Representatives was ruled to be in order on the sundry civil appropriation bill. Volume **IV,** section **4039.**

SUNDRY CIVIL APPROPRIATION BILL—Continued.

The appointment of managers for the National Home for Disabled Volunteer Soldiers being vested by law in Congress, a paragraph making such appointment was held in order on the sundry civil appropriation bill. Volume **IV,** section **4052.**

The Committee on Appropriations has jurisdiction of legislative, executive, judicial, and sundry civil expenses of the Government. Volume **IV,** section **4032.**

SUPERINTENDENT OF THE CAPITOL

The Secretary and Sergeant-at-Arms of the Senate, Superintendent of the Capitol, the Librarian of Congress, and his assistant in the law library have the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

The electrician and laborers connected with the lighting, heating, and ventilating of the House are under direction of the superintendent, subject to the control of the Speaker. Volume **V,** section **7312.**

The care, preservation, and orderly keeping of the House Wing of the Capitol devolve on the Superintendent, under regulations prescribed by the Speaker. Volume **V,** section **7312.**

SUPERINTENDENTS.

The Doorkeeper appoints superintendents to have charge of the folding and document rooms. Volume **I,** section **262.**

SUPERVISING ARCHITECT.

Legislation relating to the office of the Supervising Architect of the Treasury is within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV,** section **4232.**

SUPERVISORS.

Discussion as to the clause of the Constitution under which Federal supervisors of elections acted. Volume **II,** section **931.**

The House rejected a return of State election officers on the evidence of the returns of United States supervisor of elections. Volume **I,** section **736.**

Discussion as to whether or not a result corroborated by Federal supervisors might be set aside by a recount by State officials. Volume **II,** section **931.**

Reference to a discussion of the return of United States supervisors as evidence of the vote cast. Volume **II,** section **960.**

The regular returns being lost or invalidated and not canvassed, the House took into account a statement of the United States supervisors as to the state of the vote. Volume **II,** section **1014.**

SUPREME COURT.

The justices of the Supreme Court have the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

The Speaker is required to set aside a portion of the west gallery for the use of the President, members of his Cabinet, justices of the Supreme Court, and foreign ministers and suites, and their respective families. Volume **V,** section **7302.**

A newly appointed Chief Justice of the United States Supreme Court was received informally by the House. Volume **V,** section **7080.**

Ceremonies on the occasion of the deaths of a Chief Justice and associate justices of the Supreme Court of the United States. Volume **V,** sections **7194–7197.** Volume **VIII,** section **3586.**

Summaries showing number of bills introduced, number of reports submitted by committees, number of laws enacted, and number of acts of Congress declared unconstitutional by the Supreme Court. Volume **VII,** section **1028.**

The Supreme Court, and not Congress, is the proper tribunal to determine the constitutionality of a State's election system. Volume **VI,** section **128.**

SUPREME COURT—Continued.

The pocket-veto case decided by the Supreme Court in 1929. Volume **VII,** section **1115.**

Jefferson's Manual and Hinds' Precedents are cited by the Supreme Court as authorities in parliamentary procedure. Volume **VI,** section **343.**

SURETIES.

The accusation being of misdemeanor only the respondent, under the English usage, does not answer the summons in custody, but the Lords may commit him until he finds sureties for his future appearance. Volume **III,** section **2120.**

SURPLUS AGRICULTURAL PRODUCTS.

The cooperative marketing and distribution of farm products, the disposition of surplus agricultural products abroad, proposed legislation for the the stablization and control of prices of foodstuffs, and for the establishment of governmental agencies for the administration of such legislation are within the jurisdiction of the Committee on Agriculture. Volume **VII,** section **1871.**

SURREJOINDER.

Forms of rejoinder, surrejoinder, and similter filed in the Belknap trial. Volume **III,** section **2455.**

The surrejoinder of the House of Representatives in the Belknap trial was signed by the Speaker and attested by the Clerk. Volume **III,** section **2455.**

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TABLE OF THE HOUSE, MOTION TO LAY ON.

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(1) Precedence of, etc.

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Discussion of the relative privilege of the motions to adjourn, to lay on the table and for the previous question. Volume **VIII,** section **2651.**

The motion to lay on the table has precedence of the motion for the previous question. Volume **VIII,** sections **2658, 2660.**

A veto message having been read, only three motions are in order: to lay on the table, to postpone to a day certain, or to refer, which motions take precedence in the order named. Volume **VII,** section **1099.**

Whether "a question is under debate" or not, a motion to lay on the table has precedence of a motion to refer. Volume **V,** section **5303.**

A motion to lay a proposition on the table is in order before the Member entitled to prior recognition for debate has begun his remarks. Volume **V,** sections **5391–5395.** Volume **VI,** section **86.** Volume **VIII,** section **2649.**

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The motion to lay on the table is not debatable. Volume **VI,** section **415.** Volume **VIII,** sections **2465, 2649.**

While the motion to lay on the table is not debatable, the chairman of a committee reporting a proposition to the House with the recommendation that it be laid on the table is entitled to recognition for debate before moving to lay on the table. Volume **VI,** section **412.**

The motion to discharge a committee is not debatable, and the proposition to lay on the table a motion to discharge a committee from the consideration of a resolution of inquiry is in order and takes precedence even though the proponent of that motion demands the floor. Volume **VI,** section **415.**

The motion to lay on the table is not in order in the Committee on the Whole. Volume **VIII,** sections **2330, 2556A, 3455.**

The previous question being ordered on a bill to final passage a motion to lay the bill on the table was not entertained. Volume **VIII,** section **2655.**

(2) Application and Use of.

The motion to lay on the table is admitted under general parliamentary law. Volume **V,** section **5390.**

The motion to lay on the table an appeal from a decision of the Chair may be made under general parliamentary law before the adoption of rules. Volume **V,** section **5440.**

TABLE OF THE HOUSE, MOTION TO LAY ON—Continued.

(2) Application and Use of—Continued.

Although a proposition may be privileged for consideration under the rules, yet a motion to lay it on the table is in order, such action being one form of consideration. Volume **V,** section **5397.**

A bill returned with the objections of the President may be laid on the table. Volume **IV,** section **3549.**

It has been held in the Senate that a motion to lay on the table may apply to two papers pending before the body. Volume **V,** section **5442.**

In the Johnson trial the Chief Justice admitted a motion to lay a pending proposition on the table. Volume **III,** section **2103.**

For a series of years the House adopted orders that all petitions on a certain subject should be at once laid on the table without being read or debated. Volume **IV,** sections **3344–3346.**

It was held under the former practice that a proposition on the table might be printed. Volume **V,** section **5427.**

It has ordinarily been considered a mark of disapprobation to lay a message of the President on the table. Volume **V,** sections **6643, 6644.**

The House has laid on the table a question submitted by the Speaker as to whether or not a question of privilege was involved in a pending proposition. Volume **II,** section **1277.**

In the Pickering impeachment the chairman of the managers read the ariticles, and then delivered them at the table of the Senate. Volume **III,** section **2328.**

A proposal to investigate the official conduct of the President of the United States with a view to impeachment was laid on the table. Volume **VI,** section **541.**

The President having transmitted to the House a message reflecting on the integrity of its membership, the House declared it a breach of privilege and ordered it laid on the table. Volume **VI,** section **330.**

Charges against Members of the House and Senate being unsubstantiated, the resolution and report thereon were laid on the table. Volume **VI,** section **394.**

A memorial of an equivocal character, not considered sufficiently definite to be dismissed was laid on the table. Volume **VI,** section **137.**

The report of a committee of investigation making no recommendations was laid on the table. Volume **VI,** section **371.**

Instance wherein a memorial was referred to an election committee and on recommendation of the committee was laid on the table. Volume **VI,** section **136.**

A resolution presenting a question or privilege may be laid on the table. Volume **VI,** section **560.**

An appeal from the decision of the Chair is debatable both in the House and in the Committee of the Whole, but debate may be closed in the House by a motion to lay on the table and in the Committee of the Whole by a motion to close debate or to rise and report. Volume **VIII,** section **3543.**

Communications announcing resignations of employees of the House from statutory offices are read and ordered to be laid on the table. Volume **VI,** section **33.**

(3) In Standing and Select Committees.

The motion to lay on the table is used in committees. Volume **III,** section **1737.**

In standing or select committees of the House the motions to lay on the table and to take from the table are admitted. Volume **IV,** section **4568.**

(4) In Committee of the Whole.

The motion to lay on the table is not in order in Committee of the Whole. Volume **IV,** sections **4719, 4720.**

In Committee of the Whole a motion to report a bill with the recommendation that it lie on the table has precedence of motions recommending postponement or recommittal. Volume **IV,** section **4777.**

TABLE OF THE HOUSE, MOTION TO LAY ON—Continued.

(4) In Committee of the Whole—Continued.

Before general debate has been closed in Committee of the Whole it is not in order to move to report the bill with the recommendation that it be laid on the table. Volume **IV,** section **4778.**

There is a question as to whether or not the recommendation of the Committee of the Whole that a bill do lie on the table may be accepted in the House as a pending motion. Volume **IV,** section **4897.**

(5) Repetition of.

The motion to lay on the table may be repeated after intervening business. Volume **V,** sections **5398–5400.**

The ordering of the previous question on a resolution does not carry the business to such new stage as to justify the repetition of a motion of a motion to lay on the table. Volume **V,** section **5709.**

The House having declined to lay a matter on the table, a question of order, an appeal, and a yea-and-nay vote thereon intervened, but this was held not sufficient to justify a repetition of the motion of the motion to lay on the table. Volume **V,** section **5402.**

The motion to lay a bill on the table having been decided in the negative, it was not admitted again on the same day after a call of the House, no actual proceedings on the bill having intervened. Volume **V,** section **5401.**

A motion to lay on the on the table, which submitted in effect a proposition previously rejected, was held to be dilatory. Volume **VIII,** section **2816.**

(6) Relation to Other Motions.—In General.

The motion to lay on the table may not be applied to a motion relating to the order of business. Volume **V,** sections **5403, 5404.**

It is in order to lay on the table a motion to discharge a committee. Volume **V,** section **5407.**

Under the later practice the motion to lay on the table may not be applied to a motion to suspend the rules. Volume **V,** section **5405.**

The previous question being demanded on a resolution and the yeas and nays ordered on that demand, a motion to lay the resolution on the table was held not in order. Volume **V,** sections **5408, 5409.**

The previous question being demanded on a resolution, a motion to lay the resolution on the table was held to be in order and to take precedence. Volume **VIII,** section **2651.**

The motion to lay on the table may not be applied to the motion for the previous question. Volume **V,** sections **5410–5411.**

Under both the earliest and latest practices the motion to lay on the table is not in order after the previous question is ordered. Volume **V,** sections **5415–5422.**

An instance wherein a motion to refer was laid on the table. Volume **V,** section **5433.**

The motion to lay on the table may not be applied to the motion to commit authorized after the previous question is ordered. Volume **V,** sections **5412–5414.**

A bill being reported from the Committee of the Whole with the recommendation that the enacting words be stricken out, a motion to lay on the table is not in order. Volume **V,** section **5337.**

An amendment may not attach to the motion for the previous question or the motions to lay on the table and adjourn when used in the House. Volume **V,** section **5754.**

The question of consideration may be raised after a motion to lay on the table has been made. Volume **V,** section **4943.**

A refusal to lay a motion on the table was held to be such a decision by the House as would prevent the withdrawal of the motion. Volume **V,** sections **5351, 5352.**

The motion to lay on the table may not be applied to the motion to recommit authorized after the previous question is ordered. Volume **VIII,** sections **2653, 2655.**

The motion to go into the Committee of the Whole may not be laid on the table or indefinitely postponed. Volume **VI,** section **726.**

TABLE OF THE HOUSE, MOTION TO LAY ON—Continued.

(6) Relation to Other Motions.—In General—Continued.

It is in order to lay on the table a motion to postpone to a day certain. Volume **VIII,** sections **2654, 2657.**

An instance in which it was held that the motion to table might be applied to a proposition to lay on the table when that proposition was incidental to other provisions relating to the subject proposed to be tabled. Volume **VII,** section **2660.**

The ordering of the yeas and nays on a motion to lay an appeal on the table was held to be such a "decision" by the House as would prevent the withdrawal of the appeal. Volume **V,** section **5354.**

(7) Relation to Other Motions.—To Reconsider.

The vote to lay on the table may be reconsidered. Volume **V,** section **5695.**

A motion to reconsider an affirmative vote to lay on the table is admitted. Volume **V,** section **6288.**

An affirmative vote on the motion to lay on the table may be reconsidered. Volume **V,** section **5628.** Volume **VIII,** section **2785.**

The motion to reconsider may be applied to a negative vote on the motion to lay on the table. Volume **V,** section **5629.**

The motion to reconsider may not be applied to the vote whereby the House has laid another motion to reconsider on the table. Volume **V,** sections **5632, 5633.**

A motion to reconsider a vote laying a motion to reconsider on the table is not in order. Volume **V,** section **5638.**

The House having laid on the table a motion to reconsider the vote by which a proposition had been laid on the table, the proposition may be taken up only by unanimous consent or a suspension of the rules. Volume **V,** section **5640.**

Origin of the practice of preventing reconsideration by laying the motion to reconsider on the table. Volume **V,** sections **5634–5639.**

After careful consideration it was held in order to reconsider the vote laying an appeal on the table. Volume **V,** section **5630.**

During proceedings to secure a quorum the Chair ruled out of order a motion to reconsider the vote whereby an appeal had been laid on the table. Volume **IV,** section **3037.**

During proceedings under a call of the House it was held that a motion might not be made to reconsider the vote whereby an appeal was laid on the table. Volume **V,** section **5631.**

The motion to reconsider and the motion to lay that motion on the table are admitted while the previous question is operating. Volume **V,** sections **5657–5662.** Volume **VIII,** section **2784.**

On votes incident to a call of the House the motion to reconsider may be entertained and laid on the table, although a quorum may not be present. Volume **V,** sections **5607, 5608.**

During proceedings to secure a quorum it was held that the yeas and nays might not be demanded on a motion to lay on the table a motion to reconsider the vote whereby the yeas and nays were ordered. Volume **V,** section **6037.**

The motion to lay on the table is applicable to the motion to reconsider. Volume **VIII,** sections **2652, 2659.**

A motion to reconsider the vote by which an amendment was agreed to may be laid on the table without carrying with it the amendment proposed to be reconsidered. Volume **VIII,** section **2652.**

A motion to lay on the table a motion to reconsider the vote by which an amendment to a pending motion was rejected does not carry to the table the motion to which the amendment was offered. Volume **VIII,** section **2659.**

TABLE OF THE HOUSE, MOTION TO LAY ON—Continued.

(8) As applied to Senate Bills and Conference Reports.

Under the later practice the motion to lay a conference report on the table has not been entertained, it being considered more courteous to the other body to take such action as would be communicated by message. Volume **V,** sections **6538–6203.**

A motion to lay on the table a House bill returned with Senate amendments is in order. Volume **V,** sections **6201–6203.**

Instance wherein the House, after disagreeing to a conference report already agreed to by the Senate, laid on the table a House bill with Senate amendments. Volume **V,** section **6588.**

It is in order to lay on the table Senate amendments to a House bill, and the bill in such a case goes to the table with the amendments, Volume **V,** section **5424.**

Senate bills are sometimes laid on the table in the House. Volume **IV,** sections **3418, 3419.** Volume **V,** section **5437.**

The House may dispose of a Senate proposition adversely by laying it on the table. Volume **V,** section **5638.**

(9) Effect of.—In General.

Affirmative action on the motion to lay on the table, while not a technical rejection, is in effect an adverse disposition equivalent to rejection. Volume **VIII,** section **2660.**

Refusal to lay a motion on the table was held to be such a decision by House as would prevent the withdrawal of the motion. Volume **VIII,** section **2640.**

Explanation of the usage by which the motion to lay on the table, as used in the House, has become the means of a final adverse disposition of a matter. Volume **V,** section **5389.**

Effect in the House of an affirmative decision on a motion to lay on the table. Volume **IV,** section **2805.**

In theory at least in the early practice a subject laid on the table was not regarded as disposed of adversely. Volume **II,** section **1326.**

Under the general parliamentary law the motion to lay on the table used merely to put aside a matter which may be called for at any time. Volume **V,** section **5389.**

A bill laid on the table is not technically rejected. Volume **V,** section **5437.**

A resolution laid on the table by the House may be presented again in similar but not identical form. Volume **IV,** section **3385.**

A committee report that a resolution lie on the table does not preclude debate until the member in charge of the report makes the motion. Volume **V,** section **5396.**

The laying on the table of a resolution of impeachment does not preclude the offering of a similar resolution if not in identical language. Volume **VI,** section **541.**

Affirmative action on a motion to lay on the table a resolution instructing conferees was held not to carry to the table with the resolution the bill in disagreement. Volume **VIII,** section **2658.**

The constitutional mandate that the House "shall proceed to reconsider" a vetoed bill is complied with by laying it on the table, referring it to a committee, postponing consideration to a day certain, or immediately voting on reconsideration. Volume **VII,** section **1105.**

(10) Effect of.—As to Related Matters.

A bill being laid on the table, pending motions connected therewith go to the table also. Volume **V,** sections **5426, 5427.**

A proposed amendment to a pending bill being laid on the table, the bill goes there also. Volume **V,** section **5423.** Volume **VIII,** section **2656.**

The Senate has a rule that an amendment may be laid on the table without carrying the pending measure with it. Volume **V,** section **5425.**

A motion to lay a particular section of a bill on the table being entertained, it was held that the effect of an affirmative decision on it would be to take the whole bill to the table. Volume **IV,** section **5429.**

TABLE OF THE HOUSE, MOTION TO LAY ON—Continued.

(10) Effect of.—As to Related Matters—Continued.

A resolution may be laid on the table without carrying with it a connected resolution already agreed to or a preamble not yet acted on. Volume **V,** section **5428.**

A preamble may be laid on the table without affecting the status of accompanying resolutions already agreed to by the House. Volume **V,** section **5430.**

A proposed amendment to the Journal being laid on the table, the Journal does not accompany the amendment to the table. Volume **V,** sections **5435, 5436.**

A motion to receive a petition being laid on the table, the petition itself does not go to the table. Volume **V,** sections **5431–5433.**

The motion to lay on the table an appeal from a decision of a question of order does not, when decided in the affirmative, carry to the table the original matter as to which the question of order has arisen. Volume **V,** section **54354.**

Laying on the table a resolution providing for adverse disposition of a matter does not carry to the table the original matter proposed to be disposed of. Volume **VIII,** section **2660.**

Laying on the table the motion to postpone consideration of Senate amendments was held not to carry to the table pending motions for their disposition. Volume **VIII,** section **2657.**

A motion to lay on the table a resolution providing for final disposition of impeachment proceedings does not, if agreed to, carry such proceedings to the table with the resolution. Volume **VI,** section **538.**

The vote of the House tabling a motion to strike from the record words taken down in debate was held to carry to the table the entire proposition. Volume **VIII,** section **2465.**

(11) Effect of.—As to General Matters of Privilege.

Although a report as to an impeachment be laid on the table, the right to move again an impeachment in the same case is not precluded. Volume **III,** section **2049.**

(12) Effect of.—As to Propositions Affecting the Title to a Seat.

The report of an Elections Committee being laid on the table, the sitting Member retains the seat. Volume **I,** section **618.**

A question relating to a Member's right to his seat being laid on the table, the Member continues in his functions. Volume **I,** section **461.**

A resolution declaring a Delegate entitled to his seat being laid on the table, the Delegate continued to exercise his functions. Volume **I,** section **467.**

A resolution declaring a Delegate (already seated on prima facie showing) entitled to his seat being laid on the table, his status was not thereby affected. Volume **I,** section **656.**

The contestant having announced by letter the abandonment of his contest, the papers were laid on the table. Volume **VI,** section **119.**

(13) The Vote on, as Related to Division of the Question, etc.

A division of the question may not be demanded on a motion to lay a series of resolutions on the table. Volume **V,** section **6138.**

A motion to lay a resolution and pending amendment on the table may not be divided. Volume **V,** sections **6139, 6140.**

Pending a motion to lay on the table, it is not in order to call for the reading of a paper offered as argument. Volume **V,** section **5441.**

(14) Taking From the Table.

A motion to take from the table a matter laid there may be admitted by a suspension of the rules. Volume **V,** section **6288.**

A proposition involving a question of privilege being laid on the table may be taken up at any time by a vote of the House. Volume **V,** section **5438.**

A vetoed bill when laid on the table is still highly privileged and thus justifies a motion to take it from the table and action thereon by majority vote (footnote). Volume **IV,** section **3550.**

TABLE OF THE HOUSE, MOTION TO LAY ON—Continued.

(14) Taking From the Table—Continued.

A vetoed bill, being privileged, may be taken from the table. Volume **V,** section **5439.**

Unless request for other disposition is made within three days a bill reported adversely is automatically tabled and may be taken from the table and recommitted or placed on the calendar by unanimous consent only. Volume **VI,** section **750.**

TAGUE.

The Massachusetts election case of Tague v. Fitzgerald in the Sixty-sixth Congress. Volume **VI,** section **96.**

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The first election case of Taliaferro v. Hungerford, from Virginia, in the Twelfth Congress. Volume **I,** section **767.**

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TALLMADGE.

The inquiry into the conduct of Judges William P. Van Ness, Mathias B. Tallmadge, and William Stephens in 1818. Volume **III,** section **2489.**

TARIFF.

The House maintains that customs duties may not be changed otherwise than by an act of Congress originated by itself. Volume **II,** section **1351.**

In 1844 the Senate took the view that the constitutional method of regulating duties was by act of Congress rather than by treaty. Volume **II,** section **1532.**

Argument that duties are more properly regulated with the publicity of Congressional action than by treaties negotiated by the Executive and ratified by the Senate in secrecy. Volume **II,** section **1532.**

Legislation providing for creation of a tariff board belongs within the jurisdiction of the Committee on Ways and Means. Volume **VII,** section **1729.**

While the manner of reading a bill is within the determination of the Committee, tariff bills are ordinarily read by paragraphs rather than by sections. Volume **VIII,** section **2349.**

Discussion of the prerogatives of the Senate as to treaties affecting customs duties. Volume **II,** section **1531.**

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The Committee on Foreign Affairs has exercised jurisdiction of the subjects of commercial treaties and reciprocal arrangements. Volume **IV,** section **4174.**

Forms of special order for considering in Committee of the Whole and the House, within certain limits of time, a general tariff bill. Volume **IV,** sections **3258, 3259.** Volume **VII,** section **829.**

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The Missouri election case of Van Horn v. Tarsney in the Fifty-fourth Congress. Volume **II,** section **1062.**

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Leave to print. Volume **V,** section **7009.**

Limitations on appropriation bills. Volume **IV,** sections **3950, 3955.**

Quorum. Volume **IV,** section **2946.**

Recognition. Volume **II,** section **1479.**

Sundry civil appropriation bill. Volume **IV,** section **4123.**

Tellers. Volume **II,** section **1302.**

Yielding time. Volume **V,** section **5037.**

TAX.

All propositions involving a tax or charge on the people are considered in Committee of the Whole. Volume **IV,** section **4792.**

Taxes relating to bank circulation have not been considered such "tax or charge upon the people" as require consideration in Committee of the Whole. Volume **IV,** sections **4854, 4855.**

The subjects of tonnage taxes and fines and penalties on vessels are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4131.**

Bills imposing an internal revenue tax on oleomargarine are, by action of the House, included within the jurisdiction of the Committee on Agriculture. Volume **IV,** section **4156.**

The subject of tax sales and taxes in the District is within the jurisdiction of the Committee for the District of Columbia. Volume **IV,** section **4279.**

The Committee on Ways and Means has jurisdiction of bills providing methods of payment of duties and acceptance of negotiable instruments in payment of duties and taxes. Volume **VII,** section **1730.**

The Committee on Ways and Means has jurisdiction of legislation specifying methods of packing tobacco on which a tax is levied. Volume **VII,** section **1726.**

A joint resolution proposing a constitutional amendment authorizing mutual taxation of salaries between State and Federal Governments was held to come within the jurisdiction of the Committee on the Judiciary rather than that of the Committee on Ways and Means. Volume **VII,** section **1780.**

The residence, deportation, and readmission of aliens, and the taxation of immigrants admitted to the United States, are subjects within the jurisdiction of the Committee on Immigration and Naturalization. Volume **VII,** section **2039.**

The taxation, improvement, irrigation, and control of Indian lands and the construction of roads, cutting of timber, and granting of easements thereon are subjects within the jurisdiction of the Committee on Indian Affairs. Volume **VII,** section **1937.**

The subject of tonnage taxes on vessels has been considered to be within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **VII,** section **1856.**

A bill reported by the Committee on Ways and Means exempting profits on Treasury bills from taxation was held to be privileged. Volume **VIII,** section **2281.**

TAYLOR.

The Pennsylvania election case to Taylor v. Reading in the Forty-first Congress. Volume **II,** section **876.**

The West Virginia election case of Taylor v. England, in the Seventieth Congress. Volume **VI,** section **177.**

TAYLOR, JOHN W., of New York, Speaker.

Decisions on question of order relating to—

Adhere, motion to. Volume **V,** section **6241.**
Bills. Volume **II,** section **1326.**
Committee of the Whole. Volume **IV,** section **4706.**
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Constitutional amendments. Volume **V,** section **7030.**
Debate. Volume **V,** sections **5089, 5104, 5115, 5165.**
Discharge of committee. Volume **IV,** section **4696.**
Division of question. Volume **V,** section **6152.**
Electoral count. Volume **III,** section **1937.**
Journal. Volume **IV,** section **2734.**
Lay on the table, motion to. Volume **V,** section **5423.**
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Quorum. Volume **III,** section **3458.**
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Recognition. Volume **II,** section **1429.**
Reconsider, motion to. Volume **V,** section **5690.**
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Yeas and nays. Volume **V,** section **6034.**

"TAYLOR SYSTEM."

Decisions on the "stop-watch" or "Taylor system" and "bonus" or "premium" provisions proposed on general appropriation bills. Volume **VII,** section **1609.**

TAYLOR, ZACHARY, PRESIDENT.

Ceremonies in honor of Zachary Taylor, who died during a session of Congress. Volume **V,** section **7177.**

TELEGRAMS.

A telegram from a person beyond reach of the process of the House and not verified by oath was held not competent evidence for the consideration of an investigating committee. Volume **III,** section **1786.**

In 1876, after examination and discussion, the House declared its right through a subpoena duces tecum to compel the production of books, papers, and especially telegrams. Volume **III,** section **1812.**

In 1877 the House, in the course of an investigation of the recent Presidential election, compelled the production of telegrams by an employee of the company having actual custody of them. Volume **III,** section **1696.**

Form of subpoena duces tecum used for compelling production of telegrams in 1877, but criticised as too general and verbally defective. Volume **III,** section **1695.**

An official of a telegraph company not being in actual possession of dispatches demanded by the House proceedings for contempt were discontinued. Volume **III,** section **1697.**

In 1877 the Senate, after discussion, decided that certain telegrams relating to the Presidential election should be produced by a witness. Volume **III,** section **1723.**

The Senate sitting for the Belknap trial declined to order process to compel the attendance of a witness who had been subpoenaed by telegraph merely. Volume **III,** section **2159.**

TELEGRAMS—Continued.

The House held valid a report transmitted by telegraph from an investigating committee and ordered the arrest of a person for contempt on the strength of it. Volume **III,** section **1695.**

Instance of the authorization of a subpoena by telegraph. Volume **III,** section **1810.**

A question of privilege may be based on a communication received by telegraph. Volume **III,** section **2539.**

An instance wherein a Delegate gave notice of a contest by a telegram which was submitted to the House by the Speaker. Volume **I,** section **467.**

A question has risen in the Senate as to whether or not a telegraphic dispatch might be received as a memorial. Volume **IV,** section **3328.**

The Senate tabled a motion to receive a telegram relating to credentials of a claimant to a seat. Volume **I,** section **347.**

A Member recognized to present a question of privilege based on a telegram was permitted to discuss subjects indirectly referred to in a resolution mentioned in the telegram. Volume **VI,** section **563.**

The statement in a telegram, published in a newspaper, that a resolution introduced by a Member was "a tissue of misrepresentation" was held to involve a question of personal privilege. Volume **VI,** section **563.**

A telegram reprinted in a newspaper charging that a Member had been influenced in his official acts by unworthy motives was held to involve a question of personal privilege. Volume **VI,** section **576.**

The Committee on Accounts reserves the right to limit the franking privilege of telegrams and declines to authorize the franking of cablegrams. Volume **VI,** section **220.**

The franking privilege extends to telegraph service relating to official business. Volume **VI,** section **217.**

An amendment authorizing payment of telegraph tolls from the contingent fund was held to constitute legislation. Volume **VII,** section **1412.**

TELEGRAPH AND TELEPHONE.

Bills relating to ocean cables have been reported by the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4106.**

Subjects relating to postal savings banks and postal telegraphy are within the jurisdiction of the Committee on Post-Office and Post-Roads. Volume **IV,** section **4193.**

The rule gives to the Committee on Pacific Railroads jurisdiction of subjects relating "to the railroads and telegraph lines between the Mississippi River and Pacific coast." Volume **IV,** section **4239.**

The use of the Government telegraph lines at the Capitol is regulated by statute. Volume **V,** section **7344.**

Legislation relating to dikes, dams, levees, and telephone and telegraph wires across navigable streams, and to change of name, navigability or diversion of water from such streams, belongs to the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **III,** section **1810.**

Jurisdiction over legislation providing for regulation of interstate telegraph and telephone facilities and ocean cables has been given to the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1804.**

The Committee on the Post Office and Post Roads has jurisdiction over subjects relating to Government control of telephones in the District of Columbia. Volume **VII,** section **1919.**

TELLERS.

(1) Rule for taking the vote by.—In general.

(2) Rule for taking the vote by.—For second of a motion to suspend the rules.

(3) Demand for.

TELLERS—Continued.

(4) Appointment of.
(5) Relation of a vote by, to the quorum.
(6) Voting by, and interruptions thereof.
(7) Journal record of a vote by.
(9) For a vote viva voce or by ballot.
(10) For the electoral count.

(1) Rule for Taking the Vote by.—In General.

Rule for taking a vote by tellers. Volume **II,** section **1311.**

Tellers may be ordered by the Speaker if he is in doubt or by one-fifth of a quorum. Volume **V,** section **5985.**

In Committee of the Whole 20, one-fifth of quorum of 100, are required to order tellers. Volume **V,** section **5986.**

At the organization of the House in 1855 the Clerk ordered tellers. Volume **I,** section **90.**

A demand for tellers is not precluded or set aside by the fact that the yeas and nays are demanded and refused. Volume **V,** section **5998.**

Before the adoption of rules, while the House was acting under the general parliamentary law, it was held that the right to demand tellers did not exist. Volume **V,** section **6002.**

The rules do not specify the manner in which tellers shall count the vote. Volume **VIII,** section **3096.**

In a vote by tellers it is a matter of mutual agreement as to whether each teller shall count his own side or the opposing side. Volume **VIII,** section **3096.**

The Chair may be counted on a vote by tellers. Volume **V,** sections **5996, 5997.**

On a vote by tellers the Chair may be counted without passing between the tellers. Volume **VIII,** sections **3100, 3101.**

On a vote by tellers the Chair announces the vote as reported by the tellers and does not inquire as to the correctness of such report. Volume **VIII,** section **3098**

The report of the tellers having been announced by the Chair, it is too late to raise a question as to the correctness of the report. Volume **VIII,** section **3098.**

Representation being made before announcement of the result that the count by tellers was incorrect, on a close vote, the Chairman ordered a recount. Volume **VIII,** section **3099.**

(2) Rule for Taking the Vote by.—For Second of a Motion to Suspend the Rules.

A motion to suspend the rules is not submitted to the House until seconded by a majority on a vote by tellers. Volume **V,** section **6797.**

A motion to suspend the rules may be withdrawn at any time before second is ordered, even after tellers are appointed on seconding the motion. Volume **VIII,** section **3419.**

Where a quorum fails on a vote by tellers on seconding a motion to suspend the rules and a count by the Speaker disclosed the presence of a quorum, the second is ordered. Volume **VIII,** section **3412.**

(3) Demand for.

The Speaker has ruled a demand for tellers dilatory when satisfied that it was made only for purposes of delay. Volume **V,** sections **5735, 5736.**

A demand for tellers has been held to dilatory when the vote on a division was so decisive as to preclude possibility of change or error. Volume **VIII,** section **2818.**

A Member having requested tellers is not thereby precluded from demanding a division. Volume **VIII,** section **3102.**

There is no appeal from the count by the chair of the numbering rising to demand tellers. Volume **VIII,** section **3105.**

The right to demand tellers is not prejudiced by the fact that a point of no quorum has been made against a division of the question on which tellers are requested. Volume **VIII,** section **3104.**

TELLERS—Continued.

(3) Demand for—Continued.

A demand for tellers or for a division is not precluded by the fact that yeas nays have been demanded and refused. Volume **VIII,** section **3103.**

During a call of the House a motion to adjourn is seconded by a majority ascertained "by actual count by the speaker," and tellers may not be demanded. Volume **VI,** section **705.**

While the count of the Speaker in determining whether a requisite number of Members has sustained a demand for the yeas and nays is not subject to verification, and a call for those opposed may not be demanded as a matter of right, in exceptional instances requests for tellers have been entertained. Volume **VIII,** section **3115.**

(4) Appointment of.

It is the duty of the Member to serve as teller when appointed by the Chair. Volume **V,** section **5987.**

Two Members of the minority party having successively declined to act as tellers, the Speaker directed the Member who had been appointed teller for the majority party to count the vote. Volume **V,** section **5989.**

After gentlemen favoring an amendment had declined to act as tellers for a pending vote the Chair appointed the second teller from those opposed. Volume **V,** section **5988.**

An instance wherein a Delegate was appointed a teller. Volume **II,** section **1302.**

(5) Relation of a Vote by, to the Quorum.

A vote on an amendment taken by tellers in the Committee of the Whole having disclosed the lack of a quorum and objection being made for that reason, the vote by tellers is taken anew upon the appearance of a quorum. Volume **VIII,** section **3097.**

The rule providing an automatic roll call on the failure of a quorum to vote applies to votes by yeas and nays as well as those taken by tellers, division, or viva voce, but not on motions incidental to lack of a quorum. Volume **VI,** section **703.**

In ascertaining the presence of a quorum on a vote by tellers in Committee of the Whole the Chairman notes those present and not voting. Volume **VI,** section **641.**

On the failure of a quorum in a vote by tellers on seconding the old motion to discharge a committee the Chair directed a call of the House under the rule. Volume **VI,** section **707.**

When in the House a vote by tellers fails for lack of quorum and motions relating to a call of the House interrupt, the vote by tellers is taken anew rather than by a count additional to the first vote. Volume **V,** section **5990.**

The right to demand tellers as a further evidence of the vote is not waived by the fact that a question has been raised as to the presence of a quorum on the division and the Chair has counted the House. Volume **V,** sections **5999, 6000.**

A line of rulings made under the old theory as to the quorum and since disregarded held that the point of no quorum might not be made after the House had declined to verify a division by tellers or the yeas and nays. Volume **IV,** sections **2918–2926.**

If a quorum be present it is not necessary that a quorum actually participate in a vote by tellers on seconding a motion to suspend the rules. Volume **IV,** section **2932.**

On seconding, by tellers, a motion to suspend the rules a quorum failed, whereupon the Speaker ordered the doors closed and the roll called. Volume **IV,** sections **3053–3055.**

The Speaker's count of a quorum is not subject to verification by tellers. Volume **IV,** section **647.**

The Chairman's count of a quorum is subject to verification by tellers. Volume **VIII,** sections **2369, 2436.**

Instance wherein the Speaker permitted his count of the House to be verified by tellers, but did not concede it a right of the House to have tellers under such circumstances. Volume **IV,** section **2888.**

TELLERS—Continued.

(6) Voting by, and Interruptions Thereof.

The yeas and nays may be demanded while a vote by tellers is being taken. Volume **V,** section **6038.**

Tellers having been ordered and appointed, it is not in order to move that the Committee of the Whole rise until the vote has been announced. Volume **IV,** section **4773.**

In Committee of the Whole a motion that the committee rise may not be made until a demand for tellers on the pending question has been disposed of. Volume **IV,** sections **4771, 4772.**

Tellers having been ordered and appointed in Committee of the Whole, it is not in order to move that the committee rise pending the taking of the vote. Volume **V,** section **6001.**

A motion may be withdrawn after the viva voce vote has been taken and after tellers have been ordered and appointed. Volume **V,** section **5349.**

After the House, on a vote by tellers, has refused to order the yeas and nays, it is too late to demand the count of the negative on an original rising vote. Volume **V,** section **6045.**

(7) Irregularities in the Vote by.

The count by tellers becoming uncertain by reason of confusion, the Chair ordered the vote taken again. Volume **V,** section **5991.**

Before the Chairman had declared the result of a vote by tellers a question arose as to the count, and by unanimous consent the vote was taken again. Volume **V,** section **5992.**

A vote by tellers having been taken and the result announced, a recount may be had only by unanimous consent. Volume **V,** sections **5993, 5994.**

After the Chair had announced the result of a vote by tellers be proposed, because of confusion during the voting, to order the vote taken again, but the Committee of the Whole on appeal decided against the proposed action. Volume **V,** section **5995.**

(8) Journal Record of a Vote by.

The Journal records the result of a vote in figures only when the years and nays are taken. Volume **IV,** section **2827.**

(9) For a Vote Viva Voce or by Ballot.

Tellers of the vote on the election of a Speaker are appointed by the Clerk. Volume **I,** section **217.**

The Speaker appointed four tellers to count the ballots for managers of the Johnson impeachment. Volume **III,** section **2417.**

Instance wherein the Journal recorded the names of the tellers on a vote by ballot. Volume **III,** section **2368.**

Mr. Speaker Colfax tendered to several Members of the minority a place as one of the tellers to count the ballots for managers of the Johnson impeachment. Volume **III,** section **2417.**

Members of the minority declining to serve as tellers to count the ballots for managers of the Johnson impeachment, the Speaker appointed all from the majority party. Volume **III,** section **2417.**

(10) For the Electoral Count.

The two Houses by concurrent resolution provide for the meeting to count the electoral vote, for the appointment of tellers, and for the declaration of the state of the vote. Volume **III,** section **1961.**

Two tellers are appointed on the part of each House to tabulate the votes in the electoral count. Volume **III,** section **1918.**

While the Speaker has at times appointed the tellers for the electoral count as of his own authority, yet the best considered opinion is that the function belongs to the House itself (footnote). Volume **III,** section **1961.**

In 1877 the Speaker appointed the tellers for the electoral count without special authority from the House and named them all from the majority party, a course which was followed by the President pro tempore. Volume **III,** section **1954.**

TELLERS—Continued.

(10) For the Electoral Count—Continued.

A teller appointed for the electoral count may be excused by authority of the House. Volume **III,** section **1944.**

The tellers on the part of the House for the electoral count of 1789 were appointed by resolution. Volume **III,** section **1928.**

At the electoral count of 1849 the Speaker appointed the tellers on the part of the House without authority expressly given. Volume **III,** section **1944.**

For the electoral count of 1853 the House authorized the Speaker to appoint the tellers. Volume **III,** section **1945.**

The House authorized the Speaker to appoint the tellers for the electoral count of 1857. Volume **III,** section **1946.**

The House empowered the Speaker to appoint the tellers for the electoral count of 1861. Volume **III,** section **1947.**

In 1901 the Speaker, with the assent of the House, appointed the tellers for the electoral count. Volume **III,** section **1962.**

Form of the duplicate reports made by the tellers at the electoral count. Volume **III,** section **1962.** Volume **VI,** section **443.**

The report by tellers is made and signed in duplicate, and is entered upon the Journal of each of the two Houses. Volume **VI,** section **444.**

In 1921 the provision authorizing the naming of tellers, which on the occasion of the electoral counts of 1909, 1913, and 1917 had been incorporated in separate resolutions, was included in the original resolution providing for the joint session. Volume **VI,** section **443.**

TEMPLE, HENRY W., of Pennsylvania, Chairman.

Decisions on questions of order relating to—Appropriations. Volume **VII,** section **1349.**

TEMPORARY COMMITTEE ON ACCOUNTS.

The statutes provide for a temporary Committee on Accounts, to be appointed by the Speaker, to serve through the recess following the expiration of a Congress. Volume **IV,** section **4335.**

A temporary Committee on Accounts, authorized by law, performs the functions of the committee during the time between the expiration of one Congress and the organization of the next. Volume **IV,** section **4328.**

The chairman of the temporary committee on accounts is authorized to appoint and dismiss clerks or other employees of his committee. Volume **VIII,** section **2207.**

TEN EYCK.

The New York election cases of Guyon, Jr., v. Sage and Hugunin v. Ten Eyck in the Sixteenth and Nineteenth Congresses. Volume **I,** section **649.**

TENNESSEE.

At the electoral count of 1865 the Vice-President, in deference to a provision of law, withheld from the joint meeting the returns from the States of Louisiana and Tennessee. Volume **III,** section **1948.**

The Senate declined to admit the persons bearing credentials as Senators-elect from Tennessee until that State had been admitted to the Union. Volume **I,** section **398.**

The inquiry into the conduct of Harry B. Anderson, United States judge for the western district of Tennessee, in 1931. Volume **VI,** sections **542, 551.**

House election cases from:

Thirteenth Congress.—Kelly v. Harris. Volume **I,** section **734.**

Twenty-first Congress.—Arnold v. Lea. Volume **I,** section **778.**

Thirty-seventh Congress.—Andrew J. Clements. Volume **I,** section **365.**

Thirty-seventh Congress.—Alvin Hawkins. Volume **I,** section **373.**

Thirty-seventh Congress.—John B. Rodgers. Volume **I,** section **370.**

TENNESSEE—Continued.
House election cases from—Continued.
Thirty-ninth Congress.—Thomas v. Arnell. Volume **I,** section **680.**
Fortieth Congress.—Roderick R. Butler. Volume **I,** section **455.**
Fortieth Congress.—Thomas A. Hamilton. Volume **I,** section **315.**
Forty-first Congress.—John B. Rodgers. Volume **I,** section **317.**
Forty-first Congress.—Sheafe v. Tillman. Volume **II,** section **884.**
Forty-second Congress.—Tennessee Members. Volume **I,** section **521.**
Fifty-third Congress.—Thrasher v. Enloe. Volume **II,** section **1051.**
Fifty-fifth Congress.—Patterson v. Carmack. Volume **II,** sections **1104, 1105.**
Fifty-eighth Congress.—Davis v. Sims. Volume **II,** sections **1132, 1133.**
Sixty-first Congress.—Smith v. Massey. Volume **VI,** section **101.**

TERMS.

(1) Of Members of the House and Senate.

(2) Of sessions of Congress.

(3) Of officers of the House.

(1) Of Members of the House and Senate.
The House is composed of Members chosen every second year by the people of the several States. Volume **I,** section **297.**
The term of a Congress begins on the 4th of March of the odd-numbered years and extends through two years. Volume **I,** section **3.**
A Member elected to fill a vacancy serves no longer time than the remainder of the term of the Member whose place he takes. Volume **I,** section **3.**
Discussion as to the length of term of a Member elected to fill a vacancy caused by the House having declared a seat vacant. Volume **II,** section **1206.**
The House decided in 1869 that a person might not, by virtue of one election, sit as a Member of the House in two Congresses. Volume **I,** section **388.**
The term of a Delegate need not necessarily begin and end with the term of a Congress. Volume **I,** section **403.**
The House, in the Fifty-eighth Congress, declined to investigate the election of a Delegate to the Fifty-ninth Congress. Volume **I,** section **652.**
The Senate does not consider questions arising on the credentials until the beginning of the term to which they refer (footnote). Volume **I,** section **652.**
The question as to when the term of service of a Senator appointed by a State executive to fill a vacancy ceases. Volume **I,** sections **787–790.**
A Senator appointed by the State executive to fill a vacancy ceases to serve after the final adjournment of the legislature which should elect his successor. Volume **V,** section **6689.**
Ex-Members of Congress are entitled to the franking privilege until the first day of December following expiration of their term of office. Volume **VI,** section **217.**

(2) Of Sessions of Congress.
The term of a Congress begins on the 3d of January of the odd-numbered years, and extends through two years. Volume **VI,** section **1.**
The legislative day of March 3 of the final session of a Congress is held to terminate at 12 m. on March 4 unless a motion is made and carried for an adjournment previous to that hour. Volume **V,** sections **6694–6697.**
The last session of a Congress may be adjourned before the expiration of the constitutional period (footnote). Volume **V,** section **6724.**
The Speaker interrupts a roll call and declares the House adjourned sine die, without motion or vote of the House, when the hour of expiration of the term of the Congress arrives. Volume **V,** sections **6715–6718.**
When the House has sat to the limit of the constitutional term of the Congress the Speaker pronounces an adjournment sine die, without a motion being put or carried (footnote). Volume **V,** section **6709.**

TERMS—Continued.

(2) Of Sessions of Congress—Continued.

When the House adjourns sine die at an hour before the expiration of the constitutional term of the Congress, it does so by a simple motion made and carried without concurrent action of the Senate. Volume **V,** sections **6709, 6710.**

When the House has sat to the limit of the constitutional term of the Congress, a motion to adjourn may be put and carried or the Speaker may declare the adjournment sine die without motion. Volume **V,** sections **6711–6713.**

Although the House becomes fuctus officio at the end of its term, yet in practice certain rules and regulations have extended beyond that time. Volume **V,** sections **6748–6751.**

Proposed changes of the Constitution as to the term of Congress and the President and the time of annual meeting of Congress have been considered by the Committee on Election of President, Vice-President, and Representatives in Congress. Volume **IV,** section **4302.** volume **VII,** section **2026.**

(3) Of Officers of the House.

The elective officers other than the Speaker continue in office until their successors are chosen and qualified. Volume **I,** section **187.**

The Speaker, having been elected Vice President, continued in office until the expiration of his term. Volume **VI,** section **453.**

TERRITORIES.

(1) Organization of, necessary for representation.
(2) Effect of admission as State on representation.
(3) Delegates from.—The office.
(4) Delegates from.—Laws governing election of.
(5) Delegates from.—Qualifications of.
(6) Delegates from.—House judges the election of.
(7) Delegates from.—Election cases of.
(8) Delegates from.—Privileges as to motions, etc.
(9) Impeachment of judges in.
(10) Jurisdiction of committees as to, etc.

(1) Organization of, Necessary for Representation.

The House held that there should be prior legislation by Congress before the admission of a Delegate. Volume **I,** section **405.**

The House declined to admit a Delegate from a Territory not organized by law. Volume **I,** section **412.**

The House decided it inexpedient to admit a Delegate chosen by a community not yet made a Territory by law. Volume **I,** section **407.**

The House declined to give prima facie effect to credentials from a Territory not yet organized. Volume **I,** section **410.**

The House declined to admit a Delegate from an unorganized Territory, although by treaty the people were entitled to the rights of citizens. Volume **I,** section **411.**

After the passage of the act organizing the Territory of Wyoming, but before the actual organization, the Houses declined to admit a Delegate elected before the passage of the act. Volume **I,** section **410.**

The House declined to admit a Delegate from New Mexico before the organization of the Territory had been authorized by law. Volume **I,** section **405.**

The House declined to give prima facie effect to the credentials of a Delegate elected by a convention in an unorganized Territory. Volume **I,** section **405.**

A Territorial legislature is without power to change provisions embodied by Congress in the legislative act creating the Territory. Volume **VI,** section **113.**

(2) Effect of Admission as State on Representation.

In 1839 the Committee on Elections held that the office of Delegate ceased when the Territory ceased to exist as a corporation by becoming a State. Volume **I,** section **403.**

Territories—Continued.

(2) Effect of Admission as State on Representation—Continued.

The State of Minnesota being admitted, the House suspended the functions of the Delegate from the old Territory. Volume **I,** section **409.**

Duty of the Speaker as to recognition of a Delegate after the Territory has been admitted as a State. Volume **I,** section **408.**

The House admitted a Delegate from a county left under the old Territorial laws after the remainder of Wisconsin Territory had become a state. Volume **I,** section **404.**

A Delegate was not dispossessed of his seat because a portion, but not all of his Territory had been erected into a State. Volume **I,** section **402.**

After the admission of Minnesota as a State the House declared portions of the old Territory outside the limits of the State not entitled to a Delegate. Volume **I,** section **409.**

(3) Delegates From.—The Office.

Each Territory sends to the House a Delegate having the right of debating but not of voting. Volume **II,** section **1290.**

Discussion of the nature of the office of delegate. Volume **I,** section **826.**

An elaborate discussion of the status in the House of a Delegate from a Territory. Volume **I,** section **473.**

The office of Delegate was created by ordinance of the Continental Congress. Volume **I,** section **421.**

The office of Delegate was established by an ordinance of the Continental Congress, confirmed by a law of Congress. Volume **I,** section **400.**

The legislation as to the privileges of the Delegate was enacted after the House had recognized the office. Volume **I,** section **400.**

The question as to whether or not a law of Congress creating Delegates is binding on the House in succeeding Congresses. Volume **I,** section **473.**

In 1794 the Delegate seated by the House was elected by the legislature of the Territory and not by the people. Volume **I,** section **400.**

The term of a Delegate need not necessarily begin and end with the term of a Congress. Volume **I,** section **403.**

(4) Delegates From.—Laws Governing Election of.

Territorial laws fix the time, place, and manner of the election of Delegates. Volume **I,** section **509.**

A Federal law empowers the States and Territories to provide by law the times of elections to fill vacancies in the House. Volume **I,** section **516.**

When the organic law requires an act of the legislature to fix the times, etc., of a Territorial election an election called by the governor is not valid. Volume **I,** section **827.**

Instance, in the absence of specific law, of an election of a Delegate on rules based on analogy to the law providing for election of other Territorial officers. Volume **I,** section **527.**

Failure of a Territorial legislature to prescribe specially time, place, and manner of electing a Delegate did not invalidate an election actually held. Volume **I,** section **526.**

(5) Delegates From.—Qualifications of.

In 1882, in a sustained case, the major opinion of the Elections Committee inclined to the view that the constitutional qualifications for a Member did not apply to a Delegate. Volume **I,** section **473.**

Discussion of the effect, in the matter of qualifications of Delegates, of a law extending the Constitution over a Territory. Volume **I,** section **473.**

A discussion as to whether or not a Delegate should have the same qualifications as a Member. Volume **I,** section **421.**

A committee held that the strongest reasons of public policy require a Delegate to possess qualifications similar to those required of a Member. Volume **I,** section **423.**

Congress has by law prescribed that Delegates from certain Territories must be citizens of the United States. Volume **I,** section **431.**

TERRITORIES—Continued.

(5) Delegates From.—Qualifications of—Continued.

A committee held that under the principles of the common law an alien might not hold a seat as a Delegate. Volume **I,** section **423.**

A person who had resided in a Territory one year as a person but not as a citizen was held to be qualified as a Delegate under the law requiring a residence of one year. Volume **I,** section **421.**

A committee denied the binding effect on the House of a decision of a Territorial court on a question of fact concerning the qualifications of a Delegate. Volume **I,** section **423.**

(6) Delegates From.—House Judges the Election of.

The House may investigate a contested election of a Delegate, as of a Member. Volume **I,** section **772.**

The House has the same authority to determine the right of a Delegate to his seat that it has in the case of a Member. Volume **I,** section **423.**

The House decided that it might investigate all matters pertaining to the election of a Delegate, including the constitution of the legislature which provided for the election. Volume **I,** section **826.**

(7) Delegates From.—Election Cases of.

Alaska.—Forty-seventh Congress.—Mottrom D. Ball. Volume **I,** section **411.**

Arkansas.—Seventeenth Congress.—Lyon v. Bates. Volume **I,** section **749.**

Cimarron.—Fiftieth Congress.—Owen G. Chase. Volume **I,** section **412.**

Dakota.—Thirty-fifth Congress.—Fuller v. Kingsbury. Volume **I,** sections **408, 409.**

Dakota.—Thirty-eighth Congress.—Todd v. Jayne. Volume **II,** sections **852, 853.**

Dakota.—Forty-second Congress.—Burleigh and Spink v. Armstrong. Volume **II,** section **889.**

Deseret.—Thirty-first Congress.—Almon W. Babbitt. Volume **I,** section **4071.**

Hawaii.—Fifty-ninth Congress. Iaukea v. Kalaniansaole. Volume **I,** section **527.**

Idaho.—Forty-fourth Congress.—Fenn v. Bennett. Volume **II,** section **915.**

Indiana.—Eleventh Congress.—Randolph v. Jennings. Volume **I,** section **766.**

Kansas.—Thirty-fourth Congress.—Reeder v. Whitfield. Volume **I,** sections **825, 826.**

Ohio.—Third Congress.—James White. Volume **I,** section **400.**

Ohio.—Seventh Congress.—Paul Fearing. Volume **I,** section **402.**

Oklahoma.—Fifty-eighth Congress.—Cross v. McGuire. Volume **I,** section **732.**

Michigan.—Nineteenth Congress.—Biddle and Richard v. Wing. Volume **I,** section **777.**

Mississippi.—Seventh Congress.—Narsworthy Hunter. Volume **I,** section **401.**

Missouri.—Fourteenth Congress.—Easton v. Scott. Volume **I,** sections **772, 773.**

Montana.—Forty-eighth Congress.—Botkin v. Maginnis. Volume **II,** section **994.**

Nebraska.—Thirty-fourth Congress.—Bennet v. Chapman. Volume **I,** section **829.**

Nebraska.—Thirty-sixth Congress.—Daily v. Estabrook. Volume **I,** sections **839, 840.**

Nebraska.—Thirty-seventh Congress.—Morton and Daily. Volume **I,** section **687.**

New Mexico.—Thirty-first Congress.—Hugh N. Smith and William S. Meservey. Volume **I,** sections **405, 406.**

New Mexico.—Thirty-third Congress.—Lane v. Gallegos. Volume **I,** section **823.**

New Mexico.—Thirty-fourth Congress.—Otero v. Gallegos. Volume **I,** sections **830, 831.**

New Mexico.—Thirty-eighth Congress.—Gallegos v. Perea. Volume **I,** section **728.**

New Mexico.—Forty-eighth Congress.—Manzanares v. Luna. Volume **II,** section **984.**

Wisconsin.—Twenty-fifty Congress.—Doty v. Jones. Volume **I,** section **403.**

Wisconsin.—Thirtieth Congress.—Henry H. Sibley. Volume **I,** section **404.**

Wyoming.— Fortieth Congress.—J. S. Casement. Volume **I,** section **410.**

(8) Delegates From.—Privileges as to Motions, etc.

Delegates from the Territories have the right to make motions. Volume **II,** section **1291.**

Impeachment proceedings have been moved by a Delegate. Volume **II,** section **1303.**

A Delegate may not object to the consideration of a measure. Volume **II,** sections **1293, 1294.**

TERRITORIES—Continued.

(8) Delegates From.—Privileges as to Motions, etc.—Continued.

The rights and prerogatives of a Delegate in parliamentary matters are not limited to legislation affecting his own territory. Volume **VI,** section **240.**

(9) Impeachment of Judges in.

Instances of proceedings looking to the impeachment of judges of Territories. Volume **III,** sections **2487, 2488.**

In 1796 the House discontinued impeachment proceedings against a Territorial judge on assurance that he would be prosecuted in the courts. Volume **III,** section **2486.**

In 1833 the Judiciary Committee held that a Territorial judge was not a civil officer of the United States within the meaning of the Constitution. Volume **III,** section **2493.**

Opinion of Attorney-General Charles Lee as to impeachment of a Territorial judge holding office during good behavior. Volume **III,** section **2486.**

Opinion of Attorney-General Felix Grundy that Territorial judges are not civil officers of the United States within the meaning of the impeachment clause of the Constitution. Volume **III,** section **2022.**

(10) Jurisdiction of Committees as to, etc.

The creation and the history of the Committee of the Territories. Section 17 of Rule XI. Volume **IV,** section **4208.**

Recent history of the Committee of the Territories, Section 17 of Rule XI. Volume **VII,** section **1941.**

The Committee of the Territories has, by rule, jurisdiction of subjects relating to "to Territorial legislation, the revision thereof, and affecting Territories or the admission of States." Volume **IV,** section **4208.**

The Committee of the Territories has jurisdiction of legislation relating to the general affairs of the Territories, and has even reported bills relating to the courts. Volume **IV,** section **4209.** Volume **VII,** section **1942.**

The Committee of the Territories has jurisdiction of general subjects relating to the Territory of Alaska. Volume **IV,** section **4210.** Volume **VII,** section **1943.**

The Committee of the Territories has exercised a general but not exclusive jurisdiction as to game and fish in Alaska, including the salmon fisheries. Volume **IV,** section **4211.**

Bills relating to Alaskan fisheries belong to the Committee on the Merchant Marine and Fisheries rather than to the Committee of the Territories. Volume **VII,** section **1850.**

The Committee of the Territories has general jurisdiction of subjects relating to the Territory of Hawaii. Volume **IV,** section **4212.** Volume **VII,** section **1944.**

The Committee on Claims has shared in jurisdiction over public bills for adjusting accounts between the United States and the several States and Territories. Volume **IV,** section **4267.**

Legislative propositions relating to claims of a Territory against the Untied States are within the jurisdiction of the Committee on Claims. Volume **VII,** section **1996.**

The war claims of States and Territories against the United States have been considered, although not exclusively, by the Committee on War Claims. Volume **IV,** section **4271.**

Subjects pertaining to the school lands of a State or Territory have been held to be within the jurisdiction of the Committee on the Public Lands. Volume **VII,** section **1928.**

A bill relating to the medical treatment of persons in Hawaii was transferred from the Committee on Interstate and Foreign Commerce to the Committee of the Territories. Volume **VII,** section **1945.**

The settlement of boundary lines between States or between a State and a Territory is within the jurisdiction of the Committee on the Judiciary. Volume **IV,** section **4064.**

The Committee on the Judiciary has exercised jurisdiction of bills relating to local courts in the District of Columbia and Alaska and the Territories. Volume **IV,** section **4068.**

TERRITORIES—Continued.

(10) Jurisdiction of Committees as to, etc.—Continued.

Legislative propositions relating to woman suffrage in the Territories are within the jurisdiction of the Committee on Woman Suffrage and not the Committee on the Territories. Volume **VII,** sections **2076, 2124.**

The Committees on Rules, Elections, Ways and Means, Appropriations, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing, and Accounts may report at any time on certain matters. Volume **V,** section **4621.** Volume **VIII,** section **2251.**

Legislation to the relating organizations of a branch of the Government, and to the government of a Territory is within the jurisdiction of the Committee on the Judiciary. Volume **VII,** section **1772.**

Legislative provisions for the construction of Federal buildings in the Territories have been reported by the Committee on Public Buildings and Grounds. Volume **VII,** section **1964.**

Bills relating to the mining laws in their application to the Territories have been reported by the Committee on Mines and Mining. Volume **VII,** section **1957.**

Subjects relating to rural credits and farm-loan legislation, including the extension of rural-credit legislation to the Territories, come within the jurisdiction of the Committee on Banking and Currency. Volume **VII,** section **1791.**

Ministers from foreign governments and governors of States (but not of Territories) have the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

TERRITORY.

In 1820 the House considered, but without result, its constitutional rights to a voice in any treaty ceding territory. Volume **II,** section **1507.**

In 1868 the House declined to assert that no purchase of foreign territory might be made without the sanction of a previously enacted law. Volume **II,** section **1508.**

A bill authorizing cession of territory belonging to the United States requires consideration in the Committee of the Whole. Volume **VIII,** section **2404.**

TEST OATH.

Reference to the enactment and repeal of the test oath (footnote). Volume **I,** section **130.**

Argument that the act of July 2, 1862, prescribing a test oath, did in effect create an additional qualification. Volume **I,** section **451.**

Instance of exclusion of a Member-elect found unable to take the test oath of loyalty. Volume **I,** section **333.**

For persons whose disabilities had been removed the oath of July 2, 1862, was modified by the act of July 11, 1868. Volume **I,** section **455.**

A bill removing the disabilities of a Member-elect and modifying the test oath for his benefit was passed by a two-thirds vote. Volume **I,** section **455.**

TESTIMONY.

(1) Inquiries at the bar of the House.
(2) Before committees.—Procuring, generally.
(3) Before committees.—Procuring, in legislative inquiries.
(4) Before committees.—Of Members and Senators.
(5) Before committees.—In relation to the individual's right of privacy.
(6) Before committees.—Rules of evidence.
(7) Before committees.—Subpoenas.
(8) Before committees.—Immunity of witnesses.
(9) Before committees.—When a Member is implicated.
(10) Before committees.—When a Senator is implicated.
(11) Before committees.—When others are implicated.
(12) Before committees.—Reports of.
(13) Before committees.—In general.

TESTIMONY—Continued.

(1) In Inquiries at the Bar of the House.

Rule for examining Members as witnesses in a trial at the bar of the House for contempt. Volume **II,** section **1619.**

Rule for asking questions of a person under examination before a committee or at the bar of the House. Volume **III,** section **1768.**

The parliamentary law as to the examination of witnesses. Volume **III,** section **1768.**

According to the parliamentary law questions asked a witnesses are recorded in the Journal. Volume **III,** section **1768.**

The parliamentary law provides that the answers of witnesses before the House shall not be written down, but such is not the rule before committees. Volume **III,** section **1768.**

A person being on trial for contempt, both the information given by Members and their testimony were required to be under oath. Volume **II,** section **1602.**

Samuel Houston, arrested for a breach of privilege, was arraigned at the bar of the House, informed of the charge, and informed that he might summon witnesses and employ counsel. Volume **II,** section **1616.**

In the trial of Samuel Houston for contempt the House permitted an affidavit to be read. Volume **II,** section **1618.**

In the examination of witnesses in the contempt case of Samuel Houston the House declined to permit a witness to state opinions. Volume **II,** section **1618.**

(2) Before Committees.—Procuring Generally.

The power of the Senate to require testimony of witnesses is in no wise inferior to that exercised by a court of justice and includes under comparable circumstances the power to compel attendance. Volume **VI,** section **348.**

It is presumed that in the eliciting of testimony the Senate wil observe all constitutional restraints. Volume **VI,** section **347.**

Discussion of the extent of the House's power to compel testimony and the production of books and papers. Volume **VI,** section **400.**

A question as to the authorization required to enable a committee to compel testimony. Volume **III,** section **1690.**

The statutes provide that a person summoned as a witness who fails to appear or refuses to testify shall be punished by fine or imprisonment. Volume **III,** section **1769.**

Instance wherein the House authorized a subpoena duces tecum by registered letter. Volume **I,** section **731.**

The several expenditures committees may make investigations with or without specific direction from the House, but authority must be obtained of the House for compelling testimony. Volume **IV,** section **4316.**

A motion to refer may specify that the reference be to a select committee of a stated number of members, and may endow this committee with power to send for persons and papers. Volume **IV,** section **4402.**

The Joint Committee on the Conduct of the War ordered that less than a quorum should be sufficient to take testimony. Volume **IV,** section **4424.**

A Senate committee, with authority to take testimony in the recess between two sessions of the same Congress, was yet unable to compel testimony from a recalcitrant witness. Volume **III,** section **1837.**

Instance wherein a House committee charged with an investigation, examined testimony taken before a Senate committee. Volume **III,** section **2507.**

It is for the House to say whether or not a person whose conduct is being investigated shall be allowed to appear before the committee by counsel. Volume **III,** section **2501.**

A statute penalizes recalcitrancy of witnesses summoned to testify before their House or any committee of either House. Volume **VI,** section **335.**

Instance wherein a witness, summoned in pursuance and by virtue of the authority conferred on a committee to elicit testimony, declined to testify. Volume **VI,** section **353.**

TESTIMONY—Continued.

(2) Before Committees.—Procuring Generally—Continued.

A person summoned as a witness before a select committee of the Senate declined to testify on the ground that the authorization under which the examining committee purported to act had expired. Volume **VI,** section **386.**

Decision of the district court on the right of the Senate to compel testimony and the production of papers and records. Volume **VI,** section **337.**

Decision of the Supreme Court on the right of the Senate to subpoena witness and compel testimony. Volume **VI,** section **346.**

Decision by the Supreme Court on the power of Congress to compel testimony. Volume **VI,** section **341.**

A further decision by the Supreme Court affirming the power of the Senate to compel testimony. Volume **VI,** section **351.**

Further decision of the Supreme Court with particular reference to the relation of the question of pertinency of interrogatories propounded by the committee. Volume **VI,** section **350.**

(3) Before Committees.—Procuring, in Legislative Inquiries.

Congress has power to obtain information to be used as an aid in formulating legislation, and may require witnesses to testify for that purpose. Volume **VI,** section **355.**

It is to be presumed that the object of the Senate in ordering an investigation is to secure information which will aid it in legislating. Volume **VI,** section **342.**

Each House of Congress has power through its own process to summon a private individual before one of its committees to give testimony which will enable it the more efficiently to exercise its constitutional legislative function. Volume **VI,** section **342.**

In a resolution ordering an inquiry it is not necessary for the House or Senate to specify its legislative purposes; for insamuch as this is the only legitimate purpose under which such investigations may be conducted. in the absence of evidence to the contrary, such purpose is presumed. Volume **VI,** section **342.**

Instance wherein the House empowered the Ways and Means Committee to send for persons and papers in any matter arising out of business referred to the committee. Volume **III,** section **1813.**

Reference to the statute providing for taking testimony in private claims pending before a committee. Volume **III,** section **1826.**

(4) Before Committees.—Of Members and Senators.

The House has, by resolution, demanded of certain of its Members the production of papers and information. Volume **III,** section **1811.**

Instance wherein a Speaker gave testimony before a committee of investigation. Volume **III,** section **1776.**

An instance wherein a committee of the House took the testimony of a Senator, although consent of the Senate had not been obtained (footnote). Volume **III,** section **1795.**

Instance wherein a Member declined to obey a summons to appear and testify before a committee of the House. Volume **VI,** section **537.**

A committee having summoned a Member to testify as to statements made by him in debate, he protested that it was an invasion of his constitutional privilege. Volume **VI,** section **537.**

(5) Before Committees.—In Relation to the Individual's Right of Privacy.

Discussion of the power of investigation possessed by Congress in relation to the individual's right of privacy. Volume **III,** section **1766.**

The general authority of the House to compel testimony and the production of papers in an investigation and the relation of this right to the rights of individuals to privacy in business affairs were discussed in 1837. Volume **III,** section **1733.**

While emphasizing the importance of protecting the indivdual from unreasonable and arbitrary disclosures of his private affairs, the court holds that either House of Congress is authorized to require testimony in aid of legislation. Volume **VI,** section **338.**

TESTIMONY—Continued.

(6) Before Committees.—Rules of Evidence.

Investigating committees do not always confine themselves within the strict rules of evidence. Volume **III,** section **1736.**

Discussion as to the rules which would govern the admission of evidence before a legislative committee of investigation. Volume **III,** section **1838.**

A question as to how far a legislative investigating committee should be governed by the rules of evidence. Volume **III,** section **1839.**

A committee charged with an investigation sometimes adopts rules to govern the examination of witnesses and the use of the testimony by persons implicated. Volume **III,** sections **1841, 1842.**

A telegram from a person beyond reach of the process of the House and not verified by oath was held not competent evidence for the consideration of an investigating committee. Volume **III,** section **1786.**

A Senate committee having, on the strength of ex parte affidavits, found Benjamin Stark disloyal, the Senate disagreed to a resolution for his expulsion. Volume **I,** section **443.**

Complaint in the Smoot investigation that the rules of evidence were not adhered to by the Senate committee. Volume **I,** section **481.**

A committee of investigation adopted rules for examination of witnesses and taking of testimony. Volume **VI,** section **377.**

Instances wherein the Senate by order restricted the number of character witnesses which might be called to testify. Volume **VI,** section **510.**

(7) Before Committees.—Subpoenas.

Precedents relating to the issuing of subpoenas. Volume **III,** sections **1799–1812.**

Form of subpoena for summoning witnesses to testify before a committee of the House and of the return thereon. Volume **III,** section **1807.**

Form of subpoena and return thereon used for summoning witnesses by a Senate committee. Volume **III,** section **1702.**

Form of warrant and return used by the Senate in compelling the attendance of witnesses. Volume **III,** section **1702.**

Form of subpoena duces tecum issued by order of the Senate. Volume **VI,** section **336.**

Discussion of the use of the subpoena duces tecum in procuring books and papers from a private person. Volume **VI,** section **400.**

Subpoenas issued by a committee of the Senate summoning witnesses to testify in an investigation authorized by the Senate are as if issued by the Senate itself. Volume **VI,** section **341.**

Should the Sergeant-at-Arms make the return on a subpoena served by his deputy? Volume **III,** section **1702.**

(8) Before Committees.—Immunity of Witnesses.

Testomony given before a House or its committee may not be used as evidence against the witness in any court, except in case of alleged perjury. Volume **III,** section **1769.**

No witness is privileged to refuse to testify when examined by the House or its committee on the ground that his testimony would disgrace himself. Volume **VII,** section **1769**.

Discussion of the law giving immunity to witnesses testifying before committees of the House. Volume **III,** section **2447.**

The fact that testimony sought by a committee of the House might militate against the interest of the witness in a pending suit was held not to excuse him from supplying information properly within the scope of the inquiry. Volume **VI,** section **338.**

Witnesses summoned to testify may not excuse themselves under the plea that their testimony would comprise them. Volume **VI,** section **335.**

TESTIMONY—Continued.

(9) Before Committees.—When a Member Is Implicated.

When testimony elicited by a committee involves a Member, the committee is to report to the House, that the Members may be heard and special authority be given to inquire concerning him. **Volume III,** section **1840.**

The rule of Parliament relating to Members implicated by testimony discussed but not applied. Volume **III,** section **1844.**

A Member implicated by the testimony taken by a committee was permitted to read the testimony, testify himself, and call witnesses. Volume **III,** section **1848.**

Testimony taken before a joint select committee tending to impeach the official characters of a Senator and a Representative, the committee ordered the testimony to be reported to each House. Volume **III,** section **1854.**

Instance wherein testimony taken before a committee and relating to the conduct of a Member was not reported to the House at once. Volume **III,** section **2637.**

A Member whose qualifications were questioned was permitted to be present before the committee, cross-examine, and offer counter proofs. Volume **I,** section **420.**

(10) Before Committees.—When a Senator Is Implicated.

An investigating committee of the House having taken testimony affecting a Member of the Senate, the House transmitted the same to the Senate. Volume **II,** section **1276,**

A committee of the House having reported that it had taken testimony which inculpated a Senator, the House directed that it be transmitted to the Senate. Volume **III,** section **1850.**

A committee of the House having taken testimony affecting a Senator, it was ordered that a copy of it be sent to him. Volume **III,** section **1852.**

The Senate requested of the House and received a copy of testimony taken before a House committee and implicating a Senator. Volume **III,** section **1837.**

Testimony affecting a Senator, when taken by a House committee in open session, need not be under seal when transmitted to the Senate. Volume **III,** section **1851.**

(11) Before Committees.—When Others Are Implicated.

Instance wherein an investigating committee permitted a person implicated by testimony already given to appear and testify. Volume **III,** section **1789.**

(12) Before Committees.—Report of.

A committee of investigation sometimes submits the testimony to the House with its report. Volume **IV,** section **4668.**

An investigating committee sometimes reports testimony to the House with the recommendation that it be sealed and so kept in the files until further order of the House. Volume **III,** section **1782.**

Instance wherein a committee in its discretion kept testimony secret. Volume **III,** section **1694.**

The Senate having requested from the House the testimony taken by a certain investigating committee, the House ordered it communicated in secrecy, with the injunction that it be returned. Volume **III,** section **1855.**

All evidence taken by a committee under order of the House and not reported to the House shall be delivered to the Clerk at the final adjournment of the Congress. Volume **V,** section **7260.**

The House sometimes orders that testimony taken by an investigating committee be taken in charge by the Clerk, to be by him delivered to the next House. Volume **III,** sections **1783, 1784.**

No officer or employee should furnish any copy of any testimony given or paper filed in any investigation before the House or any of its committees. Volume **III,** section **2663.**

The House sometimes directs the Speaker to certify to the executive authority testimony taken by a House committee affecting an official. Volume **III,** section **1785.**

TESTIMONY—Continued.

(12) Before Committees.—Reports of—Continued.

Official stenographers to the standing committees of the House shall not furnish transcripts of testimony adduced before such committees without written authorization from the chairman of the committee. Volume **VIII,** section **3459.**

(13) Before Committees.—In General.

Instance wherein testimony as to a difficulty between two Members was heard in Committee of the Whole. Volume **II,** section **1642.**

Early instance wherein testimony in a case of breach of privilege was heard before a select committee. Volume **II,** section **1643.**

The rule of parliamentary law that the answers of witnesses before the House shall not be written down does not apply to committees. Volume **III,** section **1768.**

Rules for asking questions of a person under examination before a committee. Volume **III,** section **1768.**

The validity of testimony taken when a quorum of a committee was not present has been doubted. Volume **III,** section **1774.**

A charge that the chairman of an investigation committee had suppressed evidence was presented as a matter of privilege. Volume **III,** section **1786.**

A witness may rightfully refuse to answer where the committee exceeds its power or where questions submitted are not pertinent to the matter under inquiry. Volume **VI,** section **342.**

In directing an investigation of charges against certain of its Members the House provided that all meetings of the committee for the purpose of taking testimony or hearing arguments should be open to the public. Volume **VI,** section **396.**

TEXAS.

In 1873 objections were made to the electoral vote of Texas on the ground of a defective certificate and because less than an assumed quorum of the electors had acted, but the vote was counted. Volume **III,** section **1970.**

House election cases from:

Forty-first Congress.—Grafton v. Connor. Volume **I,** section **465.**
Forty-second Congress.—Giddings v. Clarke. Volume **I,** sections **601–604.**
Forty-second Congress.—Whitmore v. Herndon. Volume **I,** section **600.**
Fifty-fourth Congress.—Davis v. Culberson. Volume **I,** section **755.**
Fifty-fourth Congress.—Kearby v. Abbott. Volume **II,** section **1076.**
Fifty-fourth Congress.—Rosenthall v. Crowley. Volume **I,** section **684.**
Fifty-ninth Congress.—Houston v. Crowley. Volume **I,** sections **643, 644.**
Sixty-eighth Congress.—Case of E.W. Cole. Volume **VI,** section **54.**
Seventy-first Congress.—Wurzbach v. McCloskey. Volume **VI,** section **181.**

Senate election cases from:

Forty-second Congress.—Reynolds v. Hamilton. Volume **I,** section **395.**
Forty-second Congress.—Horace Chilton. Volume **II,** section **1228.**

TEXT OF A BILL.

(1) In general.
(2) That to which both Houses have agreed. See also "Conference."

(1) In General.

The enrolling clerk should make no change, however unimportant, in the text of a bill to which the House has agreed. Volume **III,** section **2598.**

The printing of an argument with the text of a bill was held to involve a question of privilege and the House ordered the objectionable portions stricken out. Volume **III,** section **2599.**

The pagination and marginal numerals are no part of the text of a bill and, after amendment are altered, changed or transposed by the clerk to conform to the amended text without order. Volume **VIII,** section **2876.**

TEXT OF A BILL—Continued.

(1) In General—Continued.

A clause stricken out on a point of order but inadvertently retained in the bill when messaged to the Senate, was held to be a part of the text when the bill is taken from the Speaker's table with Senate amendments. Volume **VIII,** section **3345.**

(2) That to Which Both Houses Have Agreed. See also "Conference."

In considering in the House Senate amendments to a House bill it is not in order to change the text to which both Houses have agreed. Volume **V,** section **6180.**

The text to which both Houses have agreed may not be changed in the slightest particular. Volume **V,** section **6181.**

The text to which both Houses have agreed may not be amended, even by adding a new section at the end of the bill. Volume **V,** section **6182.**

The House may not, even by unanimous consent, change the text to which both Houses have agreed. Volume **V,** section **6179.**

The text to which both Houses have agreed may not be changed except by the unanimous consent of both Houses. Volume **V,** sections **6433–6436.**

The fact that an amendment proposed to a Senate amendment would in effect change a provision of the text to which both Houses have agreed does not constitute a reason why the Speaker should rule it out. Volume **II,** section **1335.** Volume **V,** sections **6183–6185.**

Managers of a conference may not change text to which both Houses have agreed. Volume **V,** sections **6417, 6418, 6420.**

It is not in order to give such instructions to managers of a conference as would require changes in the text to which both Houses have agreed. Volume **V,** section **6388.**

A provision changing the text to which both Houses have agreed has been appended to a conference report and agreed to by unanimous consent after action on the report. Volume **V,** sections **6433–6436.**

THANKS.

Form of resolution thanking the Speaker at the adjournment of a Congress. Volume **V,** sections **7046–7048.** Volume **VIII,** sections **3509, 3513.**

The resolution of thanks to the Speaker at the end of his term of service is presented as privileged. Volume **V,** sections **7050, 7051.**

References to divisions on the resolution of thanks to the Speaker (footnote). Volume **V,** section **7046.**

A resolution of thanks to a Speaker who had resigned was agreed to before the election of a successor. Volume **I,** section **231.**

A Speaker pro tempore is sometimes thanked for his services. Volume **V,** section **7049.**

Instance of thanks to the Clerk for presiding during a prolonged contest over the organization. Volume **I,** section **222.**

The House thanked its Clerk for his service in presiding during a delayed election of a Speaker. Volume **VIII,** section **3671.**

The House thanked its managers for their services in the Swayne impeachment trial. Volume **III,** section **2037.**

The thanks of Congress have been bestowed in recognition of public services since the early days of the Government. Volume **V,** sections **7333–7335.** Volume **VIII,** section **3670.**

Mr. Richard Henry Lee received the thanks of the House for his oration on the occasion of the death of George Washington. Volume **V,** section **7181.**

The eulogists of deceased Presidents have received the thanks of Congress. Volume **V,** sections **7178–7180.**

Chief Justice Fuller received the thanks of Congress for his oration at the centennial of the inauguration of Washington (footnote). Volume **V,** section **7060.**

For his oration in memory of Lafayette Mr. John Quincy Adams received the thanks of Congress. Volume **V,** section **7219.**

THANKS—Continued.

The Committee on Foreign Affairs exercises general but not exclusive jurisdiction of authorizations to receive medals or decorations from foreign governments, extension of thanks of Congress to foreign governments and erection of monuments in foreign lands. Volume **VII,** section **1885.**

The House has sometimes thanked organizations and individuals for public services. Volume **V,** sections **7331, 7332.**

Persons who have by name received the thanks of Congress have the privilege of the floor. Volume **V,** section **7283.** Volume **VIII,** section **3634.**

The privileges of the floor incident to receiving the thanks of Congress are limited to those who have been designated by name. Volume **VIII,** section **3638.**

THAYER.

The Pennsylvania election case of Carrigan v. Thayer in the Thirty-eighth Congress. Volume **I,** section **712.**

The Oregon election case of Shiel v. Thayer in the Thirty-seventh Congress. Volume **I,** section **613.** Volume **II,** section **846.**

THIRD DEGREE.

An amendment in the third degree is not permissible. Volume **V,** section **5754.** Volume **VIII,** section **2580.**

In considering an amendment to a committee amendment, an amendment in the nature of substitute for the pending amendment was not admitted, being in the third degree. Volume **VIII,** section **2891.**

While there may be pending an amendment, an amendment to it, and another amendment in the nature of a substitute, an amendment in the third degree may not be admitted under the guise of a substitute. Volume **VIII,** section **2888.**

A substitute for an amendment to an amendment is in the third degree and is not permissible. Volume **VIII,** section **2889.**

THIRD READING.

The second reading of a bill is in full; the third reading by title, unless a Member demand reading in full. Volume **IV,** section **3391.**

The vote by which the House refuses to order a third reading may be reconsidered. Volume **VIII,** section **2777.**

A bill is not amended on its first reading, but pending the engrossment and third reading. Volume **V,** section **5781.**

A Member may demand the reading in full of the actual engrossed copy of a bill and, though the previous question be ordered, the bill, on demand, is laid aside until engrossed. Volume **IV,** sections **3395–3399.**

The right to demand the reading in full of the engrossed copy of a bill exists only immediately after it has passed to be engrossed and not at later stages. Volume **IV,** section **3400.**

Unless the previous question is operating, debate is in order after the third reading and pending the vote on the passage of the bill. Volume **VIII,** section **3067.**

In voting on the engrossment and third reading and passage of a bill, a separate vote on the various propositions of the bill may not be demanded. Volume **VIII,** section **3172.**

A bill having been read a third time by title and the yeas and nays being ordered on the passage, it is too late to demand the reading in full of the engrossed copy. Volume **IV,** section **3402.**

The motion to refer is in order before the previous question is demanded, but after the previous question has been ordered on a bill to final passage, the motion to refer is not admissible until after the third reading. Volume **VIII,** section **2746.**

The motion to recommit is not in order until the bill has been read the third time. Volume **VIII,** section **2694.**

THIRD READING—Continued.

Where the motion for the previous question covers all stages of the bill to final passage the motion to recommit is made after the third reading, and is not in order after the question has been put on the passage of the bill. Volume **VIII,** section **2747.**

THOBE.

The Kentucky election case of Thobe v. Carlisle, the Speaker, in the Fiftieth Congress. Volume **II,** section **1006.**

THOMAS, ELECTION CASES OF.

The Tennessee election case of Thomas v. Arnell in the Thirty-ninth Congress. Volume **I,** section **680.**

The Virginia election case of Thomas v. Davis in the Forty-third Congress. Volume **II,** section **898.**

The North Carolina election case of Fowler v. Thomas in the Fifty-seventh Congress. Volume **II,** section **1124.**

THOMAS, PHILIP F.

In 1867 the Senate, having in view the test oath and the spirit of the fourteenth amendment, excluded Philip F. Thomas for disloyalty. Volume **I,** sections **457, 458.**

THOMASON EWING R., of Texas, Chairman.

Decisions on questions of order relating to—

Bills. Volume **VII,** section **1065.**

THOMPSON.

The Iowa election case of Miller v. Thompson in the Thirty-first Congress. Volume **I,** sections **815–819.**

The North Carolina election case of Thompson v. Shaw in the Fifty-fourth Congress. Volume **II,** section **1081.**

THORP.

The Virginia election case of Thorp v. McKenney in the Fifty-fourth Congress. Volume **II,** section **1072.**

The Virginia election case of Thorp v. Epes in the Fifty-fifth Congress. Volume **II,** sections **1098, 1099.**

THRASHER.

The Tennessee election case of Thrasher v. Enloe in the Fifty-third Congress. Volume **II,** section **1051.**

THREE DAYS.

The constitutional adjournment for not "more than three days" must take into the account either the day of adjourning or the day of meeting. Volume **V,** sections **6673, 6674.**

Sunday is not taken into account in making the constitutional adjournment of "not more than three days." Volume **V,** sections **6673, 6674.**

A concurrent resolution providing for an adjournment of the two Houses for more than three days is privileged. Volume **V,** section **6701.**

When the two Houses adjourn for more than three days, and not to or beyond the day fixed by Constitution or law for the next regular session to begin, the session is not thereby necessarily terminated. Volume **V,** sections **6676, 6677.**

THREET.

The Alabama election case of Threet v. Clark in the Fifty-first Congress. Volume **II,** section **1025.**

THRUSTON.

The investigations into the conduct of Judge Buckner Thruston in 1825 and 1837. Volume **III,** section **2491.**

THURMAN, ALLEN G., of Ohio, Presiding Officer.
Decision on question of order relating to personalities in debate. Volume **V,** section **5155.**

TIBBATTS, JOHN W., of Kentucky, Speaker Pro Tempore and Chairman.
Decisions on questions of order relating to—
Speaker's authority. Volume **II,** section **5995.**
Vote by tellers. Volume **V,** section **5995.**

TIE VOTE.
(1) Effect of, in the House.
(2) Speaker's vote in case of.
(3) Casting vote of the Vice-President.
(4) In elections of Representatives.

(1) Effect of, in the House.
The voice of a majority decides on a vote, but if the House be equally divided the motion fails. Volume **V,** section **5926.**
In all cases of a tie vote the question shall be lost. Volume **V,** section **5964.**
The most carefully considered ruling has been that in case of a tie vote any Member recorded on the prevailing side may move to reconsider. Volume **V,** sections **5615, 5616.**

(2) Speaker's Vote in Case of.
The duty of the Speaker to give a casting vote may be exercised after the intervention of other business when a correction of the roll call reveals a tie not before ascertained. Volume **V,** sections **6061–6063.**
The Speaker having cast his vote in case of an apparent tie asserted his right to withdraw it when the roll seemed to show that there was in fact no tie vote, but later caused it to be recorded to change the result. Volume **V,** section **5971.**
Instance wherein, on a tie vote on an appeal the Speaker voted in the affirmative. Volume **V,** section **5686.**
When the vote on an appeal has resulted in a tie the Chair has sometimes given a casting vote in favor of his own decision. Volume **V,** section **6956.**
Instance wherein the Chair gave a casting vote in case of a tie on an appeal from his decision. Volume **V,** section **5239.**
On an appeal from a decision of the chairman in a committee, the Chair voted to sustain his ruling, thereby producing a tie, and so the decision was sustained. Volume **IV,** section **4569.**
When on an appeal from the decision of the Chair the vote would be a tie after the Chair should have voted to sustain his own decision, an interesting question would be presented. Volume **V,** section **6957.**
The Chair may vote to make a tie and so decide the question in the negative as he may vote to break a tie and decide a question in the affirmative. Volume **VIII,** section **3100.**

(3) Casting Vote of the Vice-President.
The Vice-President votes on all questions wherein the Senate is equally divided, even on a question relating to the right of a Senator to his seat. Volume **V,** sections **5976, 5977.**
Instance wherein the Vice-President cast a deciding vote on questions relating to the organization of the Senate. Volume **V,** section **5975.**
The right of the Vice-President to give a casting vote extends to cases arising in the election of officers of the Senate. Volume **V,** sections **5972–5974.**

(4) In Elections of Representatives.
The Constitution requires election of Representatives by the people, and State authorities may not determine a tie by lot. Volume **I,** section **775.**
Two candidates having equal number of votes, the governor did not issue credentials to either, but ordered a new election after they had waived their respective claims. Volume **I,** section **555.**

TILLMAN.

The Tennessee election case of Sheafe v. Tillman in the Forty-first Congress. Volume **II,** section **884.**

The South Carolina election case of Tillman v. Smalls in the Forty-fifth Congress. Volume **II,** section **926.**

The South Carolina election case of Smalls v. Tillman in the Forty-seventh Congress. Volume **II,** section **968–970.**

TILSON, JOHN Q., of Connecticut, Chairman.

Decisions on questions of order relating to—

Amendment. Volume **VIII,** section **2427, 2837, 2869, 2870, 2892, 3183.**

Amendment, germaneness of. Volume **VII,** section **1415, 1422.** Volume **VIII, sections 2915, 2926, 2942, 2986, 3014, 3016, 3018, 3019, 3027, 3034, 3054, 3062.**

Appropriations. Volume **VII,** sections **1118, 1157, 1162, 1175, 1177, 1179, 1212, 1221, 1268, 1280, 1282, 1284, 1285, 1311, 1326, 1329, 1348, 1361, 1376, 1387, 1394, 1411, 1497, 1580, 1587, 1588, 1590, 1592, 1595, 1602, 1606, 1608, 1614, 1616, 1618, 1633, 1639, 1664, 1668, 1669, 1680, 1692, 1694, 1696, 1710, 1720, 2137, 2157.**

Calendar Wednesday. Volume **VII,** sections **894, 966.**

Commitee of the Whole House. Volume **VIII,** section **2319.**

Debate. Volume **VIII,** sections Volume **2462, 2533, 2540, 2550, 2595.**

Debating. Volume **VIII,** section Volume **3067.**

Enacting clause, strike out. Volume **VIII,** sections **2629, 2638.**

Holman rule. Volume **VII,** sections **1501, 1526, 1542, 1544, 1546, 1553.**

Jurisdiction of committees. Volume **VII,** section **2115.**

Preferential motions. Volume **VIII,** section **3100.**

Privilege of the floor. Volume **VIII,** section **3636.**

Quorum. Volume **VI,** sections **671, 677.**

Reading. Volume **VII,** section **1050.**

Recognition. Volume **VI,** section **294.**

Reference. Volume **VII,** section **1994.**

Reports of committees. Volume **VIII,** sections **2236, 2237, 2238, 2245, 2247.**

Resolutions. Volume **VII,** section **1044.**

The Speaker. Volume **VI,** section **251.**

Special orders. Volume **VII,** section **793.** Volume **VII,** sections **3066, 3160.**

TILTON, F. A., Third Assistant Postmaster General.

Decisions on questions of order relating to—

Franking privilege. Volume **VI,** section **224.**

TIMBER.

The Committee on Agriculture has jurisdiction of subjects relating to timber and forest reserves other than those created from the public domain. Volume **IV,** section **4160.**

The taxation, improvement, irrigation, and control of Indian lands and the construction of roads, cutting of timber, and granting of easements thereon are subjects within the jurisdiction of the Committee on Indian Affairs. Volume **VII,** section **1937.**

A law permitting Indians to remove timber from reservations does not authorize an appropriation for that purpose. Volume **VII,** section **1204.**

TIMES OF ELECTIONS. See "Elections."

TINCHER, J. N., of Kansas, Chairman.

Decisions on questions of order relating to—

Quorum. Volume **VI,** section **641.**

TINKHAM.

The Massachusetts election case of Horgan v. Tinkham in the Sixty-fourth Congress. Volume **VI,** section **141.**

TITLE

(1) Of a bill.
(2) Of the Journal.
(3) Of certain officers.
(4) In general.

(1) Of a Bill.

The statues prescribe the style of title of all appropriation bills. Volume **IV,** section **3367.**

The statutes and the practice of the House prescribe the style of titles and form of bill. Volume **VII,** section **1035.**

Decisions as to the effect of the title in controlling the body of an act of Congress. Volume **VI,** section **3381.**

Committees may not change the title or subject of bills committed to them and must set down on a separate paper the amendments which they recommend. Volume **IV,** section **4557.**

Amendments to the title of a bill are in order after its passage. Volume **VIII,** section **2906.**

Amendments to the title of a bill are in order after its passage and were formerly debatable, even though the bill had passed under the operation of the previous question, but a later rule prohibits such debate. Volume **V,** section **5753.**

Amendments to the title of a bill, whether considered in the House or in Committee of the Whole, are not in order until after its passage. Volume **VIII,** section **2619.**

Amendments to the title of a bill are in order after its passage, and are not datable. Volume **VIII,** section **2907.**

Instance in which the title of a bill was amended on a day subsequent to its passage. Volume **VIII,** section **2877.**

An amendment to the second title of a bill was held not germane to the first title of the bill. Volume **VIII,** section **2923.**

The ordering of the previous question to the final passage of a bill was held to exclude a motion to strike out the title. Volume **V,** section **5471.**

The House has adjourned pending the question on the title of a bill. Volume **IV,** section **3415.**

The reading of a bill by paragraphs being completed in Committee of the Whole, it was held to be too late to make a point of order in committee against the title. Volume **V,** section **6930.**

Procedure for amendment of the title when the bill is considered in the House as in Committee of the Whole. Volume **IV,** section **3416.**

The transaction of business is not in order before the reading of the Journal, even for the purpose of amending the title of a bill which has passed on the preceding day. Volume **IV,** section **2751.**

In determining the germaneness of amendments offered to a bill the title of the bill is not taken into consideration. Volume **VIII,** section **2916.**

The title of an act is not law and is not considered in construing its provisions. Volume **VII,** section **1254.**

The title of a bill is not conclusive as to contents or purport of a bill and is not considered in passing upon points of order relating to provisions of the bill proper. Volume **VII,** section **1489.**

(2) Of the Journal.

The House in early days fixed the title of Journal. Volume **IV,** section **2728.**

The title of the Journal indicates whether or not the Congress was convened by law. Volume **IV,** section **2729.**

TITLE—Continued.

(3) Of Certain Officers.

Form decided on by the two Houses for addressing the President of the United States (foot-note). Volume **V,** section **6629.**

Forms for addressing the Vice-President or President pro tempore while presiding at an impeachment trial. Volume **III,** section **2066.**

Title by which the Chief Justice is addressed while presiding at an impeachment trial. Volume **III,** section **2065.**

The title "Father of the House" as applied to the Member of longest continuous service. Volume **VI,** section **234.**

(4) In General.

A contention that the admissions of a claimant might not waive a prima facie title in which the people of the district were interested. Volume **I,** section **45.**

A concurrent resolution is not used in conveying title to Government property. Volume **VII,** section **1045.**

A bill transferring title of public lands to a private corporation was classed as a private bill. Volume **VII,** section **861.**

TOBACCO.

While the Committee on Agriculture has jurisdiction of revenue legislation affecting oleomargarine, the Ways and Means Committee has retained jurisdiction as to revenue bills affecting tobacco, lard, cheese, etc. Volume **IV,** section **4022.**

A bill relating to the method of packing dutiable tobacco for parcel-post shipment was held not to be a revenue bill within the meaning of the rule giving such bills privilege. Volume **VIII,** section **2280.**

The Committee on Ways and Means has jurisdiction of legislation specifying methods of packing tobacco on which a tax is levied. Volume **VII,** section **1726.**

TODD.

The election case of Todd v. Jayne, from the Territory of Dakota, in the Thirty-eighth Congress. Volume **I,** section **619.** Volume **VII,** sections **852, 853.**

TOMPKINS.

The Ohio election case of Lentz v. Tompkins in the Fifty-seventh Congress. Volume **II,** section **1125.**

TONGUE.

The Oregon election case of Vanderburg v. Tongue in the Fifty-fifth Congress. Volume **II,** section **1100.**

TONNAGE TAXES.

The subjects of tonnage taxes and fines and penalties on vessels are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4131.** Volume **VII,** section **1856.**

TOOMBS, ROBERT, of Georgia, Chairman.

Decisions on question of order relating to general debate. Volume **V,** section **5234.**

TOPOGRAPHICAL SURVEY.

An appropriation for continuing a topographical survey was held in order on a general appropriation bill as being in continuation of a public work. Volume **IV,** sectionS **3796, 3797.** Volume **VII,** section **1382.**

The Committee on Interstate and Foreign Commerce has considered bills providing for a topographical survey of the United States. Volume **VII,** section **1829.**

TORPEDOES.

An appropriation for torpedoes for harbor defense is within the jurisdiction of the Committee on Appropriations (footnote). Volume **IV,** section **4042.**

TOULMIN.
The inquiry into the conduct of Judge Harry Toulmin in 1811. Volume **III,** section **2488.**

TOWNER, HORACE M., of Iowa, Chairman.
Decisions on questions of order relating to—
Adjourn, motion to. Volume **VI,** section **706.**
Amendment. Volume **VIII,** sections **2421, 2931.**
Amendment, germaneness of. Volume **VIII,** sections **2934, 2978, 3029.**
Amendment, substitue. Volume **VIII,** sections **2426, 2904.**
Appropriations, Volume **VII,** sections **1132, 1161, 1198, 1220, 1230, 1248, 1250, 1254, 1313, 1362, 1382, 1478, 1514, 1521, 1705, 1744, 2149.**
Dilatory motions. Volume **VIII,** section **2799.**
Enacting clause, strike out. Volume **VIII,** section **2620.**
Question of order. Volume **VIII,** section **3451.**

TOWNSEND, CHARLES E., of Michigan, Chairman.
Decisions on questions of order relating to—
Appropriations. Volume **VII,** section **1702.**

TRADE.
Measures for fostering commercial intercourse with foreign nations and for safeguarding American business interests abroad have been considered by the Committee on Foreign Affairs. Volume **IV,** section **4175.**
The protection of trade and commerce against unlawful restraints and monopolies is a subject within the jurisdiction of the Committee on the Judiciary. Volume **VII,** section **1748.**

TRADE-MARKS.
The rule gives to the Committee on Patents jurisdiction of subjects relating "to patents, copyrights, and trade-marks." Volume **IV,** section **4254.**
Bills relating to the general subject of trade-marks, including punishment for the counterfeiting thereof, have been considered by the Committee on Patents. Volume **IV,** section **4256.** Volume **VII,** section **1985.**
Appropriations for the annual quota of the United States in support of the International Trade-Mark Bureau and the International Hydrographic Bureau were held not to be authorized by existing law. Volume **VII,** section **1256.**

TRANSPORTATION.
In the later practice of the House subjects relating to transportation of dutiable goods, ports of entry and delivery, and customs collection districts have been reported by the Committee on Ways and Means. Volume **IV,** section **4026.**
An appropriation for transportation and subsistence of diplomatic and consular officers en route to and from their posts was held to be in order on an appropriation bill. Volume **VII,** section **1251.**
Payment of cash in lieu of transportation for naval personnel is not authorized by statute and an appropriation for that purpose is not in order on an appropriation bill. Volume **VII,** section **1130.**
Bills to prevent the adulteration, misbranding, manufacture, sale, or transportation of foods, drugs, medicines, and liquors have occasionally been reported by the Committee on Agriculture. Volume **VII,** section **1874.**
A provision in permanent law authorizing establishment of rifle ranges open to "all able-bodied males capable of bearing arms" authorizes an appropriation for "transportation of instructors of employees and civilians engaged in target practice." Volume **VII,** section **1276.**
An appropriation for the transportation of officers of the United States Court for China was held to be authorized by the organic act creating the court. Volume **VII,** section **1252.**

TRANSPORTATION—Continued.

The use of Army transports and authorizations and regulations for the transportation of civilians thereon are subjects within the jursidiction of the Committee on Military Affairs. Volume **VII,** section **1896.**

The importation and interstate transportation of trees, shrubs, and other nursery stock, quarantine regulations against insect pests and plant disease, and the establishment of a national arboretum are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII,** section **1863.**

The transportation of passengers on shipping is a subject within the jurisdiction of the Committee on the Merchant Marine and Fisheries. Volume **VII,** section **1852.**

TRAVEL.

The rule provides that "the ascertainment of the travel of Members of the House shall be made by the Committee on Mileage and reported to the Sergeant-at-Arms." Volume **IV,** section **4336.**

An appropriation for traveling expenses of the President, within the prescribed statutory limit, is authorized by law. Volume **VII,** section **1196.**

TREADWAY, ALLEN T., of Massachusetts, Chairman.

Decisions on questions of order relating to—

Amendment, germaneness of. Volume **VIII,** section **3060.**

Appropriations. Volume **VII,** sections **1305, 1663.**

TRESON.

(1) Of a Member.—Destroys his privilege.
(2) Of a Member.—Prior rights of House as to charges of.
(3) Of a Member.—Questions of privilege as to.
(4) Of a Member.—Expulsion for.
(5) Of a Member.—Censure for.
(6) Of a Member.—The "test oath" of 1862.
(7) Of a Member.—Exclusion for.
(8) Of a constituency.
(9) Of a civil officer.

(1) Of a Member.—Destroys His Privilege.

The words "treason, felcony, and breach of the peace" in the constitutional guarantee of privilege have been construed to mean all indictable crimes. Volume **III,** section **2673.**

All criminal offenses are comprehended by the terms "treason, felony, and breach of the peace." as used in the Constitution, excepting these cases from the operation of the privilege from arrest therein conferred upon Senators and Representatives during their attendance at the sessions of their respective Houses, and in going to and returning from the same. Volume **VI,** section **589.**

(2) Of Member.—Prior Rights of House as to Charges of.

Prior rights of the House when a Member is accused of treason, felony, or breach of the peace. Volume **II,** section **1260.**

Instance of examination by a House committee of charges of bigamy and treason against a Delegate. Volume **I,** section **526.**

(3) Of a Member.—Questions of Privilege as to.

A resolution directing an inquiry into alleged treasonable conduct on the part of a Member was admitted as a question of privilege. Volume **III,** section **2653.**

A charge that a Member had been holding intercourse with the foes of the Government was investigated as a question of privilege. Volume **III,** section **2652.**

Inferences charging treason present a question of privilege. Volume **VI,** section **596.**

TREASON—Continued.

(4) Of a Member.—Expulsion for.

Two Members were expelled for treason, and the House ordered the governors of their respective States to be notified. Volume **II,** section **1261.**

A Member-elect who had not taken the oath was expelled from the House for treason. Volume **II,** section **1262.**

The Senate failed by one vote to expel John Smith, charged with participation in a treasonable conspiracy. Volume **II,** section **1264.**

In the early days of the secession movement a question arose as to the right to expel a defiant Senator representing a seceding State. Volume **II,** section **1265.**

By a single resolution the Senate expelled several Senators for treasonable conspiracy against the Government. Volume **II,** section **1266.**

"For sympathy with and participation in the rebellion" a Senator was expelled after examination of his case by a committee. Volume **II,** section **1268.**

For bearing arms against the Government John C. Breckinridge was summarily expelled from the Senate. Volume **II,** section **1267.**

For a letter implying friendship with the foes of the Government Jesse D. Bright was expelled from the Senate. Volume **II,** section **1269.**

For expressions hostile to the Government, absence from his seat, and presence within the lines of the enemy Trusten Polk was expelled from the Senate. Volume **II,** section **1270.**

The Senate did not consider Lazarus W. Powell worthy of expulsion because he had formerly counseled his State to be neutral between the Government and its enemies. Volume **II,** section **1271.**

A Senator having used words which might incite treason, a resolution of expulsion was proposed, but withdrawn upon explanation. Volume **II,** section **1272.**

A Senate committee having, on the strength of ex parte affidavits, found Benjamin Stark disloyal, the Senate disagreed to a resolution for his expulsion. Volume **I,** section **443.**

The Senate did not pursue inquiry as to the charge that Senator John Smith had sworn allegiance to a foreign power, the said oath having been taken before his election as Senator. Volume **II,** section **1264.**

Convinced that Reed Smoot had taken an oath of hostility to the nation, a majority of the Senate committee held this a reason for vacating his seat as a Senator. Volume **I,** section **482.**

(5) Of a Member.—Censure, for.

After considering the question of expulsion, the House censured a Member for words alleged to be treasonable. Volume **II,** section **1253.**

For words alleged to be treasonable the House censured a Member, after a motion to expel him had failed. Volume **II,** section **1254.**

An attempt to censure a Member for presenting a petition alleged to be treasonable failed after long debate. Volume **II,** section **1255.**

It has been held in order to censure a Member for words alleged to be treasonable, even though they were not taken down at the time they were uttered. Volume **II,** section **1252.**

(6) Of a Member.—The "Test Oath" of 1862.

Form of oath prescribed by the act of July 2, 1862, known as the "ironclad oath." Volume **I,** section **449.**

A Member-elect who had not been disloyal, but who could not truthfully take the oath of July 2, 1862, was not sworn until he had been relieved of his disabilities by law. Volume **I,** section **455.**

A Senator-elect whose loyalty satisfactorily withstood inquiry, but who seemed unable truthfully to take the oath of July 2, 1862, was finally permitted to take the oath. Volume **I,** section **453.**

Discussion of the question as to whether or not the test oath of July 2, 1862, actually prescribed a new qualification for the Member. Volume **I,** sections **457, 458.**

TREASON—Continued.

(6) Of a Member.—The "Test Oath" of 1862—Continued.

In 1868, a question of loyalty arising, the House in effect held that there might be established by law qualifications other than those required by the Constitution. Volume **I,** section **449.**

(7) Of a Member.—Exclusion for.

Before the adoption of the fourteenth amendment and in a time of civil disorders the committee reported and the House sustained the view that no person who had been disloyal should be sworn. Volume **I,** section **448.**

In 1867 it was held that no man duly elected should be excluded for disloyalty unless it could be clearly proven that he had been guilty of such open acts of disloyalty that he could not honestly and truly take the oath of July 2, 1862. Volume **I,** section **448.**

Before the adoption of the fourteenth amendment and in a time of civil disorders the House denied the oath to Members-elect who presented themselves with credentials in due form, but whose loyalty was questioned, and the credentials were referred to a committee. Volume **I,** section **448.**

John D. Young, having in the opinion of the House voluntarily given aid and comfort to the enemy by words, although not by acts, was held incapable of taking the oath of July 2, 1862. Volume **I,** section **451.**

In 1868 the House excluded a Member-elect who, by voluntarily giving aid and comfort to rebellion, had in the opinion of the House made it impossible for him to take the oath of office prescribed by law. Volume **I,** section **449.**

In 1870 no one of the Members-elect from Virginia was seated until the credentials were reported on by a committee and the House had acted. Volume **I,** section **461.**

It not being proved by clear and satisfactory testimony that Lawrence S. Trimble had given aid and comfort to rebellion the House declined to exclude him. Volume **I,** section **452.**

In 1870 the House declined to exclude a Member-elect for alleged disloyalty in giving utterance to words indicating contempt for the Government. Volume **I,** section **387.**

A Member-elect who was about to be sworn was challenged for disloyalty, whereupon the House denied him the oath and referred the credentials. Volume **I,** section **455.**

In 1869 the Elections Committee proposed to exclude for disloyalty one who had already been sworn in, and although the committee were reversed on the facts the propriety of the proceeding was not questioned. Volume **I,** section **460.**

In 1870, after a Member-elect had been permitted to take the oath, the House took up and decided a contest based on his alleged disloyalty, deciding that the evidence did not show his disqualifications. Volume **I,** section **462.**

In 1870 the House voted to administer the oath to a Member-elect on his correct prima facie showing, although a question as to his qualifications was pending before the Elections Committee. Volume **I,** section **462.**

A Member-elect whose loyalty was impeached was permitted to take the oath, and after that the House was reluctant to take action in his case. Volume **I,** section **461.**

In 1867 the Senate, having in view the test oath and the spirit of the fourteenth amendment, excluded Philip F. Thomas for disloyalty. Volume **I,** sections **457, 458.**

In 1866 a Senator having stated in his place that the loyalty of a Senator-elect was doubtful, the credentials were referred to a committee before the oath was taken. Volume **I,** section **453.**

In 1867 the Senate, upon the statement by a Member that there were rumors affecting the loyalty of a Member-elect, referred the credentials before permitting the oath to be taken. Volume **I,** sections **457, 458.**

In 1862, before the enactment of the test oath for loyalty, the Senate after mature consideration declined to exclude for alleged disloyalty Benjamin Stark, whose credentials were unimpeached. Volume **I,** section **443.**

TREASON—Continued.

(7) Of a member.—Exclusion for—Continued.

In 1862 the Senate decided to administer the oath "without prejudice to any subsequent proceedings in the case" to a Senator-elect charged with disloyalty. Volume **I,** section **443.**

(8) Of a Constituency.

In 1867 the Elections Committee took the view that charges of the disloyalty of a constituency should not prevent a person holding a regular certificate from taking a seat on his prima facie right. Volume **I,** section **448.**

In 1868 the House refused a seat to a contestant who received a small minority of the votes in a Territory, but who alleged that the majority voters were disqualified by treasonable antagonism to the Government. Volume **I,** section **467.**

In an exceptional case the House rejected votes cast by persons lately in armed resistance to the Government, although by the law of the State they were qualified voters. Volume **I,** section **451.**

In 1868 the House declined to pass on the title to a seat of William H. Hooper, Delegate from Utah, who was alleged to have been elected by undue influence of an alleged disloyal organization. Volume **I,** section **467.**

(9) Of a Civil Officer.

Treasono, bribery, or other high crimes and misdemeanors require removal of President, Vice-President, or other civil officers on conviction by impeachment. Volume **II,** section **2001.**

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As to jurisdiction in relation to overdue bonds of certain States held in the Treasury as part of Indian trust funds. Volume **IV,** section **4207.**

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The Secretary of the Treasury, alone of all the Cabinet, transmits his report directly to Congress (footnote). Volume **V,** section **6652.**

The annual estimates of the Secretary of the Treasury for the support of the government are printed in advance of the assembling of Congress. Volume **IV,** sections **3574, 3575.**

The Secretary of the Treasury may recommend legislation to Congress, even when his views have not been requested by either House. Volume **V,** section **6652.**

Authority of the Committee on Accounts and the accounting officers of the Treasury over the expenditure of the contingent fund of the House. Volume **V,** section **7236.**

Proposed inquiry into the eligibility of Andrew W. Mellon to serve as Secretary of the Treasury, in 1932. Volume **VI,** section **540.**

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(1) House's participation in.—In general.
(2) House's participation in.—Relating to the revenue.
(3) House's participation in.—With the Indians.
(4) Requests for information as to.
(5) Jurisdiction of committees as to.
(6) In general.

(1) House's Participation in.—In General.

Discussion of the right of the House to share in the treaty-making power. Volume **VI,** section **324.**

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(1) House's Participation in.—In General—Continued.

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The House sometimes requests the Executive to negotiate a treaty, although the propriety of the act has been questioned. Volume **II,** sections **1514–1517.**

Notice to a foreign government of the abrogation of a treaty is authorized by a joint resolution. Volume **V,** section **6270.**

Instances of the action of the House in carrying into effect, terminating, enforcing, and suggesting treaties. Volume **II,** sections **1502–1505.**

In 1816 the House, after discussion with the Senate, maintained its position that a treaty must depend on a law of Congress for its execution as to such stipulations as relate to subjects constitutionally intrusted to Congress. Volume **II,** section **1506.**

In 1796 the House affirmed that when a treaty related to subjects within the power of Congress it was the constitutional duty of the House to deliberate on the expediency of carrying such treaty into effect. Volume **II,** section **1509.**

In 1868, after discussion with the Senate, the House's assertion of right to a voice in carrying out the stipulations of certain treaties was conceded in a modified form. Volume **II,** section **1508.**

In 1871 the House asserted its right to a voice in carrying into effect treaties on subject submitted by the Constitution to the power of Congress. Volume **II,** section **1523.**

Discussion of the right of the House to share in the treaty-making power. Volume **II,** section **1509.**

Discussion of the prerogatives of the House in relation to treaties, commercial and otherwise. Volume **II,** sections **1546, 1547.**

In 1820 the House considered, but without result, its constitutional right to a voice in any treaty ceding territory. Volume **II,** section **1057.**

In 1868 the House declined to assert that no purchase of foreign territory might be made without the sanction of a previously enacted law. Volume **II,** section **1508.**

(2) House's Participation in.—Relating to the Revenue.

The question raised in the House as to whether a treaty modifying or repealing laws providing for revenue may be negotiated without action on the part of the House. Volume **VI,** section **324.**

Argument that the treaty-making power is subject to the authority and power to originate revenue legislation specially delegated by the Constitution to the House. Volume **VI,** section **324.**

The House has at times advised the Executive in regard to treaties affecting the revenue. Volume **II,** sections **1520–1522.**

After long and careful consideration the Judiciary Committee of the House decided, in 1887, that the executive branch of the Government might not conclude a treaty affecting the revenue without the assent of the House. Volume **II,** sections **1528–1530.**

In 1880 the House declared that the negotiation of a treaty affecting the revenue was an invasion of its prerogatives. Volume **II,** section **1524.**

In 1884 and 1886 the Ways and Means Committee assumed that the right of the House to a voice in making treaties affecting the revenue had been conceded. Volume **II,** sections **1526, 1527.**

Discussion by a Senate committee as to the jurisdiction of the Senate over revenue treaties. Volume **II,** section **1533.**

In 1881 the House Committee on Foreign Affairs, discussing the treaty-making power, concluded that the House had no share in it. Volume **II,** section **1525.**

In 1844 the Senate took the view that the constitutional method of regulating duties was by act of Congress rather than by treaty. Volume **II,** section **1532.**

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Alleged infringement by the treaty-making power on the constitutional right of the House to originate revenue measures presents a question of privilege. Volume **III,** section **2564.**

(3) House's Participation in.—With the Indians.

After long discussion the House, in 1871, successfully asserted its right to a voice in approving Indian treaties. Volume **II,** section **1535, 1536.**

Even in the case of an application for papers relating to an Indian treaty President Jackson asserted the Executive prerogative as opposed to the contention of the House. Volume **II,** section **1534.**

(4) Requests for Information as to.

The House has requested the President to lay before it information as to the carrying out and the violation of treaties, and the information has been furnished. Volume **II,** sections **1510, 1511.**

President Washington, in 1796, declined the request of the House that he transmit the correspondence relating to the recently ratified treaty with Great Britain. Volume **II,** section **1509.**

In 1822 the House called generally and specifically for papers relating to the treaty of Ghent and obtained them, although the Executive advised against their publication. Volume **II,** sections **1512, 1513.**

In 1848 President Polk declined on constitutional grounds to honor the unconditional request of the House for a copy of the instructions to the minister sent to negotiate a treaty with Mexico. Volume **II,** sections **1518, 1519.**

In 1846 President Polk, for reasons of public policy, declined to inform the House as to expenditures from the secret or contingent fund of the State Department. Volume **II,** section **1561.**

(5) Jurisdiction of Committees as to.

Bills to carry out the stipulations of treaties are often reported by the Committee on Foreign Affairs. Volume **IV,** section **4178.**

The treaty rights of American fisherman in waters adjacent to foreign shores are within the jurisdiction of the Committee on Foreign Affairs. Volume **IV,** section **4171.**

The enforcement of treaty regulations as to the protection of the fur seals has been considered by the Committee on Foreign Affairs. Volume **IV,** section **4170.**

The Ways and Means Committee has exercised jurisdiction over the subjects of customs unions, reciprocity treaties, and conventions affecting the revenues. Volume **IV,** section **4021.**

The Committee on Foreign Affairs has exercised jurisdiction of the subjects of commercial treaties and reciprocal arrangements. Volume **IV,** section **4174.**

The Committee on Insular Affairs exercises practically an exclusive jurisdiction over the affairs of the islands ceded by the treaty of 1899, except as to matters of revenue and appropriations. Volume **VII,** section **1947.**

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(5) Jurisdiction of Committees as to—Continued.

Awards of money to foreign nations in pursuance of treaties for the adjustment of claims or as acts of grace have been reported by the Committee on Appropriations. Volume **IV,** section **4050.**

A treaty with Indians is not in order for ratification on an Indian appropriation bill. Volume **IV,** section **3882.**

In former days there existed a rule that appropriations for carrying treaties into effect should not be made in general appropriation bills (footnote). Volume **IV,** section **3564.**

The Appropriations Committee report appropriations in fulfillment of treaty stipulations with Indian tribes. Volume **VII,** section **1742.**

(6) In General.

In 1815 the House questioned the constitutional right of a Member to accept an appointment as commissioner, the office being created under the terms of a treaty during the period of his membership. Volume **I,** section **506.**

The meaning of a treaty may not be controlled by subsequent explanations sanctioned by a majority vote only of the Senate. Volume **II,** section **1537.**

An instance of citizenship conferred by treaty stipulations. Volume **I,** section **422.**

Where provisions of a treaty are susceptible of conflicting interpretations, questions of doubt are to be resolved in favor of the more liberal construction. Volume **VII,** section **1139.**

In 1909 the House originated, and the Senate agreed to, a resolution requesting the President to negotiate by treaty or otherwise with a foreign government. Volume **VI,** section **323.**

The importation and interstate transportation of trees, shrubs, and other nursery stock, quarantine regulations against insect pests and plant diseases, and the establishment of a national arboretum are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII,** section **1863.**

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(1) At the bar of the House.—Methods of procedure.
(2) At the bar of the House.—Examination of witnesses in general.
(3) At the bar of the House.—Examination of Members.
(4) At the bar of the House.—Counsel admitted.
(5) Arraignment of contumacious witnesses.
(6) Investigations by committees.

(1) At the Bar of the House.—Methods of Procedure.

A citizen having attempted to bribe a Member, the House arrested, tried, and punished him. Volume **II,** section **1606.**

For misappropriation of funds the House arrested its Clerk and arraigned him at the bar. Volume **I,** section **287.**

Early election cases instituted by petition and tried before the House. Volume **II,** sections **758, 760.**

In 1795 the House decided to hear the case of a person arrested for contempt at the bar rather than by a select committee. Volume **II,** section **1602.**

In proceedings for expulsion the House declined to give the Members a trial at the bar. Volume **II,** section **1275.**

In 1795 proceedings against persons in contempt were taken in accordance with recommendations by a select committee on privileges. Volume **II,** section **1600.**

The House appointed a committee of privileges to determine the procedure in the Anderson contempt case. Volume **II,** section **1606.**

For the trial of Samuel Houston for contempt a committee on privileges reported on a method of procedure. Volume **II,** section **1617.**

Form of arraignment of Randall and Whitney in 1795. Volume **II,** section **1600.**

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(1) At the Bar of the House.—Methods of Procedure—Continued.

An officer of the House being arraigned for neglect of duty, it was voted that he might answer orally. Volume **I,** section **291.**

A Member against whom was pending a resolution of expulsion was permitted to address the House by unanimous consent. Volume **II,** section **1275.**

The House declined to release Samuel Houston on bail pending his trial by the House for contempt. Volume **II,** section **1618.**

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Form of proceedings at the trial of William Duane at the bar of the Senate. Volume **II,** section **1604.**

A person on trial at the bar of the Senate was to be present at the arraignment and examinations but to retire during deliberations. Volume **II,** section **1604.**

(2) At the Bar of the House.—Examination of Witnesses in General.

Method of examining witnesses through the Speaker in a contempt case tried at the bar of the House in 1795. Volume **II,** section **1602.**

In the case of John Anderson the accused and witnesses were examined at the bar of the House. Volume **II,** section **1606.**

In 1795 the House introduced a district judge to administer oaths to witnesses in a contempt case heard at the bar of the House. Volume **II,** section **1602.**

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In a trial at the bar of the House for contempt a committee was appointed to examine witnesses for the House. Volume **III,** section **1668.**

For the trial of Samuel Houston a committee was appointed to examine witnesses at the bar of the House. Volume **II,** section **1617.**

A person being under examination at the bar, the questions propounded to him were first approved by the House. Volume **II,** section **1635.**

In the examination of witnesses in the contempt case of Samuel Houston the House decline to permit a witness to state opinions. Volume **II,** section **1618.**

The parliamentary law as to the examination of witnesses. Volume **III,** section **1768.**

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A person under examination at the bar withdraws while the House deliberates on the objection to a question. Volume **III,** section **1768.**

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According to the parliamentary law, questions asked a witness are recorded in the Journal. Volume **III,** section **1768.**

In a trial at the bar of the House both questions to witnesses and their answers were reduced to writing and appear in the Journal. Volume **III,** section **1668.**

A person being under examination at the bar the questions and answers were recorded in the Journal. Volume **II,** section **1635.**

(3) At the Bar of the House.—Examination of Members.

When a case is on trial at the bar of the House Members are examined in their places. Volume **III,** section **1668.**

TRIALS—Continued.

(3) At the Bar of the House.—Examination of Members—Continued.

Rule for examining Members as witnesses in a trial at the bar of the House for contempt. Volume **II,** section **1619.**

A person being on trial for contempt, both the information given by Members and their testimony were required to be under oath. Volume **II,** section **1602.**

Members testifying in the case of Matthew Lyon, who was threatened with expulsion, were sworn and cross-questioned by Mr. Lyon. Volume **II,** section **1643.**

(4) At the Bar of the House.—Counsel Admitted.

The House permitted a person arraigned for contempt in 1795 to be represented before the House by counsel. Volume **II,** section **1601.**

Samuel Houston, arrested for a breach of privilege, was arraigned at the bar of the House, informed of the charge, and informed that he might summon witnesses and employ counsel. Volume **II,** section **1616.**

William Duane, on trial at the bar of the Senate for contempt, was allowed counsel under certain conditions. Volume **II,** section **1604.**

A committee having recommended the expulsion of a Senator the Senate allowed him to be heard by counsel at the bar of the Senate before action on the report. Volume **II,** section **1263.**

(5) Arraignment of Contumacious Witnesses.

In 1837, for refusing to obey the subpoena of a committee, Rueben M. Whitney was arrested and tried at the bar of the House. Volume **III,** section **1667.**

James W. Simonton, a witness before a House committee, was arrested and arraigned at the bar for declining to answer a material question. Volume **III,** section **1669.**

In 1857 the House arrested and arraigned at its bar Joseph L. Chester, a contumacious witness. Volume **III,** section **1670.**

It is for the House and not the Speaker to determine whether or not a person arraigned for contempt shall be heard before being ordered into custody. Volume **III,** section **1684.**

A person on trial at the bar of the House for contempt was given permission to examine witnesses. Volume **III,** section **1668.**

The House ordered that Whitney, under arrest for contempt, should be furnished with a copy of the report as to his alleged contempt, before arraignment. Volume **III,** section **1667.**

In the Whitney case a proposition to examine the respondent was ruled out of order while witnesses were being examined. Volume **III,** section **1668.**

In the resolution ordering the arrest and arraignment of Whitney the House at the same time gave him permission to have counsel. Volume **III,** section **1667.**

The respondent retired while the House deliberated on the mode of procedure in a case of contempt. Volume **III,** section **1668.**

(6) Investigations by Committees.

Early instance wherein testimony in a case of breach of privilege was heard before a select committee. Volume **II,** section **1643.**

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In 1870 the investigation of a breach of privilege was committed to a standing committee. Volume **II,** section **1627.**

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TWO-THIRDS VOTE.

(1) For suspension of the rules.
(2) For expulsion of a Member.
(3) For removing political disabilities.
(4) For passing a bill, notwithstanding the objectives of the President.
(5) For proposing amendments to the Constitution.
(6) For conviction on impeachment.
(7) In relation to the motion to reconsider.
(8) In general.

(1) For Suspension of the Rules.

No rule may be suspended except by a two-thirds vote. Volume **V,** section **6790.**

In the earlier years of the House special orders were made by a two-thirds vote on a motion to suspend the rules. Volume **IV,** sections **3161, 3162.**

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(2) For Expulsion of a Member.

The power of the House to expel one of its Members is unlimited; a matter purely of discretion to be exercised by a two-thirds vote, from which there is no appeal. Volume **VI,** section **78.**

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The Constitution provides that the House may punish its Members for disorderly behavior, and expel a Member by a two-thirds vote. Volume **II,** section **1236.**

An amendment proposing expulsion of a Member was agreed to by a majority vote, but on the proposition as amended a two-thirds vote was required. Volume **II,** section **1274.**

TWO-THIRDS VOTE—Continued.

(2) For Expulsion of a Member—Continued.

Discussion as to whether or not the expulsion of a Delegate should be effected by a majority or a two-thirds votes. Volume **I,** section **469.**

The Senate apparently held the view that Reed Smoot might be deprived of his seat only by the two-thirds vote specified by the Constitution for expulsion. Volume **I,** section **483.**

(3) For Removing Political Disabilities.

Congress may buy a two-thirds vote remove the disabilities of one who, after taking the oath as an officer of the Government, has engaged in insurrection or rebellion. Volume **I,** section **454.**

A bill removing the disabilities of a Member-elect and modifying the test oath for his benefit was passed by a two-thirds vote. Volume **I,** section **455.**

(4) For Passing a Bill, Notwithstanding the Objections of the President.

If two-thirds of the House to which a bill is returned with the President's objections agree to pass it, and then two-thirds of the other House, it becomes a law. Volume **IV,** section **3520.**

The two-thirds vote required to pass a bill, notwithstanding the objections of the President, is "two-thirds of the Members present" (footnote). Volume **IV,** sections **3537, 3538.**

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(5) For Proposing Amendments to the Constitution.

The vote required on a joint resolution proposing an amendment to the Constitution is two-thirds of those voting, a quorum being present, and not-two-thirds of the entire membership. Volume **V,** sections **7027, 7028.** Volume **VIII,** section **3503.**

Proposed amendments to the Constitution may be amended by a majority vote. Volume **V,** sections **7031, 7032.**

The requirement of a two-thirds vote for proposing constitutional amendments has been construed, in the later practice, to apply only to the vote on final passage. Volume **V,** sections **7029, 7030.**

In considering amendments to the Constitution a two-thirds vote was not required in Committee of the Whole, but was required when the House voted on concurring in Senate amendments. Volume **V,** section **7033.**

A two-thirds vote is required to agree to a Senate amendment to a joint resolution proposing an amendment to the Constitution. Volume **V,** section **7034.**

One House having by a two-thirds vote passed in amended form a proposed constitutional amendment from the other House, and then having by a majority vote receded from its amendment, the constitutional amendment was held not to be passed. Volume **V,** section **7035.**

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(6) For Conviction on Impeachment.

"Two-thirds of the Members present" are required by the Constitution for conviction on impeachment. Volume **III,** section **2055.**

If an impeachment is not sustained by a two-thirds vote on any article a judgment of acquittal shall be entered. Volume **III,** section **2098.**

The proposition that evidence in an impeachment trail may be admitted or excluded by a majority vote has been questioned seriously. Volume **III,** section **2167.**

The Senate, by majority vote, assumed jurisdiction to try the Belknap impeachment, although protest was made that a two-thirds vote was required. Volume **III,** section **2059.**

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Two-thirds not having voted guilty on any article, the presiding officer declared Judge Louder-back acquitted. Volume **VI,** section **524.**

(7) In Relation to the Motion to Reconsider.

Where a two-thirds vote is required the motion to reconsider may be made by anyone who voted on the prevailing side. Volume **V,** sections **5617, 5618.** Volume **VIII,** section **2778.**

Where a two-thirds vote is required a Member voting on the prevailing side may move to reconsider, even though he be one of an actual minority. Volume **II,** section **1656.**

A majority is required to reconsider a vote taken under conditions requiring two-thirds for affirmative action. Volume **II,** section **1656.** Volume **VIII,** section **2795.**

Apparently a majority is required to reconsider a vote taken under the requirement that two-thirds shall be necessary to carry the question. Volume **V,** sections **5617, 5618.**

(8) In General.

In a State whereof the constitution required two-thirds for a quorum of each house of the legislature, a Senator was elected by a majority merely of the total membership of the two houses. Volume **I,** section **545.**

A two-thirds vote is required on motions disposing of Senate amendments to propositions requiring a two-thirds vote for passage. Volume **VIII,** section **3178.**

The House may be a two-thirds vote extend consideration of a bill to the next Calendar Wednesday. Volume **VIII,** section **2680.**

The Committee on Rules may report orders of procedure subject to two limitations only: it may not provide for abrogation of the calendar Wednesday rule except by two-thirds vote or for denial of the motion to recommit while the previous question is pending on final passage. Volume **VIII,** section **2262.**

No resolution shall be reported by the Committee on Rules to set aside calendar Wednesday by a vote of less than two-thirds of the Members voting. Volume **VIII,** section **2260.**

Unless agreed to by a two-thirds vote, a report from the Committee on Rules shall not be called upon the same day on which represented except on the last three days of the session. Volume **VIII,** sections **2260, 2261.**

On questions requiring a two-thirds majority Members are paired two in the affirmative against one in the negative. Volume **VIII,** sections **3082, 3088.**

Explanation of caucus procedure requiring two-thirds vote to bind members and exempting constitutional questions, matters of conscience, and pledges to constituents. Volume **VIII,** section **3605.**

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The act of President Tyler in filing with a bill an exposition of his reasons for signing it was examined and severely criticised by a committee of the House. Volume **IV,** section **3492.**

In 1842 the House vigorously asserted and President Tyler as vigorously denied the right of the House to all papers and information in possession of the Executive relating to subjects over which the jurisdiction of the House extended. Volume **III,** sections **1884, 1885.**

The House refused in 1843 to impeach John Tyler, President of the United States, on charges preferred by a Member. Volume **III,** section **2398.**

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A majority is required to reconsider a vote taken under conditions requiring two-thirds for affirmative action. Volume **II,** section **1656.** Volume **VIII,** section **2795.**

Apparently a majority is required to reconsider a vote taken under the requirement that two-thirds shall be necessary to carry the question. Volume **V,** sections **5617, 5618.**

(8) In General.

In a State whereof the constitution required two-thirds for a quorum of each house of the legislature, a Senator was elected by a majority merely of the total membership of the two houses. Volume **I,** section **545.**

A two-thirds vote is required on motions disposing of Senate amendments to propositions requiring a two-thirds vote for passage. Volume **VIII,** section **3178.**

The House may be a two-thirds vote extend consideration of a bill to the next Calendar Wednesday. Volume **VIII,** section **2680.**

The Committee on Rules may report orders of procedure subject to two limitations only: it may not provide for abrogation of the calendar Wednesday rule except by two-thirds vote or for denial of the motion to recommit while the previous question is pending on final passage. Volume **VIII,** section **2262.**

No resolution shall be reported by the Committee on Rules to set aside calendar Wednesday by a vote of less than two-thirds of the Members voting. Volume **VIII,** section **2260.**

Unless agreed to by a two-thirds vote, a report from the Committee on Rules shall not be called upon the same day on which represented except on the last three days of the session. Volume **VIII,** sections **2260, 2261.**

On questions requiring a two-thirds majority Members are paired two in the affirmative against one in the negative. Volume **VIII,** sections **3082, 3088.**

Explanation of caucus procedure requiring two-thirds vote to bind members and exempting constitutional questions, matters of conscience, and pledges to constituents. Volume **VIII,** section **3605.**

TYLER, JOHN, PRESIDENT.

The act of President Tyler in filing with a bill an exposition of his reasons for signing it was examined and severely criticised by a committee of the House. Volume **IV,** section **3492.**

In 1842 the House vigorously asserted and President Tyler as vigorously denied the right of the House to all papers and information in possession of the Executive relating to subjects over which the jurisdiction of the House extended. Volume **III,** sections **1884, 1885.**

The House refused in 1843 to impeach John Tyler, President of the United States, on charges preferred by a Member. Volume **III,** section **2398.**

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UNANIMOUS CONSENT. See also "Consent Calendar."

(1) Origin and nature of procedure by.
(2) Special orders made by.
(3) Uses of, as related to the Journal, Record, and reports.
(4) Uses of, as related to debate and amendments.
(5) Uses of, as related to voting and call of the House.
(6) Uses of, as related to Senate bills and Senate amendments.
(7) Uses of, during electoral count.
(8) Uses of, in general.
(9) In Committee of the Whole.
(10) As Related to business in order under the rules on Monday and Wednesday
(11) Objections to.
(12) In general.

(1) Origin and Nature of Procedure by.

In 1832 the pressure of business began to bring into use the request for unanimous consent and the special order. Volume **IV,** sections **3155–3159**.

As a request for unanimous consent to consider a bill is in effect as request to suspend the order of business temporarily a demand for the regular order may be made at any time, and is equivalent to an objection. Volume **IV,** section **3058**.

Unanimous consent to consider a bill implies a setting aside of the order of business for that purpose, hence the withdrawal of an objection thereto does not bring the bill up if other business has intervened. Volume **IV,** section **3059**.

Before the adoption of rules and the consequent establishment of an order of business it was held in order, without unanimous consent, to offer on the floor and consider at once a proposition relative to the transaction of business. Volume **IV,** section **3060**.

The giving of unanimous consent for the consideration of a measure waives any requirement as a consideration in Committee of the Whole. Volume **IV,** section **4823**.

A request for unanimous consent may not be entertained after the House has voted to go into Committee of the Whole. Volume **IV,** section **4727**.

Consideration "in the House as in Committee of the Whole" is by unanimous consent only, as the order of business gives no place for a motion. Volume **IV,** section **4923**.

When unanimous consent has been given for the consideration of a bill amendments may be offered and may not be prevented by the objection of a Member. Volume **V,** section **5782**.

In the absence of a quorum no business may be transacted, even by unanimous consent. Volume **VI,** section **660.**

The lack of a quorum precludes the consideration of a request for unanimous consent. Volume **VI,** section **689.**

The Speaker declines to entertain unanimous consent requests in the absence of a quorum. Volume **VI,** sections **680, 686.**

The House may by majority vote on a resolution reported from the Committee on Rules revoke a unanimous-consent agreement. Volume **VIII,** section **3390**.

A request for unanimous consent is in effect a motion and action predicated thereon is subject to reconsideration. Volume **VIII,** section **2794**.

UNANIMOUS CONSENT—Continued.

(1) Origin and Nature of Procedure by—Continued.

An agreement entered into by unanimous consent may be modified by unanimous consent at the pleasure of the House. Volume **VII,** section **946**.

Requests for unanimous consent should not be coupled and one should not be made contingent on the granting of another. Volume **VI,** section **709**.

A "gentlemen's agreement"—a term applied to unanimous-consent orders of more than ordinary importance—is observed with scrupulous care and the Speaker has declined to recognize Members to submit requests which in his opinion infringed on its provisions. Volume **VI,** section **710a**.

A gentlemen's agreement once entered into is not subject to subsequent revision, even by unanimous consent. Volume **VI,** section **710a**.

A gentlemen's agreement that there should be "no business whatever" at formal sessions of the House during a designated period was construed to exclude business of the highest privilege as well as business of a purely formal character, including the swearing in of Members and the extension of remarks in the Record. Volume **VI,** section **715**.

(2) Special Orders Made by.

Suspension of the established order of business is by unanimous consent only, and a motion to that effect will not be entertained. Volume **VI,** section **714**.

A special order may be made by unanimous consent. Volume **VII,** section **758.**

Special orders are made either by vote of the House on a report from the Committee on Rules, by suspension of the rules, or by unanimous consent. Volume **IV,** sections **3152, 3153**.

The first special orders were made by unanimous consent or suspension of the rules. Volume **IV,** sections **3155–3159**.

Special orders are sometimes made by unanimous consent without awaiting the process required for changing the rules. Volume **IV,** sections **3165, 3166**.

A special order is sometimes agreed to by unanimous consent without formal resolution. Volume **VII,** section **760**.

Although a special order may set apart a day for special purpose, yet the House may transact other business by unanimous consent. Volume **V,** section **7246**.

By unanimous consent, the House agreed to transact no business during a stated period. Volume **VII,** section **761**.

When business which by unanimous consent has been made a special order remains unfinished at adjournment, it continues in order until disposed of. Volume **VII,** section **770**.

Where date of adjournment has been tentatively agreed upon but not formally designated, legislation in order during the last six days of the session has been authorized by consent. Volume **VIII,** section **3398.**

A bill called up out of order by unanimous consent and undisposed of at adjournment remains as unfinished business to be resumed when that class of business is again in order. Volume **VI,** section **741.**

A special order was held in abeyance, no objection having been ordered. Volume **VII,** section **791.**

Unless otherwise provided, special orders may be altered by unanimous consent only. Volume **VII,** section **763.**

The Speaker has requested that he be advised in advance of intention to submit unanimous consent requests for changes in order of business. Volume **VI,** section **708.**

It is customary to notify the majority and minority leaders as well as the Speaker of proposed requests for deviations from the authorized order of business. Volume **VI,** section **708.**

(3) Uses of.—As Related to the Journal, Record, and Reports.

The reading of the Journal may be dispensed with by unanimous consent. Volume **VI,** section **625.**

UNANIMOUS CONSENT—Continued.

(3) Uses of.—As Related to the Journal, Record, and Reports—Continued.

The granting by the House of unanimous consent to dispense with the reading of the Journal implies unanimous consent to its approval. Volume **VI,** section **625.**

A request for unanimous consent that the Journal show proceedings which did not take place was denied by the House. Volume **VI,** section **229.**

While correction of the Record to conform with actual facts is by right, such correction of the Journal is by motion or unanimous consent. Volume **VI,** section **631.**

A Member, having inserted articles from a magazine under leave to extend his own remarks, was given unanimous consent to expunge the unauthorized matter on condition that it not be reprinted by the Public Printer as frankable. Volume **VIII,** section **3475.**

A resolution of impeachment may be expunged from the record by unanimous consent only. Volume **VI,** section **541.**

Words spoken in debate and taken down on demand of another Member may be withdrawn by unanimous consent only. Volume **VIII,** sections **2528, 2540, 2543.**

The rules for the order of business give no place to a motion to withdraw papers, and hence it is made by unanimous consent. Volume **V,** section **7259.**

Proceeding to vacate action by the House is not provided for under the rules, and a suspension of the order of business for that purpose is by unanimous consent only. Volume **VI,** section **711.**

Leave to file a report or to file minority views while the House is not in session is granted by unanimous consent. Volume **VIII,** section **2252.**

A report when presented may be withdrawn by unanimous consent only. Volume **VIII,** section **2312.**

Instance wherein, by unanimous consent, a bill was presented and referred to the calendar in advance of receipt of the report. Volume **VIII,** section **2783.**

(4) Uses of, as Related to Debate and Amendments.

Following a roll call on resolving into Committee of the Whole precipitated by a point of no quorum, and before the announcement of the result, the Speaker may entertain a unanimous-consent request to limit or control time for debate, but after the result of the vote has been announced the House resolves at once into Committee of the Whole and no request relating to time for debate or other intermediate business is in order. Volume **VI,** section **665.**

Following a motion to resolve into Committee of the Whole and pending a request for unanimous consent to fix control of time for debate, a point of no quorum may be raised and no business is in order until the presence of a quorum is ascertained. Volume **VI,** section **665.**

Debate under reservation of a point of order is by unanimous consent and may be terminated at any time by a demand for the regular order. Volume **VIII,** section **3430.**

Where the time allowed for debate on a motion to suspend the rules was extended by unanimous consent, the Speaker divided the additional time on the ratio governing division of the original 40 minutes provided by the rule. Volume **VIII,** section **3415.**

Instance in which the 40 minutes of debate allowed on a motion to suspend the rules were increased by unanimous consent. Volume **VIII,** section **3414.**

An amendment having been read for information by consent must again be read for consideration and is not pending until so reported. Volume **VIII,** section **2330.**

The motion to return to a portion of a bill passed in reading for amendment is not privileged and a paragraph or section so passed may be again taken up by unanimous consent only. Volume **VIII,** section **2930.**

The original resolution, for which a substitute is recommended by the standing committee reporting the same, must be read before the substitute is read unless such reading is dispensed with by unanimous consent. Volume **VIII,** section **2886.**

UNANIMOUS CONSENT—Continued.

(5) Uses of, as Related to Voting and Call of the House.

A Member failing to respond when his name is called may not be recorded as voting, even by unanimous consent. Volume **VIII,** section **3119.**

A separate vote in the House on a perfecting amendment offered in the Committee of the Whole and incorporated in an amendment reported to the House is not in order and may be had only by unanimous consent. Volume **VIII,** section **2427.**

An order for the yeas and nays coming over as unfinished business from a previous day may be vacated by unanimous consent. Volume **VI,** section **740.**

The rules do not provide for announcement of how colleagues would vote if present, and such procedure is by unanimous consent only. Volume **VI,** section **200.**

On discovery of error in announcing the presence of a quorum on a call of the House, a motion to dispense with further proceedings under the call was vacated by unanimous consent and the call resumed. Volume **VI,** section **713.**

An unusual instance in which, by unanimous consent, the signal bells were run as if for a call of the House. Volume **VIII,** section **3158.**

Exceptional instances in which the Speaker has entertained requests for unanimous consent that the roll be called a third time because of failure of the bells to signal the beginning of the vote. Volume **VIII,** section **3153.**

A vote by tellers having been taken and the result announced, a recount may be had only by unanimous consent. Volume **V,** sections **5993, 5994.**

A Member may discuss questions arising out of a pair by unanimous consent or by raising a question of personal privilege. Volume **VIII,** section **3088.**

(6) Uses of, As Related to Senate Bills and Senate Amendments.

A Senate bill having been lost in the House, a resolution requesting of the Senate a duplicate copy was entertained by unanimous consent. Volume **VII,** section **1073.**

The request of the Senate for the return of a bill may be agreed to in the House by unanimous consent only. Volume **VII,** section **1082.**

Form of unanimous-consent agreement for the consideration of a Senate amendment. Volume **VIII,** section **3187.**

A House bill messaged from the Senate with amendments requiring consideration in Committee of the Whole goes to the Speaker's table, and if not disposed of by unanimous consent is referred by the Speaker to its appropriate committee. Volume **VIII,** section **3187.**

Upon objection to a request for unanimous consent to take from the Speaker's table for consideration a bill with Senate amendments, the Speaker refers the bill to the standing committee having jurisdiction. Volume **VI,** section **732.**

While the rule requires the reference to the appropriate standing committee of the House bills returned with Senate amendments requiring consideration in the Committee of the Whole, the usual practice is to take such bills form the Speaker's table and send them to conference by unanimous consent. Volume **VI,** section **732.**

Unanimous consent to take from the Speaker's table and send to conference a bill with Senate amendments does not waive the provisions of the rule requiring separate vote in the House on certain Senate amendments to appropriation bills. Volume **VII,** section **1574.**

Instance wherein, under a unanimous consent agreement, a Senate amendment was taken up after the bill had been sent to conference and agreed to by the House without recommendation or report from the conferees. Volume **VIII,** section **3202.**

(7) Uses of, During the Electoral Count.

During the electoral count of 1873 the joint meeting made, by unanimous consent, orders relating to the reading of the certificates and the consideration of objections. Volume **III,** section **1951.**

During the electoral count of 1873 the objection to the vote of Georgia was, by unanimous consent, reserved until objection was made to the vote of Mississippi, when the Houses separated and considered the two. Volume **III,** section **1951.**

UNANIMOUS CONSENT—Continued.

(8) Uses of, in General.

Members without certificates but of whose election there was no question have been sworn in by unanimous consent pending the arrival of their credentials. Volume **VI,** section **12.**

Although the House has emphasized the impropriety of swearing in a Member without a certificate, it has sometimes been done by unanimous consent. Volume **I,** sections **162–168.**

A provision changing the text to which both Houses have agreed has been appended to a conference report and agreed to by unanimous consent after action on the report. Volume **V,** sections **6433–6436.**

Instance wherein a motion to suspend the rules was, by unanimous consent, entertained on a day other than a suspension day. Volume **V,** section **6795.**

The House having laid on the table, the proposition may be taken up only by unanimous consent or a suspension of the rules. Volume **V,** section **5640.**

Pending a motion to reconsider the vote on agreeing to a resolution, the resolution was amended by unanimous consent, after which the motion to reconsider was tabled. Volume **V,** section **5702.**

The reference of a message from the President to committees may be changed by unanimous consent. Volume **VII,** section **3351.**

An instance wherein, by unanimous consent, bills relating to private claims were transferred from the Committee on Claims to the Committee on Ways and Means, thereby conferring jurisdiction. Volume **VII,** section **2107.**

A bill returned with the President's objections, when called up for reconsideration, may be read by unanimous consent only. Volume **VII,** section **1106.**

While the Speaker has, on extraordinary occasions of emergency or routine, recognized Members to request unanimous consent for consideration of unprivileged matters, it is not the practice. Volume **VII,** section **983.**

Unless request for other disposition is made within three days a bill reported adversely is automatically tabled and may be taken from the table and recommitted or placed on the calendar by unanimous consent only. Volume **VI,** section **750.**

A resolution proposing investigation with a view to impeachment was considered by unanimous consent. Volume **VI,** section **527.**

Reports on investigations when submitted to the house are read by unanimous consent only and are not necessarily acted upon by the House. Volume **VI,** section **394.**

An instance in which the requirement as to form of bill was waived by common consent. Volume **VII,** section **1035.**

Propositions for a recess are frequently entertained by unanimous consent. Volume **VIII,** section **3358.**

An instance in which the Speaker asked unanimous consent to elaborate on an opinion previously rendered. Volume **VII,** section **1111.**

An instance wherein the Speaker by unanimous consent reserved his decision on a point of order. Volume **VIII,** section **2396.**

Propositions to change the rules in minor provisions have frequently been considered by unanimous consent. Volume **VIII,** section **3379.**

After a second is ordered on a motion to suspend the rules the motion may be withdrawn or modified by unanimous consent only. Volume **VIII,** section **3420.**

Reservation of a point of order is by unanimous consent only and must be made or waived on demand for the regular order. Volume **VIII,** section **3429.**

Personal explanations are allowed only by unanimous consent. Volume **VIII,** section **2484.**

(9) In Committee of the Whole.

A Committee of the Whole may not alter, even by unanimous consent, an order of the House. Volume **VII,** section **786.**

UNANIMOUS CONSENT—Continued.

(9) In Committee of the Whole—Continued.

The Committee of the Whole may not alter an order of the House, and the Chairman is not authorized to entertain requests to that effect. Volume **VIII,** section **2323.**

The first reading of a bill in Committee of the Whole may be dispensed with by unanimous consent only, and a motion to that effect is not in order. Volume **VIII,** section **2436.**

When a bill is taken up in Committee of the Whole, the first reading may be dispensed with by unanimous consent only and a motion to that effect is not in order. Volume **VIII,** section **2335.**

When the House resolves itself into the Committee of the Whole House on the state of the Union for the consideration of a bill on which reading for amendment was begun on a previous day the regular order is the reading of the bill and may be dispensed; with by unanimous consent only. Volume **VIII,** section **2336.**

Time for debate having been fixed by the House, the Committee of the Whole may not, even by unanimous consent, extend it. Volume **VIII,** section **2321.**

The time for general debate having been fixed by the House, it is not in order in Committee of the Whole to entertain a request for unanimous consent for alteration of such order. Volume **VIII,** section **2550.**

In the absence of an order by the House, the Committee of the Whole may by unanimous consent divide the time allotted for general debate. Volume **VIII,** section **2549.**

In the absence of an order by the House, the Committee of the Whole may limit general debate by unanimous consent. Volume **VIII,** section **2553.**

While the motion to close general debate is not in order in the Committee of the Whole, the committee may, in the absence of an order by the House, close debate by unanimous consent. Volume **VIII,** section **2554.**

An order having been adopted by the Committee of the Whole closing all debate on a section, the chairman declined to entertain request for unanimous consent to amend the order. Volume **VIII,** section **2589.**

Under the 5-minute rule time for debate may be fixed but may not be allotted even by unanimous consent. Volume **VIII,** section **2559.**

In the House a motion may be withdrawn before action thereon, but in Committee of the Whole withdrawal of motions or amendments is by unanimous consent only. Volume **VIII,** section **2465.**

The withdrawal of a motion in Committee of the Whole is by unanimous consent only. Volume **VIII,** section **3405.**

It is not in order for a Member to amend or modify a motion which he has offered in the Committee of the Whole except by unanimous consent. Volume **VIII,** section **2564.**

An amendment once offered in Committee of the Whole may not be withdrawn or modified except by unanimous consent. Volume **VIII,** section **2563.**

In the Committee of the Whole an amendment once offered may not be modified by unanimous consent. Volume **VIII,** section **2859.**

A Member may withdraw words objected to in debate in Committee of the Whole by unanimous consent only. Volume **VIII,** section **2538.**

General leave to print may be granted only by the House, although in Committee of the Whole a Member, by unanimous consent, may be given leave to extend his remarks. Volume **VIII,** section **3488.**

The Chairman of the Committee of the Whole having taken an active part in the discussion of a point of order, the question was by unanimous consent passed over to be later raised in the House. Volume **VII,** section **1527.**

A paragraph passed over by unanimous consent during the reading of a bill for amendment in the Committee of the Whole is recurred to when reading of the bill has been concluded, and an earlier motion to return to it is not in order. Volume **VIII,** section **2336.**

UNANIMOUS CONSENT—Continued.

(10) As Related to Business in Order Under the Rules On Monday and Wednesday.

The Speaker declines to entertain requests for unanimous consent to establish special orders for Wednesday. Volume **VII,** section **888.**

On Wednesdays the call of committees has precedence of a request for unanimous consent. Volume **VII,** section **882.**

Under the later practice messages from the President are laid before the House on Calendar Wednesday by unanimous consent or on motion to dispense with proceedings in order on that day. Volume **VII,** section **913.**

A specific method being provided for dispensing with proceedings in order on Calendar Wednesday, the Chairman of the Committee of the Whole has declined to entertain requests for unanimous consent to dispense with minor provisions of the rules. Volume **VII,** section **964.**

The Speaker declines to submit requests for unanimous consent to address the House on Mondays reserved for the call of the Consent Calendar. Volume **VII,** section **978.**

On Consent Calendar days the Speaker recognizes for the transaction by business by unanimous consent only in cases of emergency. Volume **VII,** section **979.**

(11) Objections to.

The Member should rise in objecting to a request for unanimous consent. Volume **II,** sections **1137, 1338.**

The Speaker as a Member of the House may object to a request for unanimous consent. Volume **VIII,** section **3383.**

The Speaker makes it his duty, ordinarily, to object to a request for unanimous consent that a bill may be acted on without being read. Volume **VII,** section **1054.**

A Member may not be reserving the right to object to a request for unanimous consent secure the floor for debate. Volume **VI,** section **287.**

A Delegate may not object to the consideration of a measure. Volume **II,** sections **1293, 1294.**

The Journal does not record the name of a Member objecting to a request for unanimous consent. Volume **IV,** section **2865.**

(12) In General.

Form of resolution providing for consideration of several bills and including provision that it should not interfere with transaction of business by unanimous consent. Volume **VII,** section **817.**

When unanimous consent is given for consideration of a bill requiring consideration in the Committee of the Whole the requirement is thereby waived. Volume **VII,** sections **788, 2151.** Volume **VIII,** section **2393.**

Consent to consideration of a measure may be given conditionally by reserving the right to consideration in Committee of the Whole. Volume **VIII,** section **2393.**

The ruling holding that the giving of unanimous consent for consideration of a measure waives requirements as to consideration in Committee of the Whole was held not to apply to a bill not on the Unanimous Consent Calendar. Volume **VIII,** section **2394.**

It is not in order in debate for a Member to refer to a Member of the Senate by name, nor may the Speaker entertain a request for unanimous consent to proceed in violation of this rule. Volume **VIII,** section **2519.**

A unanimous consent agreement to close debate and vote at a specific time is in effect an order for the previous question, and the motion to recommit is in order under Rule **VIII**. Volume **VI,** section **22758.**

After the Chairman of the Committee of the Whole has reported to the House proceedings incident to securing a quorum of the committee, the Speaker declines to recognize for any purpose, including requests for unanimous consent, and the House automatically resolves again into the Committee of the Whole. Volume **VIII,** section **2379.**

UNANIMOUS CONSENT—Continued.

(12) In General—Continued.

When the House, considering a bill as in the Committee of the Whole, by unanimous consent, adjourns with the bill still pending, that consent obtains when the bill is again taken up as the unfinished business. Volume **VIII,** section **2435.**

An arraignment of impeachment may interrupt the reading of the Journal or business proceeding under a unanimous consent agreement. Volume **VI,** section **469.**

A request of the Senate that the House vacate the signature of the Speaker to an enrolled bill was denied by the House, unanimous consent being refused. Volume **VII,** section **1083.**

A request of the Senate for the return of a bill was denied by the House, unanimous consent being refused. Volume **VII,** section **1082.**

UNCONSTITUTIONAL.

Summaries showing number of bills introduced, number of reports submitted by committees, number of laws enacted, and number of acts of Congress declared unconstitutional by the Supreme Court, Volume **VII,** section **1028.**

UNDERWOOD.

The Senate election cases of Segar and Underwood, from Virginia, in the Thirty-eighth Congress. Volume **I,** section **384.**

The Alabama election case of Aldrich v. Underwood in the Fifty-fourth Congress. Volume **II,** sections **1091–1094.**

The Alabama election case of Crowe v. Underwood in the Fifty-fifth Congress. Volume **II,** section **1101.**

UNDERWOOD, OSCAR W., of Alabama, Speaker pro tempore.

Decisions on questions of order relating to—

Appropriations. Volume **VII,** section **1414.**

Debate. Volume **VIII,** section **2451.**

UNEXPENDED BALANCES. See "Appropriations" and "Reappropriation."

UNFINISHED BUSINESS.

(1) In general.
(2) As to motions pending at adjournment.
(3) When adjournment intervenes after ordering of the previous question.
(4) When adjournment intervenes pending consideration of a special order.
(5) Classes of business.—On call of committees and Calendar Wednesday.
(6) Classes of business.—In Committee of the Whole and in House as in committee.
(7) Classes of business.—On Fridays devoted to private business.
(8) Classes of business.—On District of Columbia day.
(9) Classes of business.—On days for suspension of the rules and motions to discharge committees.
(10) Classes of business.—On a day assigned to a committee.
(11) At the end of a session of Congress and after a recess.

(1) In General.

The rule governing the disposal of unfinished business. Volume **IV,** section **3112.**

A bill taken up as unfinished business is governed by the rules in force at the time of its consideration and not by those in force at the time it was first called up. Volume **VIII,** section **3393.**

The consideration of conference reports is in order at any time and may interrupt the presentation of a privileged report, but a privileged report so interrupted remains the unfinished business and is in order following the disposition of the conference report. Volume **VI,** section **379.**

UNFINISHED BUSINESS—Continued.

(1) In General—Continued.

When business which by unanimous consent has been made a special order remains unfinished at adjournment, it continues in order until disposed of. Volume **VII,** section **770.**

A resolution of inquiry undisposed of at adjournment retains its privilege and is the unfinished business when that class of business is again in order under the rules. Volume **VI,** section **412.**

A bill called up out of order by unanimous consent and undisposed of at adjournment remains as unfinished business to be resumed when that class of business is again in order. Volume **VI,** section **741.**

When a special order applies to certain days only, a bill taken up but left undisposed of can be called up again only on a day specified in the order. Volume **VII,** section **763.**

Although the question of consideration has been once decided in the Affirmative it may never the less be raised on a subsequent day when the bill is again called up as unfinished business. Volume **VII,** section **2438.**

While holding unfinished business on which the previous question was pending at adjournment on the previous day to be of equal privilege, the Speaker directed the call of the Consent Calendar. Volume **VII,** section **990.**

Business under consideration on "consent day" and undisposed of at adjournment does not come up as unfinished on the following legislative day but goes over to the next day when that class of business is again in order. Volume **VII,** section **1005.**

The status of bills on the Consent Calendar is not affected by their consideration from another calendar and such bills may be called up for consideration from the Consent Calendar while pending as unfinished business in the House or Committee of the Whole. Volume **VII,** section **1006.**

In the absence of an order for the previous question, business undisposed of at adjournment comes up as unfinished business only on the next day when that class of business is again in order and not on the next legislative day. Volume **VII,** section **854.**

A bill undisposed of at adjournment on a day devoted to special business comes up as unfinished business on the next day when that class of business is again in order. Volume **VIII,** section **2334.**

When the House adjourns on days set apart for special business without ordering the previous question, the pending measure comes up as the unfinished business on the next day on which that class of business is again in order. Volume **VII,** section **2694.**

(2) As to Motions Pending at Adjournment.

A motion relating to the order of business does not recur as unfinished business on a succeeding day, even though the yeas and nays may have been ordered on it before adjournment. Volume **IV,** section **3114.**

When the question of consideration is undisposed of at an adjournment it does not recur as unfinished business on a succeeding day. Volume **V,** sections **4947, 4948.**

An appeal pending at an adjournment on Friday, but related to public and not private business, does not go over the next Friday but comes up on the next legislative day. Volume **V,** section **6945.**

A motion to correct the Record, undisposed of at adjournment, was held to be in order as the unfinished business if called up when the House next convened. Volume **VIII,** section **3496.**

An instance in which the Speaker called up as unfinished business a motion to expunge remarks from the Record on which the previous question had not been ordered. Volume **VIII,** section **2542.**

UNFINISHED BUSINESS—Continued.

(3) When Adjournment Intervenes After Ordering of the Previous Question.

When the House adjourns before voting on a proposition on which the previous question has been ordered the question comes up the next day immediately after the reading of the Journal, superseding the order of business. Volume **V,** sections **5510–5517.**

If the House adjourn without voting on a proposition on which the previous question has been ordered, the question comes up as unfinished business on the next legislative day, Wednesday expected. Volume **VIII,** section **2691.**

A bill on which the previous question had been ordered at adjournment on Wednesday was taken up as the unfinished business on Thursday and took precedence of a motion to go into the Committee of the Whole for the consideration of a bill privileged by special order. Volume **VIII,** section **2674.**

When the House adjourns on Tuesday without voting on a proposition on which the previous question has been ordered, the question does not come up on Wednesday but on the following Thursday. Volume **VII,** section **890.**

The House having adjourned after yeas and nays were ordered and before the vote was taken, the pending question remains as unfinished business when the same class of business is again in order. Volume **VI,** section **740.**

An order for the yeas and nays coming over as unfinished business from a previous day may be vacated by unanimous consent. Volume **VI,** section **740.**

The precedence which belongs to a bill coming over from a previous day with the previous question ordered is not destroyed by the fact that the allowable motion to commit may be pending with amendments thereto. Volume **V,** section **5519.**

When several bills come over from a previous day with the previous question ordered, they have precedence in the order in which the several motions for the previous question were made. Volume **V,** section **5518.**

(4) When Adjournment Intervenes Pending Consideration of a Special Order.

When a special order applies to one day only a bill taken up but left undisposed of on that day loses its privileged position thereafter. Volume **IV,** sections **3186–3191.**

When the terms of a special order are such as in effect to order the previous question, business unfinished with the day set apart by the order does not fall, but is in order the next day after the reading of the Journal. Volume **IV,** section **3185.**

(5) Classes of Business.—On call of Committees and Calendar Wednesday.

A bill brought up in the morning hour and undisposed of remains as unfinished business during call of committees only. Volume **IV,** section **3113.**

A bill once brought up on call of committees continues before the House in that order of business until finally disposed of. Volume **IV,** section **3120.**

Proceedings under the two rules providing for calling the committees are unrelated and unfinished business under one is not considered under the other. Volume **VI,** section **752.**

When the House adjourns on Wednesday without voting on a proposition on which the previous question has been ordered the question does not go over to the following Wednesday but comes up on the next legislative day. Volume **VII,** section **895.**

When a Union Calendar bill comes up as the unfinished business on Calendar Wednesday the House automatically resolves into the Committee of the Whole and debate is resumed from the point at which is was discontinued on the previous Wednesday. Volume **VII,** section **966.**

A bill undisposed of on the Wednesday allotted to a committee remains the unfinished business until that committee is again called on Wednesday in its regular order. Volume **VII,** section **944.**

A bill under consideration on Calendar Wednesday, and on which the previous question had been ordered but not disposed of at adjournment, comes up as unfinished business on the next legislative day. Volume **VII,** section **967.**

UNFINISHED BUSINESS—Continued.

(5) Classes of Business.—On Call of Committees and Calendar Wednesday—Continued.

A bill postponed to a certain Wednesday and undisposed of on that day becomes unfinished business to be considered when the committee calling it up is again called in its turn. Volume **VII,** section **970.**

The question of consideration may be raised against unfinished business on the House Calendar in order under the Calendar Wednesday rule. Volume **VIII,** section **2447.**

(6) Classes of Business.—In Committee of the Whole and in House as in Committee.

In considering the bills before a Committee of the Whole the unfinished business is usually first in order. Volume **IV,** section **4735.**

A bill unfinished at a session of the Committee of the Whole House on the state of the Union held under section 5 of Rule XXIV is again in order when the House goes into Committee of the Whole to consider it under that rule. Volume **IV,** section **4736.**

When the House disagrees to the recommendation of the Committee of the Whole that the enacting words of a bill be stricken out the bill goes back to the Calendar of the Committee of the Whole as unfinished business. Volume **V,** sections **5345, 5346.** Volume **VIII,** section **2633.**

When the House resolves into the Committee of the Whole House for the consideration of bills on the Private Calendar, a bill unfinished at adjournment on a previous day takes precedence of other bills on the Private Calendar. Volume **VII,** section **855.**

When the House, considering a bill as in the Committee of the Whole, by unanimous consent, adjourns with the bill still pending, that consent obtains when the bill is again taken up as the unfinished business. Volume **VIII,** section **2435.**

(7) Classes of Business.—On Fridays Devoted to Private Business.

Each Friday after the unfinished business is disposed of, the motion to go into Committee of the Whole House to consider business on the Private Calendar is in order. Volume **IV,** section **3267.**

On a Friday devoted to private business of unfinished private business must be considered before a motion to go into Committee of the Whole House in in order. Volume **IV,** sections **3276–3280.**

Business in order on Friday and on which the previous question was pending at adjournment on the that day comes up as the unfinished business on the next legislative day. Volume **VIII,** section **2694.**

(8) Classes of Business.—On District of Columbia Day.

Business unfinished on a District of Columbia day does not come up on the next District day unless called up. Volume **IV,** section **3307.** Volume **VII,** section **879.**

(9) Classes of Business.—On Days for Suspension of the Rules and Motions to Discharge Committees.

A motion to suspend the rules pending and undisposed of on one suspension day is first in order on the next, the individual motion going over to committee day, and vice versa Volume **V,** sections **6814–6816.**

A motion to suspend the rules made on one suspension day but not seconded comes up as unfinished business on the next suspension day. Volume **V,** section **6817.**

A motion to suspend the rules on which a second fails to be ordered does not come up as unfinished business on the next legislative day. Volume **V,** section **6818.**

A bill which, on a suspension day, was withdrawn with an agreement that it should be unfinished business on the next suspension day, was held to continue as unfinished business, although not called up on the day named. Volume **V,** section **6819.**

Business unfinished on a District of Columbia day does not come up on the next District day unless called up. Volume **VII,** section **879.**

A motion to suspend the rules pending and undisposed of a adjournment recurs as unfinished business on the next day when such business is again in order. Volume **VIII,** section **3411.**

UNFINISHED BUSINESS—Continued.

(9) Classes of Business.—On Days for Suspension of the Rules and Motions to Discharge Committees—Continued.

A motion to suspend the rules on which a second has been ordered remaining undisposed of at adjournment recurs as the unfinished business on the next day on which such motion is again in order. Volume **VIII,** section **3412.**

After the motion has been on the calendar seven days any signer may call it up for consideration on second or fourth Mondays and the House proceed to its consideration: If agreed to, any member may move the immediate consideration of the bill which shall remain the unfinished business until disposed of. Volume **VII,** section **1007.**

(10) Classes of Business.—One a Day Assigned to a Committee.

The unfinished business on a day assigned to a committee goes over to the next day had by the committee. Volume **IV,** section **3306.**

(11) At the End of a Session of Congress and After a Recess.

All business pending and unfinished in the House or in committee or awaiting concurrent action in the Senate at the end of a session is resumed at the next session of the same Congress. Volume **V,** section **6727.**

A recess differs from an adjournment in its effect upon pending business and the House resumes consideration of unfinished business under conditions obtaining at the time recess was taken. Volume **VI,** section **664.**

UNION.

The Constitution provides that the President shall from time to time give Congress information of the state of the Union and make recommendations. Volume **V,** section **6612.**

It is not necessary that a State be admitted to the Union before it may elect a Representation to Congress. Volume **I,** section **397.**

The House declined to admit the Member-elect from Michigan except as a spectator until the act admitting Michigan to the Union had become a law. Volume **I,** section **397.**

The House declined to admit the Member-elect from Illinois until the State had been formally admitted to the Union. Volume **I,** section **396.**

The Speaker asked the decision of the House when a Member-elect from a State not yet admitted to the Union presented himself to be sworn. Volume **I,** section **396.**

The Senate declined to admit the persons bearing credentials as Senators-elect from Tennessee until the State had been admitted into the Union. Volume **I,** section **398.**

The Senate declined to admit a Senator-elect from Minnesota until a formal act of admission had been passed by Congress. Volume **I,** section **399.**

UNION CALENDAR.

Description of the House, Union, and Private calendars. Volume **IV,** section **3115.**

Distinction between the Committee of the Whole House on the state of the Union and the Committee of the Whole House. Volume **IV,** section **4705.**

A motion to go into Committee of the Whole to consider a specified bill is privileged when the bill has been reported by a committee under its leave to report at any time. Volume **IV,** section **3086.**

Conditions under which motions may be made to go into Committee of the Whole House on the state of the Union to consider nonprivileged bills. Volume **IV,** section **3134.**

At the end of one hour of the call of committees the House may on motion resolve itself into Committee of the Whole House on the state of the Union one or several times. Volume **IV,** section **3137.**

The call of committees may be interrupted at the end of sixty minutes by a privileged report as well as by a motion to go into Committee of the Whole. Volume **IV,** sections **3131, 3132.**

UNION CALENDAR—Continued.

The motion to go into Committee of the Whole to consider a particular bill, after a call of committees, may be amended only by substituting another bill on the Union Calendar. Volume **IV,** section **3139.**

When by authority of a committee a motion is made to go into Committee of the Whole House on the state of the Union to consider a particular bill (not a revenue or appropriation bill), an amendment designating another bill may be offered by a Member individually. Volume **IV,** section **3140.**

It is not in order before the expiration of sixty minutes of the call of committees to move to go into Committee of the Whole House on the state of the Union to consider a bill that is not privileged. Volume **IV,** section **3141.**

A bill erroneously referred to the House Calendar was transferred to the Union Calendar as of date of original reference by direction of the Speaker. Volume **VI,** section **746.**

A bill providing for inquiry by the Court of Claims without conferring authority to render final judgment does not require consideration in the Committee of the Whole. Volume **VII,** section **870.**

A bill releasing a lien of the Government while increasing the security of the Government's claim requires consideration in Committee of the Whole and is properly referred to the Union Calendar. Volume **VI,** section **746.**

The report of a joint commission constituted by law, with minority views thereon, was received and, with a bill recommended by the commission, was referred to the Union Calendar. Volume **VIII,** section **2317.**

Bills authorizing indemnity of foreign governments for death of subjects in the United States are properly referred to the union calendar. Volume **VII,** section **1882.**

A bill providing pay for retired officers involves a charge upon the Treasury and is properly referred to the Union Calendar. Volume **VI,** section **736.**

Under the later practice it has been held that the question of consideration may be raised against a Union Calendar bill in the House on Calendar Wednesday. Volume **VIII,** section **2445.**

A bill being under consideration by unanimous consent, the requirement that it shall be considered in the Committee of the Whole is waived. Volume **VII,** section **788.**

It is in order on Calendar Wednesday to raise the question of consideration against a Union Calendar bill when called up for consideration in the House and before resolving into the Committee of the Whole. Volume **VIII,** section **2446.**

A bill on the Union Calendar may not be brought up on call of committees. Volume **VI,** section **753.**

Wednesdays are set apart for the consideration of unprivileged bills on House and Union Calendars taken up on call of committees. Volume **VII,** section **881.**

There is no priority as between House or Union Calendars bills on Wednesday, and the committee called may bring up bills from either calendar at will. Volume **VII,** section **938.**

Bills favorably reported on House or Union Calendars may be considered by consent on the first and third Mondays. Volume **VII,** section **972.**

When a Union Calendar bill comes up as the unfinished business on Calendar Wednesday the House automatically resolves into the Committee of the Whole and debate is resumed from the point at which it was discontinued on the previous Wednesday. Volume **VII,** section **966.**

The provision for two hours' debate and equal division of time under the Calendar Wednesday rule applies to Union Calendar bills only and not to House bills. Volume **VII,** section **955.**

When a bill on the Union Calendar is called up on Calendar Wednesday the House automatically resolves into the Committee of the Whole House on the state of the Union without motion from the floor. Volume **VII,** section **939.**

UNPARLIAMENTARY LANGUAGE. See "Debate, the Call to Order."

UPDIKE.

The Indiana election case of Updike v. Ludlow, in the Seventy-first Congress. Volume **VI,** section **55.**

UPTON.

The Virginia election case of Charles H. Upton, in the Thirty-seventh Congress. Volume **I,** section **366.**

The Virginia election case of Beach v. Upton, in the Thirty-seventh Congress. Volume **I,** section **686.**

URGENT DEFICIENCY BILL.

An urgent deficiency bill appropriating generally for the various Departments and services of the Government was held to be a general appropriation bill within the meaning of Rule XXI. Volume **IV,** sections **3569, 3570.**

USELESS PAPERS.

The statutes provide for the appointment of a joint committee of the two Houses to consider reports as to destruction of useless papers in the Executive Departments. Volume **IV,** section **4419.** Volume **VII,** section **2166.**

UTAH.

House election cases from:

Thirty-first Congress.—Almon W. Babbitt. Volume **I,** section **407.**
Fortieth Congress.—McGrorty v. Hooper. Volume **I,** section **467.**
Forty-third Congress.—Maxwell v. Cannon. Volume **I,** sections **468–470.**
Forty-seventh Congress.—Campbell v. Cannon. Volume **I,** sections **471–473.**
Fifty-sixth Congress.—Bringham H. Roberts. Volume **I,** sections **474–470.**

Senate election case from:

Fifty-eighth Congress.—Reed Smoot. Volume **I,** sections **481–483.**

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UNPARLIAMENTARY LANGUAGE. See "Debate, the Call to Order."

UPDIKE.

The Indiana election case of Updike v. Ludlow, in the Seventy-first Congress. Volume **VI,** section **55.**

UPTON.

The Virginia election case of Charles H. Upton, in the Thirty-seventh Congress. Volume **I,** section **366.**

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VACANCIES.

(1) In seats of Members.—By death.
(2) In seats of Members.—By resignation.—Methods of.
(3) In seats of Members.—By resignation.—To take effect at a future date.
(4) In seats of Members.—By resignation.—In general.
(5) In seats of Members.—By declination.
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(8) In seats of Members.—Questions as to the existence of.
(9) In seats of Members.—State executive calls election to fill.
(10) In seats of Members.—Term of the person elected to fill.
(11) In seats of Members.—As related to qualifications.
(12) In seats of Members.—In relation to incompatible offices.
(13) In seats of Members.—As related to apportionment.
(14) In seats of Members.—Constituency impaired by intimidations.
(15) In seats of Members.—Constituency impaired by civil war.
(16) In seats of Members.—Constituency in reconstruction.
(17) In committees.
(18) In the offices of the House.
(19) In general.

(1) In seats of Members.—By Death

A Member-elect producing credentials showing his election to fill the vacancy caused by the decease of his predecessor is sworn in at once, although no other notice of the deceased may have been given to the House. Volume **I,** section **568.**

The death of the person elected creates a vacancy, although no certificate may have been awarded. Volume **I,** section **323.**

The person elected dying before credentials are issued, the minority candidate may not receive the credentials. Volume **I,** section **323.**

A contestant dying after a report in his favor, the House unseated the returned Member and declared the seat vacant. Volume **II,** section **965.**

A Member whose seat had been contested dying, the House did not admit a claimant with credentials until contestant's claim was settled. Volume **I,** section **326.**

It was long the practice to notify the executive of the State when a vacancy was caused by the death of a Member during a session. Volume **II,** sections **1198–1202.**

Since 1914 Members elected to fill vacancies occasioned by death of predecessor are paid salary from date of election only. Volume **VI,** section **202.**

(2) In seats of Members.—By Resignation.—Methods of.

A Member may resign his seat by a letter transmitted to the House alone. Volume **II,** sections **1181–1186.**

In a few instances Members have announced their resignations to the House verbally. Volume **II,** sections **1179–1180.**

When a Member resigns directly to the House it is the practice to inform the State executive of the vacancy. Volume **II,** sections **1187–1192.**

The resignation of a Member appears satisfactorily from his letter directed to the governor of his State. Volume **I,** sections **565, 566.**

A letter from a Member stating that his resignation has been forwarded to the governor of his State is satisfactory evidence of his resignation. Volume **I,** section **567.**

In recent as well as early practice a Member frequently informs the House by letter that his resignation has been sent to the State executive, such letter being presented as a privileged question. Volume **II,** sections **1167–1176.**

The executive of a State may inform the House that he has received the resignation of a Member. Volume **II,** sections **1193–1194.**

VACANCIES—Continued.

(2) In seats of Members.—By Resignation.—Methods of—Continued.

An inquiry of the Clerk having elicited from the State executive the fact that a Member had resigned the Speaker directed his name to be stricken from the roll. Volume **II,** section **1209.**

Sometimes the House learns of the resignation of a Member only by means of the credentials of his successor. Volume **II,** section **1195.**

An instance wherein the State executive transmitted the resignation of a Member with the credentials of his successor. Volume **II,** section **1196.**

In exceptional cases old Members have expressed in their letters of resignation their feelings toward the House. Volume **II,** sections **1215–1217.**

The fact of a Member's resignation not appearing either from the credentials of his successor or otherwise, the House ascertained the vacancy from information given by other Members. Volume **II,** section **1208.**

On unofficial information that a Member's resignation had been accepted and a successor elected the Senate held that the Member's seat was vacated. Volume **II,** section **1197.**

Mr. Speaker Clay announced to the House his resignation of the Speakership, but his resignation as a Member appears only from the credentials of his successor. Volume **II,** section **1356.**

A Delegate resigns his seat in a communication addressed to the Speaker. Volume **II,** section **1304.**

(3) In seats of Members.—By Resignation.—To Take Effect at a Future Date.

Members have presented their resignations to take effect at a future date, and until that time have sometimes participated in the proceedings. Volume **II,** sections **1220–1225.**

A Senator may resign, appointing a future day for his resignation to take effect, and the State executive may by appointment fill the vacancy before that date. Volume **II,** section **1228.**

A Senator may resign, appointing a future day for the resignation to take effect, and the State legislature may fill the vacancy before that date. Volume **II,** section **1229.**

(4) In seats of Members.—By Resignation.—In General.

A Member who had resigned was not permitted by the House to withdraw his resignation. Volume **II,** section **1213.**

The House declined to consider as privileged a resolution that a former Member be permitted to withdraw his letter announcing his resignation and resume his seat. Volume **II,** section **1213.**

Only in a single exceptional case has the House taken action in the direction of accepting the resignation of a Member. Volume **II,** section **1214.**

Instance wherein a Member resigned his seat, sought reelection, and appeared again to be sworn in during the same Congress. Volume **II,** section **1256.**

Instances wherein Members have been reelected to fill the vacancies occasioned by their own resignations. Volume **II,** sections **1210–1212.**

A Senator having resigned, the Senate desisted from proceedings to declare his seat vacant or to expel him. Volume **II,** section **1279.**

An instance of the resignation of a Member who had not taken his seat. Volume **II,** section **1231.**

The practice is not uniform as to whether or not a Member's letter of resignation should appear in full in the Journal. Volume **IV,** sections **2868–2872.**

(5) In seats of Members.—By Declination.

An instance wherein one who had been declared elected to a seat in the House declined to accept it. Volume **II,** section **1234.**

One who had been declared elected to a seat in the House having failed to appear, the House directed the State executive to be notified of its action. Volume **II,** section **1234.**

VACANCIES—Continued.

(5) In Seats of Members.—By Declination—Continued.

Instance wherein the House decided an election contest against a returned Member who had not appeared to claim the seat. Volume **I,** section **638.**

Instance wherein a Member-elect, being convicted in the courts on indictment, did not take his seat during the Congress (footnote). Volume **IV,** section **4484.**

(6) In Seats of Members.—By Withdrawal.

The withdrawal of Members caused by the secession of States. Volume **II,** section **1218.**

Senators having withdrawn from the Senate, the Secretary was directed to omit their names from the roll. Volume **II,** section **1219.**

The withdrawal of a Senator to join the foes of the Government was held to create a vacancy which a legislature could recognize, although the Senate had not expelled him. Volume **I,** section **383.**

(7) In Seats of Members.—By Action of the House.

A seat being declared vacant, the House directs that the executive of the State be informed. Volume **II,** sections **1203–1205.**

A seat being declared vacant, the House directed the Speaker to notify the executive of the State. Volume **I,** section **824.**

A seat being declared vacant, the Speaker was directed to inform the executive of the State. Volume **I,** section **709.**

The House having declared a seat vacant directs the executive of the State to be informed. Volume **I,** section **502.**

The seat of a Delegate being declared vacant, the Speaker was directed to inform the governor of a Territory. Volume **I,** section **773.**

(8) In Seats of Members.—Questions as to the Existence of.

The House declined to give prima facie effect to credentials regular in form but relating to seats already occupied. Volume **I,** section **518.**

The House declined to seat a person bearing credentials regular in form until it had ascertained whether or not the seat was vacant. Volume **I,** section **565.**

A person appearing with credentials intended to entitle him to seat already occupied, the House declined to seat him at once and referred the credentials. Volume **I,** section **569.**

Although the claimant for a seat presented unimpeachable credentials, the House declined to seat him until it had determined that the seat was actually vacant. Volume **I,** section **322.**

The House unseated a person returned as elected at a second election on ascertaining that another person had actually been chosen at the first election. Volume **I,** section **646.**

There being a question as to a vacancy to be filled, the Senate examined the case before administering the oath to a bearer of regular credentials. Volume **I,** section **573.**

The Senate has admitted a person elected while the case of another claimant to the seat was yet pending. Volume **I,** section **353.**

A question relating to the existence of a vacancy in the membership of the House was held to be of privilege. Volume **III,** section **2588.**

A resolution notifying the governor of a State of a vacancy in the representation of a district is presented as a question of privilege. Volume **III,** section **2589.**

A Member having resigned, a question as to his right to his seat was not entertained as a question of privilege. Volume **III,** section **2590.**

(9) In Seats of Members.—State Executive Calls Election to Fill.

The executive of a State issues writs of election to fill vacancies in its representation in the House. Volume **I,** section **515.**

Examination of the term "vacancy" as used in the Federal Constitution to empower a State executive to issue writs for an election. Volume **I,** section **518.**

VACANCIES—Continued.

(9) In Seats of Members.—State Executive Calls Election to Fill—Continued.

A Federal law empowers the States and Territories to provide by law the times of elections to fill vacancies in the House. Volume **I,** section **516.**

Discussion as to the functions of a governor in calling an election to fill a vacancy in the Congressional representation. Volume **I,** section **312.**

Discussion of power of a State executive to call an election to fill a vacancy, although the State law did not provide for the contingency. Volume **I,** section **518.**

An election to fill a vacancy called by the governor in pursuance of constitutional authority was held valid, although no State law prescribed time, place, or manner of such election. Volume **I,** section **517.**

Two candidates having equal numbers of votes, the governor did not issue credentials to either, but ordered a new election after they had waived their respective claims. Volume **I,** section **555.**

Reference to cases in the Senate relating to the authority of State executives to make appointments to fill vacancies in the United States Senate (footnote). Volume **I,** section **790.**

Senate decision as to the time when a legislature should fill a vacancy in the United States Senate. Volume **I,** section **394.**

(10) In Seats of Members.—Term of the Person Elected to Fill.

A Member elected to fill a vacancy serves no longer time than the remainder of the term of the Member whose place he takes. Volume **I,** section **3.**

Discussion as to the length of term of a Member elected to fill a vacancy caused by the House having declared a seat vacant. Volume **II,** section **1206.**

Conclusions of law as to the time of beginning of compensation of a Member elected to fill a vacancy. Volume **I,** section **500.**

Forms of credentials borne by persons elected to fill vacancies. Volume **I,** sections **535, 536.**

A Senator appointed by the State executive to fill a vacancy ceases to serve after the final adjournment of the legislature which should elect his successor. Volume **V,** section **6689.**

The question as to when the term of service of a Senator appointed by a State executive to fill a vacancy ceases. Volume **I,** sections **787–790.**

(11) In Seats of Members.—As Related to Qualifications.

This disqualification of a Member-elect does not entitle a minority candidate to the seat. Volume **I,** section **326.**

The English law under which a minority candidate succeeds to a vacancy resulting from the disqualification of the majority candidate is not applicable under the Constitution. Volume **VI,** section **59.**

The exclusion of a disloyal Member-elect would not allow a minority candidate to take the seat. Volume **I,** section **323.**

The person receiving the majority of the votes in a district being excluded as disqualified, the House, after careful examination, declined to seat the one receiving the next highest number. Volume **I,** section **1450.**

The Elections Committee, in a report sustained on the main issue, held, as an incidental question, that the English law as to seating a minority candidate when a vacancy is caused by disqualifications is not applicable under the Constitution. Volume **I,** section **450.**

A Delegate-elect being excluded for disqualification, the House declined to seat the candidate having the next highest number of votes. Volume **I,** section **473.**

During the discussion of the qualifications of a Senator he presented his resignation, but the Senate disregard it and proceeded to declare his election void. Volume **I,** section **440.**

(12) In Seats of Members.—In Relation to Incompatible Offices.

A Member having informed the House of his acceptance of an incompatible office, the House has assumed or declared the seat vacant. Volume **I,** sections **501, 502.**

VACANCIES—Continued.

(12) In Seats of Members.—In Relation to Incompatible Offices—Continued.

Opinion of the Judiciary Committee that when a Member-elect retains an incompatible office and does not qualify a vacancy exists in his seat. Volume **I,** section **500.**

In 1898 the Judiciary Committee found that four Members by accepting commission in the Army and being mustered into the service after taking the oath as Representatives thereby vacated their seats. Volume **I,** section **494.**

In the cases of Baker and yell the Elections Committee held that the acceptance of a commission as an officer of volunteers in the national Army vacated the seat of a Member. Volume **I,** section **488.**

The Elections Committee found that Thomas W. Newton, already seated on prima facie showing, was entitled to the seat made vacant by Archibald Yell's acceptance of an office in the Army. Volume **I,** section **489.**

The house seated a person bearing regular credentials on ascertaining that his predecessor in the same Congress had accepted a military office. Volume **I,** section **572.**

Although a Member had resigned, the House proceeded to inquire whether or not his acceptance of an incompatible office had vacated his title to the seat. Volume **III,** section **2590.**

A State executive having issued credentials in due form on the assumption that a Senator had vacated his seat by accepting an army office, the credentials were referred and the bearer was not seated. Volume **I,** section **491.**

A Senator-elect who had, before qualifying, exercised the authority of an Army officer de facto was held not to have vacated his seat. Volume **I,** section **491.**

A Senate discussion as to incompatible offices and as to cases wherein the acceptance of one creates a vacancy in another. Volume **I,** section **563.**

A resolution declaring vacant the seat of a Member who has accepted an incompatible office may be agreed to by a majority vote. Volume **I,** section **504.**

Form of resolution declaring vacant the seat of a Member-elect who has accepted an incompatible office. Volume **I,** sections **488, 490, 492.**

(13) In Seats of Members.—As Related to Apportionment.

An election to fill a vacancy being held in a newly apportioned district, the larger portion of which was new, both as to territory and people, the Elections Committee considered the election invalid. Volume **I,** section **327.**

The New Hampshire districts being changed after Representatives to the Thirty-first Congress were elected, an election to fill a vacancy was called in the new district and the election was sustained. Volume **I,** section **311.**

The North Carolina districts being changed after Representatives to the Forty-eighth Congress were elected, the House did not disturb the Member chosen in a new district to fill a vacancy in an old district. Volume **I,** section **312.**

The House gave prima facie effect to the perfect credentials of a State delegation, declining at that time to inquire whether or not the election was invalidated by choice of three persons for two seats. Volume **I,** section **519.**

Credentials being in regular form and unimpeached, the House honors them, although there may be a question as to the proper limits of the constituency. Volume **I,** section **535, 536.**

(14) In Seats of Members.—Constituency Impaired by Intimidation.

Discussion of the extent of intimidation sufficient to invalidate an election and justify declaring the seat vacant. Volume **I,** section **325.**

The House declared vacant a seat in a case wherein over one-half of the total vote of a district had been rejected for intimidation. Volume **I,** section **334.**

The House, going outside the allegations of the parties and ascertaining by historic knowledge disturbances causing 232 deaths, declared an election invalid.Volume **I,** section **329.**

Over half the vote being rejected because of undue influence, the committee, in an inconclusive case, favored declaring the seat vacant. Volume **II,** section **925.**

VACANCIES—Continued.

(14) In Seats of Members.—Constituency Impaired by Intimidation—Continued.

Although fraud and intimidation in a district had been very extensive the House preferred seating contestants to declaring the seat vacant. Volume **II,** section **970.**

In a report not approved by the House, the Elections Committee recommended that a seat be vacated because of intimidation in five-sixths of the district. Volume **I,** section **324.**

The House has assigned final right to a seat from a district wherein 14,346 out of 27,055 returned votes were rejected because of intimidation. Volume **I,** section **332.**

(15) In Seats of Members.—Constituency Impaired by Civil War.

The House declined to recognize an informal election, participated in by a mere fraction of the voters, in a district entirely under military domination. Volume **I,** section **376.**

The House declined to hold valid an election participated in by a little less than half the voters of a district divided between contending armies.Volume **I,** section **374.**

The House declined to hold valid an election which was entirely broken up by contending armies, so that only fragmentary and informal returns could be obtained. Volume **I,** section **373.**

In time of civil war an election participated in by a small number of loyal voters was held invalid, more than two-thirds of the district being unable to participate. Volume **I,** section **369.**

The House unseated a person chosen by a few votes, at an election wholly informal, in a district almost entirely under duress of civil war. Volume **I,** section **366.**

An election by one-third of the voters of a district was held invalid when the presence of an armed enemy prevented the remainder from expressing their wishes. Volume **I,** section **375.**

The House declined to hold valid an election informally held and, because of civil war, participated in by only a small fraction of the voters of the district. Volume **I,** section **372.**

The House refused to seat a claimant chosen by a mere fraction of the people at an election informally called and held in a district under duress of armed enemies. Volume **I,** sections **363, 367, 368.**

The House considered invalid an election informally held, wherein all but a fraction of the voters were prevented by civil war from participating. Volume **I,** section **371.**

An instance wherein the House recognized an election legal in form but participated in by a small fraction of the voters, the district being disturbed by civil war. Volume **I,** section **364.**

The House seated a loyal claimant voted for at an election called on the legal day but by the governor of a State in secession. Volume **I,** section **365.**

The House seated a claimant who had received a third of the votes of a district, the remainder being cast for candidates for a secessionist Congress. Volume **I,** section **365.**

The House denied prima facie title to a person enrolled by the Clerk on credentials signed by a mere claimant to the governorship in a State disrupted by civil war. Volume **I,** section **376.**

The House declined to give prima facie effect to regular credentials, having historic knowledge that the district was incapacitated by civil war from holding a regular election. Volume **I,** section **364.**

The House declined to seat on prima facie showing a claimant declared elected by the governor's proclamation, the district referred to being notoriously under duress of civil war. Volume **I,** section **368.**

(16) In Seats of Members.—Constituency in Reconstruction.

The House declined to invalidate an election because a State constitution had established qualifications of voters in disregard of reconstruction legislation. Volume **II,** section **1134.**

VACANCIES—Continued.

(17) On Committees.

In the earlier, but not in the latter practice the Speaker filled vacancies on committees only by the special direction of the House. Volume **IV,** sections **4458–4460.**

The Speaker, in filling vacancies of a committee, sometimes designates the rank of the appointee on the committee list. Volume **IV,** section **4489.**

A rule provides that vacancies in standing committees shall be filled by election by the House. Volume **VIII,** section **2178.**

A motion to fill vacancies on standing committees was offered as privileged. Volume **VIII,** section **2172.**

In event of a permanent vacancy in the chairmanship of a committee the House elects a successor. Volume **VIII,** section **2201.**

In filling vacancies in chairmanships of committees the House has usually, but not invariably, followed the rule of seniority and elected the next ranking member of the committee. Volume **VIII,** section **2202.**

The absence of a manager of a conference causes a vacancy, which the Speaker fills by appointment. Volume **VIII,** section **3228.**

Forms of resignations and of resolutions providing for election of Members to fill vacancies on joint committees. Volume **VII,** section **2170.**

A Senator having resigned from all committee assignments, the Senate accepted his resignation and elected successors to the vacancies thus created. Volume **VIII,** section **2200.**

While the House is without power to remove members of joint committees created by law, or to accept or reject resignations from such offices, such resignations are properly addressed to the joint committee or to the House having authority to fill these vacancies. Volume **VII,** section **2170.**

The resignation of a member from a joint select committee created by law is made either to the House or to the committee and, while the House has no power either to accept or to refuse to accept such resignation, it may fill the vacancy so occasioned. Volume **VI,** section **371.**

A vacancy on a special committee created by joint resolution was filled by a further joint resolution. Volume **VI,** section **552.**

(18) In the Offices of the House.

A resolution declaring vacant the office of Speaker is presented as a matter of high constitutional privilege. Volume **VI,** section **35.**

Instance wherein the Speaker, following a vote upon an essential question indicating a change in the party control of the House, announced that under the circumstances it was incumbent upon the Speaker either to resign or to recognize for a motion declaring vacant the office of Speaker. Volume **VI,** section **35.**

The vacancy caused by the death of the Sergeant-at-Arms was, after some delay, filled by the House by election. Volume **VI,** section **32.**

Charges against the Postmaster being sustained, his office was declared vacant, and his assistant was directed to perform the duties temporarily. Volume **I,** section **292.**

Because of the misconduct of the incumbent the office of Doorkeeper has been declared vacant and the duties have devolved upon the Sergeant-at-Arms. **I,** sections **288, 289.**

(19) In General.

The question as to the pay of a Member elected after the beginning of the term of the Congress to fill a vacancy caused by a declination or resignation of effect on the day the term of the Congress began. Volume **II,** section **1155.**

The question relating to the compensation of Ernest M. Pollard in the Fifty-ninth Congress. Volume **II,** section **1155.**

The office of Clerk becoming vacant, it was held that the House would not be organized for business until a Clerk should be elected. Volume **I,** section **237.**

VACANCIES—Continued.

(19) In General—Continued.

The vacancy caused by the death of the Doorkeeper was, after several days, filled by the House by election. Volume **I,** section **267.**

VACATE.

The Journal records proceedings subsequently vacated. Volume **VI,** section **635.**

It is within the discretion of the Chairman as to whether he will vacate the chair on an appeal from his decision. Volume **VIII,** section **3101.**

Proceeding to vacate action by the House is not provided for under the rules, and a suspension of the order of business for that purpose is by unanimous consent only. Volume **VI,** section **711.**

A request of the Senate that the House vacate the signature of the Speaker to an enrolled bill was denied by the House, unanimous consent being refused. Volume **VII,** section **1083.**

It having been erroneously announced that a quorum had voted when the roll later disclosed the absence of a quorum on the vote, the Speaker declared subsequent proceedings in connection therewith vacated, and the Journal was amended accordingly. Volume **VIII,** section **3161.**

A witness giving contradictory testimony while under order for arrest for refusing to answer questions propounded by a committee of inquiry, the Senate vacated the order and referred the case to the district attorney. Volume **VI,** Section **345.**

The Journal and the Record record proceedings vacated under the rules. Volume **VI,** section **636.**

An order for the yeas and nays coming over as unfinished business from a previous day may be vacated by unanimous consent. Volume **VI,** section **740.**

On discovery of error in announcing the presence of a quorum on a call of the House, a motion to dispense with further proceedings under the call was vacated by unanimous consent and the call resumed. Volume **VI,** section **713.**

VALLANDIGHAM.

The Ohio election case of Vallandigham v. Campbell in the Thirty-fifth Congress (prima facie title). Volume **I,** section **726.**

The Ohio election case of Vallandigham v. Campbell in the Thirty-fifth Congress (final right to seat). Volume **I,** section **835.**

VALUES.

Bills for defining and fixing the standard of value and regulating coinage and exchange of coin are within the jurisdiction of the Committee on Coinage, Weights, and Measures. Volume **IV,** section **4095.**

VAN ALLEN.

The New York election case of Van Rensselaer v. Van Allen in the Third Congress. Volume **I,** section **759.**

VAN BUREN, MARTIN, VICE–PRESIDENT.

Decisions on questions of order relating to—

Debate. Volume **V,** section **5160.**

Duty of presiding officer. Volume **IV,** section **3320.**

VANDERBURG.

The Oregon election case of Vanderburg v. Tongue in the Fifty-fifth Congress. Volume **II,** section **1100.**

VANDEVER.

The Iowa election case of Byington v. Vandever in the Thirty-seventh Congress. Volume **I,** section **490.**

The California election case of Lynch v. Vandever in the Fiftieth Congress. Volume **II,** section **1012.**

VAN HORN.
The Missouri election case of Birch v. Van Horn in the Fortieth Congress. Volume **II,** sections **869, 870.**

VAN NESS, JOHN P.
The New York election case of John P. Van Ness in the Seventh Congress. Volume **I,** section **486.**

VAN NESS, WILLIAM P.
The inquiry into the conduct of Judges William P. Van Ness, Matthias B. Tallmadge, and William Stephens, in 1818. Volume **III,** section **2489.**

VAN RENSSELAER.
The New York election case of Van Rensselaer v. Van Allen in the Third Congress. Volume **I,** section **759.**

VAN WYCK.
The New York election case of Van Wyck v. Green in the Forty-first Congress. Volume **II,** section **875.**

VARE.
The Senate election case of William B. Wilson v. William S. Vare, of Pennsylvania, in the Seventieth Congress. Volume **VI,** section **180.**
The Missouri election case of Shields v. Van Horn in the Forty-first Congress. Volume **II,** section **883.**
The Missouri election case of Van Horn v. Tarsney in the Fifty-fourth Congress. Volume **II,** section **1062.**

VARNUM, ELECTION CASE OF.
The Massachusetts election case of Joseph Bradley Varnum in the Fourth Congress. Volume **I,** section **763.**

VARNUM, JOSEPH B., of Massachusetts, Speaker.
Decisions on questions of order relating to—
Amend, motion to. Volume **V,** section **5049.**
Appeals. Volume **V,** section **6953.**
Call to order. Volume **II,** section **1295. Volume V,** section **5173.**
Constitutional amendments. Volume **V,** section **7029.**
Debate. Volume **V,** section **5087.**
Journal. Volume **IV,** section **2791.**
Postpone, motion to. Volume **V,** section **5317.**
Recognition. Volume **V,** section **5016.**
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Reports from Committee of the Whole. Volume **IV,** section **4873.**
Secret sessions. Volume **V,** section **7254.**
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Voting. Volume **V,** section **6093.**
Yeas and nays. Volume **V,** section **6161.**

VENABLE.
The Virginia election case of Langston v. Venable in the Fifty-first Congress. Volume **II,** sections **1032, 1033.**

VENTILATION.
The rule gives to the Committee on Ventilation and Acoustics jurisdiction of subjects relating "to ventilation and acoustics." Volume **IV,** section **4313.**
The electrician and laborers connected with the lighting, heating, and ventilating of the House are under direction of the Superintendent, subject to the control of the Speaker. Volume **V,** section **7312.**

VENTILATION AND ACOUSTICS, COMMITTEE ON.

The creation and history of the Committee on Ventilation and Acoustics. Section 41 of Rule XI. Volume **IV,** section **4313.**

The rule gives to the Committee on Ventilation and Acoustics jurisdiction of subjects relating "to ventilation and acoustics." Volume **IV,** section **4313.**

Subjects relating to the Hall of the House have been considered by the Committee on Ventilation and Acoustics. Volume **IV,** section **4314.**

A resolution from the Committee on Ventilation and Acoustics relating to the comfort of Members in the Hall was received as a question of privilege. Volume **III,** section **2629.**

VERBAL STATEMENT.

A verbal statement may not be received in the House as the report of a committee. Volume **IV,** section **4654.**

VERIFICATION.

The Speaker's count of a quorum is not subject to verification by tellers. Volume **IV,** section **2916,** Volume **VI,** section **647.**

The Chairman's count of a quorum is not subject to verification by tellers. Volume **VIII,** sections **2369, 2436.**

On a demand for the yeas and nays it is not in order to request a rising vote in the negative and the count of the Chair is not subject to verification. Volume **VIII,** section **3114.**

The count of the Speaker in ascertaining whether one-fifth of those present support a demand for the yeas and nays is not subject to verification, and a request for a rising vote of those opposed to the demand is not in order. Volume **VIII,** section **3112.**

While the count of the Speaker in determining whether a requisite number of Members has sustained a demand for the yeas and nays is not subject to verification, and a call for those opposed may not be demanded as a matter of right, in exceptional instances requests for tellers have been entertained. Volume **VIII,** section **3115.**

The purpose of a recapitulation is the verification of the vote as cast, and a Member failing to vote on the roll call may not be recorded on recapitulation. Volume **VIII,** section **3070.**

VERMONT.

Objection was made to the manner of appointment of one of the electors of Vermont in 1877, but the vote was counted. Volume **III,** section **1980.**

House election cases from:

Fourth Congress.—Lyon v. Smith. Volume **I,** section **761.**

Sixteenth Congress.—Mallory v. Merrill. Volume **I,** section **774.**

VERREE.

The Pennsylvania election case of Kline v. Verree in the Thirty-seventh Congress. Volume **I,** section **727.** Volume **II,** section **848.**

VESSELS.

A bill granting American register to a foreign-built vessel is classed as a private bill. Volume **IV,** section **3292.**

The subjects of tonnage taxes and fines and penalties on vessels are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4131.**

The subject of tonnage taxes on vessels has been considered to be within the jurisdiction of the Committee on the Merchant Marine and Fisheries. Volume **VII,** section **1856.**

The naming and measuring of vessels are subject within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4132.**

The inspection of steam vessels, as to hulls and boilers, is generally within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4133.**

The general subjects of shipbuilding, admission of foreign-built ships, registering and licensing of vessels are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4134.**

VESSELS—Continued.

Bills relating to the titles, conduct, and licensing of officers of vessels under the more recent practice have been considered by the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4139.**

Protection from fire on vessels is a subject which, under the later practice, has been considered by the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4141.**

Conditions relating to the health of seamen are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4141.**

The regulation of small vessels propelled by naphtha, etc., and the transportation of inflammable substances on passenger vessels are generally but not exclusively reported by the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4142.**

The privileges of foreign vessels in American ports, bills of lading, contracts in export trade, and wrecks in international waters have been reported generally by the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4144.**

Lights and signals on vessels are subjects that have been considered both by the Committee on Merchant Marine and Fisheries and Interstate and Foreign Commerce. Volume **IV,** section **4135.**

Bills of lading, liability of shipowners, and entering and clearing of vessels are subjects which have been within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4137.**

Collisions, coasting districts, marine schools, etc., are subjects of doubtful jurisdiction between the Committee on Merchant Marine and Fisheries and Interstate and Foreign Commerce. Volume **IV,** section **4146.**

Bills authorizing the construction of revenue cutters and auxillary craft of the customs service are reported by the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4108.**

Bills of lading as evidence, bonds in admiralty cases, willful destruction of vessels, mutiny, etc., are subjects within the jurisdiction of the Committee on the Judiciary. Volume **IV,** section **4145.**

Subjects relating to the creation and activities of the United States Shipping Board including the adjustment and payment of claims arising under its administration and the regulation of vessels under its jurisdiction are reported by the Committee on Merchant Marine and Fisheries. Volume **VII,** section **1849.**

Legislation prescribing regulations and pay for laborers unlading vessels in the Customs Service has been reported by the Committee on Ways and Means. Volume **VII,** section **1735.**

The Committee on the Judiciary exercises jurisdiction over legislation regulating legal process and procedure relating to vessels in foreign jurisdictions. Volume **VII,** section **1771.**

The inspection of steamboats, the regulation of officering and manning vessels, and the classification and salaries of clerks in the Steamboat-Inspection Service are subjects within the jurisdiction of the Committee on the Merchant Marine and Fisheries. Volume **VII,** section **1854.**

VETOED BILLS.

(1) Return of, by the President.
(2) Consideration of.—General principles as to.
(3) Consideration of.—Reference to committees.
(4) Consideration of.—Relative to adjournment and quorum
(5) Consideration of.—Privilege of.
(6) Voting on.
(7) Messages as to action on.

(1) Return of, by the President.

A bill which the President does not approve he returns, with his objections, to the House in which it originated. Volume **IV,** section **3520.**

VETOED BILLS—Continued.

(1) Return of, by the President—Continued.

A vetoed bill received in the House by way of the Senate is considered as if received directly from the President and supersedes the regular order of business. Volume **IV,** section **3537.** Volume **VII,** section **1109.**

When the President was prevented by adjournment from returning a bill with his objections it was formerly customary for him at the next session to communicate his reason for not approving. Volume **V,** sections **6618–6620.**

A question as to the return of a vetoed bill, Congress being in recess beyond the limit of ten days. Volume **IV,** section **3496.**

A veto message may not be returned to the President of the United States. Volume **IV,** section **3521.**

The term "adjournment" as used in the constitutional provision does not refer exclusively to the final adjournment of the Congress, but includes the adjournment of an intermediate session as well. Volume **VII,** section **1115.**

The phrase "within 10 days" in the constitutional provision fixing the time within which bills shall be returned by the President, refers not to legislative days but to calendar days. Volume **VII,** section **1115.**

Accompanying documents, although referred to in a message from the President, are not read or entered on the Journal. Volume **VII,** section **1108.**

The "House" to which a bill is to be returned by the President is a House in session with authority to receive the return and enter the President's objections on its Journal and no return can be received when the House is not in session. Volume **VII,** section **1115.**

No officer or agent of either House has authority to receive returned bills or messages from the President for delivery at the next session. Volume **VII,** section **1115.**

The pocket-veto case decided by the Supreme Court in 1929. Volume **VII,** section **1115.**

A bill passed by both Houses during an interim session and presented to the President less than 10 days before adjournment of the session, but neither signed by the President nor returned without his signature, does not become a law. Volume **VII,** section **1115.**

(2) Consideration of.—General Principles as to.

Form of motion to reconsider a bill returned by the President with objections. Volume **VII,** section **1103.**

A veto message from the President is read before disposition is considered. Volume **VII,** section **1105.**

A bill returned with the President's objections, when called up for reconsideration, may be read by unanimous consent only. Volume **VII,** section **1106.**

The House to which a bill is returned with the objections of the President enters the objections on the Journal and proceeds to reconsider it. Volume **IB,** section **3520.**

It is the usual but not invariable rule that a bill returned with the objections of the President shall be read and considered at once. Volume **IV,** sections **3534–3536.**

The question of consideration may not be demanded against a bill returned with the objections of the President. Volume **V,** sections **4969, 4970.**

When a bill returned with the President's objections is called up the question of reconsideration is considered as pending and a motion to reconsider is not required. Volume **VII,** sections **1097, 1099.**

The constitutional mandate that the House "shall proceed to reconsider" a vetoed bill has been held not to preclude a motion to postpone consideration to a day certain. Volume **IV,** sections **3542–3547.** Volume **VII,** section **1101.**

A veto message having been read, only three motions are in order: to lay on the table, to postpone to a day certain, or to refer, which motions take precedence in the order named. Volume **VII,** section **1099.**

VETOED BILLS—Continued.

(2) Consideration of.—General Principles as to—Continued.

The constitutional mandate that the House "shall proceed to reconsider" a vetoed bill is complied with by laying it on the table, referring it to a committee, postponing consideration to a day certain, or immediately voting on reconsideration. Volume **VII,** section **1105.**

It is not in order to move to postpone indefinitely the consideration of a veto message of the President. Volume **IV,** section **3548.**

A bill returned with the objections of the President may be laid on the table. Volume **IV,** section **3549.**

A vetoed bill, being privileged, may be taken from the table. Volume **V,** section **5439.**

A vetoed bill when laid on the table is still highly privileged, and thus justifies a motion to take it from the table and action thereon by majority vote (footnote). Volume **IV,** section **3550.**

While the specific time at which a message shall be laid before the House is within the Speaker's discretion, it may not be deferred to a day subsequent except by order of the House. Volume **VII,** section **1104.**

An exceptional instance wherein the consideration of a veto message from the President was held to be in order on Wednesday. Volume **VII,** section **912.**

Reconsideration of a bill returned with the President's objections may be postponed to a day certain by a majority vote. Volume **VII,** section **1112.**

While bills returned with the President's objections are taken up for consideration on the day received, the time of the day of laying the message before the House is within the discretion of the Speaker. Volume **VII,** section **1100.**

A veto message received from the President supersedes the regular order of business, but immediate consideration may be deferred, at the discretion of the Speaker, until later on the same day. Volume **VII,** section **1103.**

The reading only of a veto message is mandatory on the day on which received, and subsequent proceedings in reconsideration of the bill may be postponed by the House to a future day. Volume **VII,** section **1103.**

Consideration of a bill similar to one returned by the President without approval, but conforming to objections voiced by the President in the accompanying message, is not in order pending reconsideration of the vetoed bill. Volume **VII,** section **1103.**

(3) Consideration of.—Reference to Committees.

A motion to refer a vetoed bill, either with or without the message, has been held allowable within the constitutional mandate that the House "shall proceed to reconsider." Volume **IV,** section **3550.** Volume **VII,** sections **1108, 1114.**

While the ordinary motion to refer may be applied to a vetoed bill it is not in order to move to commit it pending the demand for the previous question or after it is order on the constitutional question of reconsideration. Volume **IV,** section **3551.** Volume **VII,** section **1102.**

In the Senate also a motion to refer a vetoed bill has been held in order. Volume **IV,** section **3550.**

Not only have vetoed bills have referred to committees, but in practice those committees have often neglected to report (footnote). Volume **IV,** section **3550.**

A committee to which was referred to a veto message from the President made no report thereon. Volume **VII,** sections **1108, 1114.**

Vetoed bills are sometimes referred to committees and not acted on further (footnote). Volume **IV,** section **3523.**

A vetoed bill having been rejected by the House the message was referred. Volume **IV,** section **3552.** Volume **VII,** section **1103.**

The House having referred a vetoed bill, a new bill, identical in all respects with the exception of a provision objected to by the President, was introduced and passed under suspension of the rules. Volume **VII,** section **1114.**

VETOED BILLS—Continued.

(4) Consideration of.—Relation to Adjournment and Quorum.

A motion to adjourn was held in order, although if carried the effect would have been to prevent for the session the consideration of a veto message of the President. Volume **IV,** section **3523.**

A vetoed bill not acted on before adjournment sine die because of the failure of a quorum was acted on at the next session of the same Congress. Volume **IV,** section **3522.**

A veto message of the President may not be read in the absence of a quorum, even though the House be about to adjourn sine die. Volume **IV,** section **3522.**

The House having adjourned after the reading of a veto message and before voting on reconsideration, the bill came up as unfinished business on the next legislative day. Volume **VII,** section **1109.**

While it is the rule that a bill returned with the objections of the President shall be read and considered at once, it may not be laid before the House in the absence of a quorum. Volume **VII,** section **1094.**

(5) Consideration of.—Privilege of.

A bill returned with the President's objections is privileged, but the same is not true of a bill reported in lieu of it. Volume **IV,** section **3531.**

A motion to discharge a committee from the consideration of a vetoed bill presents a question of constitutional privilege and is in order at any time. Volume **IV,** section **3532.**

A resolution coming over from the preceding day with the previous question ordered was held to take precedence of a motion for disposition of a veto message from the President. Volume **VIII,** section **2693.**

Reconsideration of a bill returned with the objections of the President is by constitutional mandate and takes precedence of business in order on Calendar Wednesday. Volume **VII,** section **1095.**

A bill returned with the President's objections is privileged when reported by the committee to which referred. Volume **VII,** section **1096.**

Dicta relating to the privilege accorded by the Constitution to the consideration of a measure returned with the President's veto. Volume **VI,** section **48.**

Motions to discharge committees from consideration of questions privileged under the Constitution, as the right of a Member to his seat or the right to consider a vetoed bill, frequently have been held in order. Volume **VIII,** section **2316.**

(6) Voting on.

If two-thirds of the House to which a bill is returned with the President's objections agreed to pass it, and then two-thirds of the other House, it becomes a law. Volume **IV,** section **3520.**

The Constitution provides that the vote on reconsideration of a bill returned with the President's objections shall be determined by yeas and nays. Volume **VII,** section **1110.**

The two-thirds vote required to pass a bill notwithstanding the objections of the President is "two-thirds of the Members present" (footnote). Volume **IV,** sections **3537, 3538.**

The two-thirds vote required to pass a bill notwithstanding the objections of the President is two-thirds of the Members voting and not two-thirds of those present. Volume **VII,** section **1111.**

Votes by yeas and nays and veto messages of the President are required by the Constitution to be spread on the Journal. Volume **IV,** section **2726.**

On a vote on passing a bill returned with the objections of the President the yeas and nays are required to be entered on the Journal. Volume **IV,** section **3520.**

The motion to reconsider may not be applied to the vote on reconsideration of a bill returned with the objections of the President. Volume **V,** section **5644.**

A bill passed notwithstanding the objections of the President is sent by the Presiding Officer in the House which last acts on it to the Secretary of State for preservation. Volume **IV,** section **3524.**

VETOED BILLS—Continued.

(6) Voting on—Continued.

Form of putting the question on the passage of a bill returned with the objections of the President (footnote). Volume **IV,** section **3534.**

(7) Messages as to Action on.

It is the practice for one House to inform the other by message of its decision that a bill returned with the President's objection shall not pass. Volume **IV,** sections **3539–3541.**

When a bill returned without the President's approval is passed by the two Houses, the Secretary of State receives the bill from the Presiding Officer of the House in which it last was passed. Volume **IV,** section **3485.**

Since the enactment of the statute the House takes no special action in relation to transmitting to the Secretary of State bills passed over the President's veto. Volume **IV,** sections **3538, 3529.**

Resolutions relating to the disposition of bills passed over the veto of the President have been treated as privileged. Volume **IV,** section **3530.**

Before the enactment of the statute the House directed the Clerk to take the Secretary of State its bills passed over the President's veto. Volume **IV,** sections **3525–3527.**

VICE-PRESIDENT.

(1) Election of.
(2) Functions at the electoral count.
(3) Charges against.—In general.
(4) Charges against.—May be impeached.
(5) Presiding Officer of the Senate.—General duties.
(6) Presiding Officer of the Senate.—Power to call to order.
(7) Presiding Officer of the Senate.—Vote of.
(8) In general.

(1) Election of.

After the electoral count of 1837 had shown no choice for Vice-President the Senate proceeded to elect in accordance with the constitutional requirement. Volume **III,** section **1941.**

Provisons of the Constitution for the choice of a President and Vice-President by the electors, for the electoral count, and for elections in House and Senate in default of a choice by the electors. Volume **III,** section **1913.**

The statutes designate the time for the choice of electors of President and Vice-President and the time for their meeting to give in their votes. Volume **III,** section **1914.** Volume **VI,** section **438.**

Precedents of the House and Senate in relation to notifying the President-elect and Vice-President-elect of their elections. Volume **III,** section **2000.**

The rule gives to the Committee on Election of President, Vice-President, and Representatives in Congress Jurisdiction of the subjects relating to the election of officials enumerated in the designation. Volume **IV,** section **4299.**

Legislative propositions pertaining to the nomination of the President, Vice-President, and Representatives in Congress are within the jurisdiction of the Committee on Election of President, Vice-President, and Representatives in Congress. Volume **VII,** section **2025.**

(2) Functions at the Electoral Count.

Certificates of the votes of the electors in the several States for President and Vice-President are transmitted to the President of the Senate, who may in case of delay send for them. Volume **III,** section **1917.**

In 1881 the Senate determined that its President had no authority to decide on the reception or rejection of electoral votes. Volume **III,** section **1957.**

At the electoral count of 1873 the Vice-President, in accordance with the previous practice, not only announced the state of the vote but declared those elected. Volume **III,** section **1952.**

VICE-PRESIDENT—Continued.

(2) Functions at the Electoral Count—Continued.

Instance wherein the Vice-President, who was also the President-elect, presided at the electoral count. Volume **III,** section **1930.**

In a case where the Vice-President was also the Vice-President-elect the Senate announced the election of a President pro tempore for the sole purpose of opening the certificates and counting the votes, but it does not appear certain that he acted. Volume **III,** section **1929.**

The Vice-President-elect, as Speaker of the House, participated in the ceremonies. Volume **VI,** section **446.**

Mr. Speaker Colfax presided with the President pro tempore at the electoral count of 1869, although he was ascertained by that count to be the Vice-President-elect. Volume **III,** section **1950.**

The Speaker of the House, being the Vice-President-elect, called a Member to the chair during discussion of a question relating to the electoral count. Volume **II,** section **1365.**

Under the former joint rule for counting the electoral vote the Vice-President held that objection to the vote of a State, even for a constitutional reason, should be made at the time the vote was opened and counted. Volume **III,** section **1952.**

When, during the electoral count of 1873, the two Houses separated to consider objections, the Vice-President, who had custody of the documents, left with the House duplicates of the electoral certificates. Volume **III,** section **1951.**

Senators who had been candidates for the office of Vice President in the election did not attend the joint session for the count of the electoral vote. Volume **VI,** section **445.**

(3) Charges Against.—In General.

The inquiry as to the conduct of Schuyler Colfax, Vice-President of the United States. Volume **III,** section **2510.**

Vice-President Calhoun asked the House, as the grand inquest of the nation, to investigate certain charges made against his conduct as Secretary of War, and the House granted the request. Volume **III,** section **1736.**

The Vice-President was represented by a Member of the House before a committee of the House which was investigating charges against him. Volume **III,** section **1736.**

(4) Charges Against.—May be Impeached.

Treason, bribery, or other high crimes and misdemeanors require removal of President, Vice-President, or other civil officers on conviction by impeachment. Volume **III,** section **2001.**

The Senate declined to investigate charges against the Vice-President, it being urged that he was subject to impeachment proceedings only. Volume **II,** section **1242.**

(5) Presiding Officer of the Senate.—General Duties.

Enrolled bills are signed first by the Speaker, then by the President of the Senate. Volume **IV,** section **3429.**

By concurrent resolution the two Houses empowered the Vice-President and Speaker to sign subpoenas during a recess of Congress. Volume **III,** section **1763.**

Discussion and ruling in the Senate as to decisions of questions of order by the Presiding Officer. Volume **II,** section **1340.**

Discussion of the duty of a Presiding Officer in relation to the presentation of communications. Volume **IV,** section **3320.**

In the Senate the process of designating a President pro tempore for the day's sitting has been the subject of much discussion. Volume **II,** sections **1414–1416.**

The Vice President was authorized to name a Senator to preside in the absence of the President pro tempore. Volume **VI,** section **522.**

In the absence of the Vice President during the election of a President pro tempore of the Senate, a President pro tempore was designated to preside. Volume **VI,** section **281.**

VICE-PRESIDENT—Continued.

(5) Presiding Officer of the Senate.—General Duties—Continued.

Under a rule of the Senate subpoenas or other writs are signed by the Presiding Officer, whether the Vice President or President pro tempore, during session of the Senate sitting in trial of impeachment or in vacation. Volume **VI,** section **485.**

Nature of the office of President pro tempore of the Senate and its relation to the Vice-President. Volume **II,** section **1417.**

One of the first messages from the Senate was transmitted by letter from the Vice-President. Volume **V,** section **6257.**

A spectator in the Senate gallery having addressed remarks to the floor, the Vice President directed the Doorkeeper to remove him. Volume **VI,** section **260.**

Instance in which the Vice President signed a bill passed and signed by the Speaker at the preceding session. Volume **VII,** section **1076.**

Discussion of the rule for limiting debate in the Senate. Volume **VIII,** section **2671.**

A question of order being raised against the presence of unauthorized persons on the floor of the Senate, the Vice President directed the Sergeant at Arms to remove all persons not entitled to the privileges of the floor. Volume **VIII,** section **3639.**

Ruling by the Vice President on tenure of office of Senators holding temporary appointment in the Senate. Volume **VI,** section **145.**

(6) Presiding Officer of the Senate.—Power to Call to Order.

References to discussion of the power of the Vice-President to call to order (footnote). Volume **II,** section **1345.**

Reference to discussions of the powers of the Vice-President as Presiding Officer of the Senate and as to calling to order. Volume **II,** section **1340.**

(7) Presiding Officer of the Senate.—Vote of.

The Vice-President votes on all questions wherein the Senate is equally divided, even on a question relating to the right of a Senator to his seat. Volume **V,** sections **5976, 5977.**

Instances wherein the Vice-President cast a deciding vote on questions relating to the organization of the Senate. Volume **V,** section **5975.**

The right of the Vice-President to give a casting vote extends to cases arising in the election of officers of the Senate. Volume **V,** sections **5972–5974.**

The Senate has declined to make a rule relating to the vote of the Vice-President. Volume **V,** section **5974.**

(8) In general.

Ceremonies in memory of deceased Vice-Presidents. Volume **VIII,** section **3585.**

The President and Vice President of the United States and their secretaries have the privilege of the floor. Volume **VIII,** section **3634.**

VIEWS OF THE MINORITY.

(1) General practice as to.

(2) Evolution of the practice as to.

(1) General Practice as to.

The minority of a committee may not make a report or present a proposition of legislation, but in later years the rules have given to them the right to file views to accompany the report. Volume **IV,** sections **4601–4605.**

Minority views accompany reports of committees as a matter of right, but unless filed simultaneously with the report, may be presented only by consent of the House. Volume **VIII,** section **2231.**

Unless filed with the report, minority views may be presented only by the consent of the House. Volume **IV,** section **4600.**

A resolution or bill accompanying minority views has no standing thereby, but must be offered by a Member on the floor. Volume **IV,** section **4606.**

VIEWS OF THE MINORITY—Continued.

(1) General Practices as to—Continued.

Views of the minority may not include transcripts of testimony or other matters not strictly in the nature of argument. Volume **IV,** section **4607.**

Views of the minority may properly include excerpts and citations quoted in the nature of argument and as sustaining the minority contention. Volume **VIII,** section **2228.**

A minority of a committee, as a question of privilege, having charged the committee with neglect of duty, it was held that the minority, not being competent to make a report, might not thus present a question of privilege. Volume **IV,** section **4619.**

It is not in order for the minority to present to the House the records of a committee to show that the committee is disregarding its duty. Volume **IV,** section **4619.**

The majority of a committee do not always sign the report, but the minority views are subscribed by those submitting them. Volume **IV,** section **4671.**

While committee reports are ordinarily submitted without signature and minority views require signature by those subscribing thereto, there have been exceptional instances in which the former were signed and the latter submitted without signature. Volume **VIII,** section **2229.**

Members of a committee sometimes submit individual views in addition to the regular minority views. Volume **IV,** section **4671.**

Minority views may accompany the report of a subcommittee made to the committee. Volume **III,** section **1801.** Volume **VI,** section **376.**

Instance wherein the committee rejected the majority report of its subcommittee and adopted the minority views. Volume **VI,** section **188.**

Members of a Congressional commission, who were not members of the House or Senate, exercised the privilege of filing minority views when the report was made. Volume **IV,** section **4703.**

The report of a joint commission constituted by law, with minority views thereon, was received and, with a bill recommended by the commission, was referred to the Union Calendar. Volume **VIII,** section **2317.**

A committee having been given the right by special order to report from the floor, members of the committee are entitled to the same privilege in presenting minority views. Volume **VIII,** section **2227.**

A Member representing a privileged report and Members submitting minority views are entitled to recognition to read in full the report or views respectively although no question may be pending. Volume **VI,** section **379.**

Members of a committee of conference may not file supplemental reports nor submit minority views. Volume **VIII,** section **3302.**

Minority views, although agreeing with the majority report in the findings of fact, held that the evidence warranted further proceedings toward impeachment. Volume **VI,** section **529.**

Conflicting views of the majority and minority of the Judiciary Committee, in 1921, as to offenses justifying impeachment. Volume **VI,** section **535.**

Discussion of the nature of impeachable offenses in minority views submitted in the Daugherty case. Volume **VI,** section **456.**

Under the practice of the House ample time is allowed for filing minority views in contested election cases. Volume **VI,** section **138.**

Instance wherein minority views, holding a Senator elected by corrupt practices and therefore not entitled to his seat, were sustained by the Senate. Volume **VI,** section **109.**

(2) Evolution of the Practice as to.

Evolution in House and Senate of the practice of filing minority views with reports of committees. Volume **IV,** sections **4601–4605.**

Minority views were not permitted previous to 1822, but the present practice began to develop soon after that date. Volume **IV,** sections **4608–4618.**

VIEWS OF THE MINORITY—Continued.

(2) Evolution of the Practice as to—Continued.

Instance in 1832 wherein a minority dissent was voiced in the report of the majority and not in separate "views." Volume **I,** section **783.**

The report of the Select Committee on the Bank of the United States submitted to the House in 1832 was accompanied by minority views and individual views. Volume **IV,** section **4474.**

Minority views were filed in 1834 by members of the committee appointed to investigate the affairs of the Bank of the United States. Volume **III,** section **1732.**

Discussion in the Senate on the presentation of minority views. Volume **IV,** sections **4617, 4618.**

VIRGINIA.

House election cases from:

Third Congress.—Trigg v. Preston. Volume **I,** section **760.**
Fourth Congress.—Basset v. Clopton. Volume **I,** section **762.**
Eighth Congress.—Moore v. Lewis. Volume **I,** section **765.**
Twelfth Congress.—Taliaferro v. Hungerford. Volume **I,** section 767.
Thirteenth Congress.—Basset v. Bayley. Volume **I,** section **769.**
Thirteenth Congress.—Taliaferro v. Hungerford. Volume **I,** section **768.**
Fourteenth Congress.—Porterfield v. McCoy. Volume **I,** sections **770, 771.**
Twenty-first Congress.—Loyall v. Newton. Volume **I,** section **780.**
Twenty-second Congress.—Draper v. Johnson. Volume **I,** sections **781–783.**
Twenty-seventh Congress.—Smith v. Banks. Volume **I,** section **805.**
Twenty-eighth Congress.—Botts v. Jones. Volume **I,** sections **809–811.**
Twenty-eighth Congress.—Goggin v. Gilmer. Volume **I,** section **807.**
Thirty-seventh Congress.—Samuel F. Beach. Volume **I,** section **367.**
Thirty-seventh Congress.—Beach v. Upton. Volume **I,** section **686.**
Thirty-seventh Congress.—Christopher L. Grafflin. Volume **I,** section **371.**
Thirty-seventh Congress.—Joseph Segar. Volume **I,** sections **363, 364.**
Thirty-seventh Congress.—Lewis McKenzie. Volume **I,** section **372.**
Thirty-seventh Congress.—Charles H. Upton. Volume **I,** section **366.**
Thirty-seventh Congress.—Wing. v. McCloud. Volume **I,** section **368.**
Thirty-eighth Congress.—Chandler and Segar. Volume **I,** section **375.**
Thirty-eighth Congress.—McKenzie v. Kitchin. Volume **I,** section **374.**
Forty-first Congress.—Joseph Segar. Volume **I,** section **318.**
Forty-first Congress.—Tucker v. Booker. Volume **I,** section **461.**
Forty-first Congress.—Whittlesey v. McKenzie. Volume **I,** section **462.**
Forty-second Congress.—McKenzie v. Braxton. Volume **I,** sections **639, 640.**
Forty-third Congress.—Thomas v. Davis. Volume **II,** section **898.**
Forty-fourth Congress.—Platt v. Goode. Volume **II,** sections **921–923.**
Forty-seventh Congress.—Bayley v. Barbour. Volume **I,** section **435.**
Forty-seventh Congress.—Stovall v. Cabell. Volume **I,** section **681.**
Forty-eighth Congress.—Garrison v. Mayo. Volume **I,** section **537.**
Forty-eighth Congress.—Massey v. Wise. Volume **II,** section **993.**
Forty-eighth Congress.—O'Ferrall v. Paul. Volume **II,** section **985.**
Fifty-first Congress.—Bowen v. Buchanan. Volume **II,** sections **1027, 1028.**
Fifty-first Congress.—Langston v. Venable. Volume **II,** sections **1032, 1033.**
Fifty-first Congress.—Waddell, jr., v. Wise. Volume **II,** section **1026.**
Fifty-third Congress.—Goode v. Epes. Volume **II,** sections **1057, 1058.**
Fifty-fourth Congress.—Cornet v. Swanson. Volume **II,** section **1071.**
Fifty-fourth Congress.—Hoge v. Otey. Volume **I,** section **724.**
Fifty-fourth Congress.—McDonald v. Jones. Volume **I,** section **436.**
Fifty-fourth Congress.—Thorp v. McKenney. Volume **II,** section **1072.**
Fifty-fourth Congress.—Yost v. Tucker. Volume **II,** sections **1077–1080.**

VIRGINIA—Continued.

House election cases from—Continued.

Fifty-fifth Congress.—Brown v. Swanson. Volume **II,** sections **1108, 1109.**

Fifty-fifth Congress.—Thorp v. Epes. Volume **II,** section **1098, 1099.**

Fifty-fifth Congress.—Wise v. Young. Volume **II,** section **1102, 1103.**

Fifty-sixth Congress.—Walker v. Rhea. Volume **II,** section **1118.**

Fifty-sixth Congress.—Wise v. Young. Volume **II,** section **1111.**

Fifty-seventh Congress.—Walker v. Rhea. Volume **I,** section **737.**

Fifty-seventh Congress.—Wilson v. Lassiter. Volume **II,** section **1127.**

Sixty-first Congress.—Parsons v. Saunders. Volume **VI,** section **53.**

Sixty-seventh Congress.—Paul v. Harrison. Volume **VI,** section **158.**

Senate election cases from:

Thirty-seventh Congress.—Willey and Carlile. Volume **I,** section **383.**

Thirty-eighth Congress.—Segar and Underwood. Volume **I,** section **384.**

VIRGIN ISLANDS.

The Committee on Insular Affairs exercises a general jurisdiction of subjects relating to the Virgin Islands, with exception of matters of revenue and appropriations. Volume **VIII,** section **1950.**

VISITORS.

The statutes require the Speaker to appoint certain visitors and trustees of public institutions. Volume **II,** section **1355.**

Visitors to academies, regents, directors, and trustees of public institutions appointed by the Speaker under the law are not regarded as officers within the meaning of the constitutional inhibition. Volume **I,** section **493.**

The Speaker is forbidden to recognize for motions to suspend the rule prohibiting the introduction of persons in the galleries. Volume **VI,** section **197.**

Members may not introduce occupants of the galleries during a session of the House. Volume **VI,** section **197.**

An occasion of the introduction of distinguished visitors informally to the House. Volume **VIII,** section **3158.**

VISITS.

Ceremonies attending a visit of the House to the Senate. Volume **V,** section **7045.**

When the House attends in the Senate the Sergeant-at-Arms does not bear the mace. Volume **V,** section **7045.**

VIVA VOCE VOTING.

(1) In the election of Speaker.

(2) In the election of other officers of the House.

(3) In other elections by the House.

(4) In elections of Representatives in Congress.

(1) In the Election of Speaker.

The rule excepts the Speaker from the officers required to be chosen viva voce. Volume **I,** section **187.**

The Speaker, who was at first chosen by ballot, has been chosen by viva voce vote since 1839. Volume **I,** section **187.**

Although always at liberty to choose its manner of electing a Speaker, the House has declined in later years to substitute balloting for viva voce choice. Volume **I,** sections **204–208.**

Procedure for electing the Speaker by viva voce vote. Volume **I,** section **211.**

(2) In the Election of Other Officers of the House.

A rule which, however, is not in force at the time of organization, provides that all the elective officers except the Speaker shall be chosen by viva voce vote. Volume **I,** section **187.**

The adoption and object of the rule for viva voce election. Volume **V,** section **6005.**

VIVA VOCE VOTING—Continued.

(2) In the Election of Other Officers of the House—Continued.

It being proposed to elect an officer of the House an amendment prescribing via voce election is in order. Volume **V,** sections **6004, 6005.**

On a vote for the election of an officer a Member may change his vote at any time before the announcement of the result. Volume **V,** section **5934.**

A resolution declaring certain persons elected officers of the House is at variance with the standing rule of the House. Volume **I,** section **193.**

An election by resolution is not a compliance with the rule requiring election of officers viva voce. Volume **I,** sections **191, 192.**

The election of officers by resolution is subject to objection, but is often permitted by unanimous consent. Volume **I,** sections **194–196.**

By unanimous consent, in 1867, the House elected its Clerk by resolution. Volume **I,** section **241.**

(3) In Other Elections by the House.

In 1877 in accordance with a provision of law the House elected by viva voca vote five members of the electoral commission. Volume **IV,** section **4464.**

The House chose the location of the World's Columbian Exposition by a viva voce vote. Volume **V,** section **5978.**

In the Pickering impeachment the House decided that the managers should not be appointed by the Speaker or by viva voce vote, but by ballot. Volume **III,** section **2323.**

(4) In Elections of Representatives in Congress.

A vote being given viva voce at an election for Congressmen, the voter may not afterwards change it or vote for additional officers. Volume **I,** section **781.**

When the law requires a vote by ballot an election viva voce is not permissible and is a reason for rejection of the returns. Volume **I,** section **773.**

Although the State constitution required that every vote be given viva voce, the Elections Committee, in a report which failed, evidently for other reasons to be sustained, decided that the votes of certain mutes might be counted. Volume **I,** section **54.**

Where elections were viva voce the Elections Committee required contestant to prove the want of residence of such persons as he claimed voted illegally. Volume **II,** section **880.**

VOCATIONAL EDUCATION AND REHABILITATION.

The Committee on Education retains jurisdiction over legislative prepositions relating to the vocational education and rehabilitation of persons not discharged from the military or naval forces. Volume **VII,** section **1976.**

Jurisdiction over legislative propositions relating to the vocational rehabilitation of disabled persons discharged from the military or naval forces was exercised by the Committee on Education until transferred to the Committee on World War Veterans' Legislation, in 1924. Volume **VII,** section **1975.**

VOLUNTEER SOLDIERS.

Managers of the National Home for Disabled Volunteer Soldiers are elected by joint resolution of Congress. Volume **V,** section **7336.**

VOORHEES.

The Indiana election case of Washburn v. Voorhees in the Thirty-ninth Congress. Volume **II,** sections **857, 858.**

VOTING. See also "Division," "Pairs," "Tellers," "Unanimous Consent" and "Yeas and Nays."

(1) Manner of Putting the Question.

(2) The tie.—The question lost.

(3) The tie.—Speaker's duty as to.

(4) Reading of papers before.

VOTING—Continued.

(5) General conditions of.
(6) Duty of the Member as to.—Requriement of the rule.
(7) Duty of the Member as to.—Refusal to vote.
(8) Duty of the Member as to.—In relation to the oath and organization.
(9) Duty of the Member as to.—Excuses.
(10) Duty of the Member as to.—Disqualifying personal interest.—The rule.
(11) Duty of the Member as to.—Disqualifying personal interest.—Interpretation of the rule.
(12) Duty of the Member as to.—Disqualifying personal interest.—As to authority to prevent the vote.
(13) Duty of the Member as to.—Members under arrest or in contempt.
(14) Duty of the Member as to.—Pairs.
(15) Delegates to not vote.
(16) The Speaker's vote.
(17) The Vice-President's vote.
(18) Journal entries of.
(19) In committees.
(20) In relation to the electoral count.
(21) In the election of a President by the House.
(22) In general.

(1) Manner of.—Putting the Question.

Rule as to form in which the Speaker shall put the question and method of determining the result. Volume **II,** section **1311.**

The motion as stated by the Chair in putting the question and not as stated by the Member in offering the motion, is the proposition voted upon. Volume **VI,** section **247.**

The rules prescribe the form in which the Speaker shall put the question. Volume **V,** section **5927.**

Form of putting the question on the passage of a bill returned with the objections of the President (footnote). Volume **IV,** section **3534.**

The old and the present form of putting the previous question. Volume **V,** section **5443.**

The question is put first on the affirmative and then on the negative side. Volume **V,** section **5925.**

A motion for a recess must when entertained be vot4ed on, even though the taking of the vote may have been prevented until after the hour specified for the conclusion of the proposed recess. Volume **V,** section **6667.**

Debate may continue, the previous question not having been ordered, until the Speaker has put the negative side of the question. Volume **V,** section **5925.**

(2) The Tie.—The Question Lost.

The voice of a majority decides on a vote, but if the House be equally divided the motion falls. Volume **V,** sections **5926, 5964.**

(3) The Tie.—Speaker's Duty as to.

The Speaker is not required to vote unless his vote would be decisive. Volume **VIII,** section **3075.**

The duty of the Speaker to give a casting vote may be exercised after the intervention of other business when a correction of the roll call reveals a tie not before ascertained. Volume **V,** sections **6061–6063.**

Recapitulation of a vote by which a bill had been passed by a majority of one having shown the actual vote to be a tie, the Speaker cast the deciding vote. Volume **VIII,** section **3075.**

VOTING—Continued.

(3) The Tie.—Speaker's Duty as to—Continued.

In case of error whereof the correction leaves decisive effect to the Speaker's vote he may exercise his right even though the result has been announced. Volume **V,** section **5970.**

The Speaker having cast his vote in case of an apparent tie assorted his right to withdraw it when the roll seemed to show that there was in fact no tie vote, but later caused it to be recorded to change the result. Volume **V,** section **5971.**

The Chair may note to make a tie and so decide the question in the negative as he may vote to break a tie and decide a question in the affirmative. Volume **VIII,** section **3100.**

When to vote on an appeal has resulted in a tie the Chair has sometimes given a casting vote in favor of his own decision. Volume **V,** section **6956.**

Instance wherein on a tie vote on an appeal the Speaker voted in the affirmative. Volume **V,** section **5686.**

Instance wherein the Chair gave a casting vote in case of a tie on an appeal from his decision. Volume **V,** section **5239.**

When on an appeal from the decision of the Chair the vote would be a tie after the Chair should have voted to sustain his own decision an interesting question would be presented. Volume **V,** section **6957.**

On an appeal from a decision of the chairman in a committee the Chair voted to sustain his ruling, thereby producing a tie, and so the decision was sustained. Volume **IV,** section **4569.**

(4) Reading of Papers Before.

Under the parliamentary law every Member has the right to have a paper once read before he is called to vote on it. Volume **V,** section **5258.**

Under the later decisions it is held that the right of a Member to have read a paper on which the House is to vote may not be abrogated by a suspension of the rules. Volume **VIII,** section **3400.**

The right of a Member to demand the reading of a paper on which he is called to vote is recognized in the rules of the House. Volume **V,** section **5257.**

When a paper on which the House is to vote has been read once the reading may not be required again unless the House shall order it read. Volume **V,** section **5260.**

On a motion to refer to report the reading of it may be demanded as a matter of right by a Member, but the latest ruling leaves to the House to decide whether or not an accompanying record of testimony shall be read. Volume **V,** sections **5261, 5262.**

The reading of papers other than the one on which the vote is taken is usually permitted under the parliamentary law without question, but if objection is made the Speaker must take the sense of the House. Volume **V,** section **5258.**

When a Member objects to the reading of a paper other than one on which the House is to give a final vote the question as to the reading is determined by vote without debate. Volume **V,** section **5257.**

(5) General Conditions of.

A bill or resolution must be considered and voted on by itself. Volume **IV,** section **3408.**

Members may not remain near the Clerk's desk during a vote. Volume **II,** section **1136.**

A negative vote on a motion to disagree was held equivalent to an affirmative vote to agree. Volume **V,** section **6167.**

(6) Duty of the Member as to.—Requirement of the Rule.

Every Member shall be present and vote unless he has a direct personal or pecuniary interest in the question. Volume **V,** section **5941.**

Form and history of Rule VIII, section 1, relating to attendance and voting of Members. Volume **V,** section **5941.**

VOTING—Continued.

(7) Duty of the Member as to—Refusal to Vote.

The Speaker has no power to compel a Member to vote. Volume **V,** section **5942.**

In 1822 Mr. John Quincy Adams refused to vote on the resolution censuring Mr. Stanberry, of Ohio. Volume **II,** section **1248.**

A Member declined to vote in 1832 and the House found itself powerless to compel a vote in this as in later instances. Volume **V,** sections **5943–5945.**

A Member having declined to vote in 1836, the House finally abandoned its attempt to compel him. Volume **V,** section **5946.**

A Member having declined to vote and a question arising, the Speaker held that the pending vote should be completed and announced, leaving the incidental question until after the announcement. Volume **V,** sections **5947, 5948.**

A Member having declined to vote on a call of the years and nays, the Speaker held that the resulting question of order might be acted on at the conclusion of the call of the roll. Volume **V,** section **5946.**

An instance wherein a Senator refused to vote (footnote). Volume **V,** section **5945.**

(8) Duty of the Member as to.—In Relation to the Oath and Organization.

The names of Members who have not been sworn are not entered on the roll from which the years and nays are called for entry on the Journal. Volume **V,** section **6048.**

Members who have not taken the oath of office are entitled to vote. Volume **VIII,** section **3122.**

On a question raised while the oath is being administered to Members the right to vote is not confined to those already sworn in. Volume **I,** section **142.**

A Member-elect, enrolled by the Clerk on his regular credentials, did not vote until his disqualifications had been removed and he had been permitted by the House to take the oath. Volume **I,** section **456.**

A new Speaker being elected at the beginning of a second session of Congress, Members-elect present and unsworn participated in the election. Volume **I,** section **224.**

Instance wherein at the organization of the House the oath was administered to a Member-elect during the call of the roll on a motion to agree to the rules. Volume **I,** section **173.**

In 1833 the House decided that a person bearing defective credentials should not be called on the roll call until after the election of Speaker and other officers. Volume **I,** section **53.**

(9) Duty of the Member as to.—Excuses.

Sometimes the House has excused Members from voting on questions in which they had a personal interest (footnote). Volume **V,** section **5950.**

A Member who had been assaulted was excused from voting on questions relating to the punishment of his assailant. Volume **V,** section **5962.**

The Speakers, during the period when the rules made in order a motion to excuse a Member from voting, held the motion dilatory when applied to votes on adjourning or for a call of the House, since it might be used to prevent adjourning or the procuring of a quorum. Volume **V,** sections **5709–5712.**

On a motion for a call of the House a motion to excuse a Member from voting was held not in order, although the rule at the time permitted the motion generally. Volume **IV,** section **3007.**

The request of a Member to be excused from voting or his refusal to vote may be recorded in the Journal, but his reasons therefor or even the fact that he offered reasons may not be recorded. Volume **IV,** sections **2821–2824.**

The motion to excuse a Member from voting was a prolific source of obstruction when privileged. Volume **IV,** sections **2900, 2903.**

(10) Duty of the Member as to.—Disqualifying Personal Interest.—The Rule.

Every Member shall be present and vote unless have a direct personal or pecuniary interest in the question. Volume **V,** section **5941.**

VOTING—Continued.

(10) Duty of the Members as to.—Disqualifying Personal Interest. The Rule—Continued.

The rule of parliamentary law as to the conduct of a Member when his private interests are concerned in a question. Volume **V,** section **5949.**

The old parliamentary law as to withdrawal of a Member when business concerning himself is debated or decided. Volume **II,** section **1237.**

(11) Duty of the Member as to.—Disqualifying Personal Interest.—Interpretation of the Rule.

The rule prohibiting Members from voting on questions affecting their direct personal or pecuniary interest was held not to apply to votes on propositions increasing the salaries of Members elect. Volume **VIII,** section **3073.**

Where the subject-matter before the House affects a class rather than individuals the personal interest of Members who belong to the class is not such as to disqualify them from voting. Volume **V,** section **5952.** Volume **VIII,** sections **3071, 3072.**

A bill affecting a particular corporation being before the House, the Speaker held that a Member directly interested in that corporation as a shareholder had no right to vote. Volume **V,** section **5955.**

Members who were stockholders in the Bank of the United States were excused from voting on a question relating to that institution. Volume **V,** section **5954.**

In the proceedings relating to the New Jersey Members in 1939 each contestant did not generally vote on his own case, but voted on the identical cases of his associates. Volume **V,** section **5957.**

The same question affecting the right of four Members to their seats, each voted on the cases of his associates, but not on his own. Volume **V,** section **5958.**

On a motion to discharge a committee from consideration of a resolution affecting the seats of several Members the Chair held that the Members concerned might vote. Volume **V,** section **5960.**

It was held in 1840 that the sitting Members from New Jersey might vote on incidental questions arising during the consideration of their titles to their seats. Volume **V,** section **5953.**

A Member against whom a resolution of censure was pending cast a decisive vote on an incidental question, but on the main question did not vote, except once in the negative on the motion to lay the resolution of the table. Volume **V,** section **5961.**

On a resolution in the Senate censuring two Senators the names of both were called, but neither voted. Volume **II,** section **1665.**

A Member who had preferred charges against Judge Boatner declined, as a member of the Judiciary Committee, to vote on his case. Volume **III,** section **2518.**

A member of a State legislature having cast for himself a decisive vote for United States Senator, the Senate declined to hold the election illegal. Volume **V,** section **5963.**

Instance wherein a Member submitted his resignation from a committee on grounds of disqualifying personal interest. Volume **VIII,** section **3074.**

(12) Duty of the Member as to.—Disqualifying Personal Interest.—As to Authority to Prevent the Vote.

The Speaker has usually held that the Member himself should determine whether or not his personal interest in a pending matter should cause him to withhold his vote. Volume **V,** sections **5950, 5951.**

A point of order being made that a Member was disqualified for voting by a personal interest, the Speaker held that the Chair might not deprive a Member of his constitutional right to represent his constituency. Volume **V,** section **5956.**

The question as to whether a Member's personal interest is such as to disqualify him from voting is a question for the Member himself to decide and the Speaker will not rule against the constitutional right of a Member to represent his constituency. Volume **VIII,** section **3071.**

VOTING—Continued.

(12) Duty of the Member as to.—Disqualifying Personal Interest.—As to Authority to Prevent the Vote.—Continued.

Instances wherein the Speakers decided as to whether or not Members should vote in cases of personal interest. Volume **V,** sections **5955, 5958, 5960.**

The power of the House to deprive one of its Members of the right to vote on any question is doubtful. Volume **V,** section **5952,** volume **VIII,** section **3072.**

A Senator having voted on a question affecting directly his title to his seat, the Senate ordered that the vote be not received in determining the question. Volume **V,** section **5959.**

(13) Duty of the Member as to.—Members Under Arrest or in Contempt.

The Speaker declined to assume the authority to deprive Members present in custody of the Sergeant-at-Arms of the right to vote. Volume **V,** section **5937.**

Members present in custody of the Sergeant-at-Arms for absence were permitted to vote on a motion to excuse another Member for a similar offense. Volume **V,** sections **5937–5940.**

Two Senators having been declared in contempt a question was raised as to the right to suspend their functions as Senators, including their right to vote, but was not decided. Volume **II,** section **1665.**

The President pro tempore of the Senate declined to take the responsibility of directing the Secretary to omit from the call of the yeas and nays the names of two Senators who had been declared in contempt. Volume **II,** section **1665.**

(14) Duty of the Member as to.—Pairs.

Pairs which are announced but once during the legislative day are announced after the completion of a roll call and are published in the Congressional Record. Volume **V,** section **5981.**

The Speaker is forbidden to entertain a request for the announcement of a pair at a time other than that in which such announcements are in order. Volume **V,** section **6046.**

Growth of the practice of pairing in the House. Volume **V,** section **5981.**

Pairs are not announced in Committee of the Whole. Volume **V,** section **5984.**

A suggestion being made that a pair had been disregarded, the Speaker held that this was not a question for the House. Volume **V,** sections **5982, 5983.**

The record of a yea-and-nay vote may not be impeached by showing that Members voted who were recorded as paired. Volume **V,** section **6095.**

(15) Delegates Do Not Vote.

Each Territory sends to the House a Delegate having the right of debating but not of voting. Volume **II,** section **1290.**

A Delegate may make a point of order but may not vote. Volume **VI,** section **240.**

Determination by a committee that a Delegate as a member of the committee has the right to debate but not to vote. Volume **VI,** section **243.**

In the earlier practice Delegates appear to have voted in committees, but such is not the later rule. Volume **II,** sections **1300, 1301.**

(16) The Speaker's Vote.

The rule as to the Speaker's vote. Volume **V,** section **5964.**

The Speaker's name is not on the voting roll and is not ordinarily called. Volume **V,** section **5970.**

The Speaker's vote is recorded at the end of the roll, or after it. Volume **V,** section **5965.**

The Chair may be counted on a vote by tellers. Volume **V,** sections **5996, 5997.**

On a vote by tellers the Chair may be counted without passing between the tellers. Volume **VIII,** sections **3100, 3101.**

The Speaker has voted when a correction on the day after the roll call has created a condition wherein his vote would be decisive. Volume **V,** section **5969.**

Under the early rule and practice the Speaker did not record his vote in cases where it would not be decisive except by permission of the House. Volume **V,** section **5968.**

VOTING—Continued.

(16) The Speaker's Vote—Continued.

Mr. Speaker Macon, following the example of Mr. Speaker Trumbull, exercised his constitutional right to vote although the rule forbade. Volume **V,** sections **5966, 5967.**

The Speaker's vote is properly recorded at the end of the roll call. Volume **VIII,** section **3075.**

(17) The Vice-Prisident's Vote.

The Vice-President votes on all questions wherein the Senate is equally divided, even on a question relating to the right of a Senator to his seat. Volume **V,** sections **5976, 5977.**

The right of the Vice-President to give a casting vote extends to cases arising in the election of officers of the Senate. Volume **V,** sections **5972–5974.**

Instance wherein the Vice-President cast a deciding vote on questions relating to the organization of the Senate. Volume **V,** section **5975.**

The Senate has declined to make a rule relating to the vote of the Vice-President. Volume **V,** section **5974.**

(18) Journal Entries of.

The Journal should record every vote and state in general terms the subject of it. Volume **IV,** section **2804.**

The Journal records the result of a vote in figures only when the yeas and nays are taken. Volume **IV,** section **2827.**

The Journal does not record the names of Members not voting. Volume **VI,** section **637.**

Where a vote is recorded by yeas and nays the nature of the question on which they are taken should be clearly stated in the Journal, even though thereby the summary of an exceptionable petition be printed. Volume **IV,** section **2826.**

In early and rare instances the names of absent Members have been by consent of the House recorded in the Journal among the yeas and nays. Volume **IV,** section **2825.**

The refusal of the yeas and nays by the House is not recorded in the Journal. Volume **IV,** section **2828.**

In the earlier practice, when a series of ballots were taken, the Journal recorded only the bare result of the decisive ballot. Volume **I,** section **232.**

A Speaker being elected by ballot the Journal should show not only the fact but the state of the ballot or ballots. Volume **IV,** section **2832.**

Instance wherein the Journal recorded the names of the tellers on a vote by ballot. Volume **III,** section **2368.**

The House amends the Journal where a vote is recorded erroneously, even though the result be changed thereby. Volume **IV,** sections **2761–2765.**

It is improper for a Member to have published in the Record the individual votes of Members on a question of which the yeas and nays have not been entered on the Journal. Volume **V,** section **6982.**

(19) In Committees.

The yeas and nays are taken in committees. Volume **IV,** section **4572.**

In a committee a majority vote, a quorum being present, is sufficient to authorize a report, even although later, by action of absentees, those signing minority views outnumber those who voted for the report. Volume **IV,** section **4585.**

A joint committee vote per capita and not as representatives of the two Houses. Volume **IV,** section **4425.**

In the early days the House insisted on the larger portion of the membership of a joint committee and that the quorum and votes should be on a per capita basis. Volume **IV,** section **4431.**

Discussion as to use of proxies at meetings of political executive committees. Volume **II,** section **1117.**

Recognition of voting proxies by standing committees is a matter to be respectively determined by each committee for itself, but proxies may not be counted to make a quorum. Volume **VIII,** section **2219.**

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The administration of the War Finance Corporation, the provision of credits for essential industries, and the supervision of the issuance of related securities are subjects within the jurisdiction of the Committee on Banking and Currency. Volume **VII,** section **1795.**

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A communication from the General of the Army transmitted directly, instead of through the Secretary of War, was received and referred, although occasioning some criticism. Volume **V,** section **6653.**

WAR TROPHIES.

The disposition of war trophies and devices and the distribution of obsolete weapons and armament are subjects within the jurisdiction of the Committee on Military Affairs. Volume **VII,** section **1895.**

WARD

The Mississippi election cases of Gholson, Claiborne, Prentiss, and Ward in the Twenty-fifth Congress. Volume **I,** section **518.**

The New York election case of Fairchild v. Ward in the Fifty-fifth Congress. Volume **II,** section **1106.**

WARMOTH.

The Louisiana election case of Warmoth v. Estopinal, in the Sixtieth Congress. Volume **VI,** section **119.**

The Louisiana election case of Warmoth v. Estopinal, in the Sixty-first Congress. Volume **VI,** section **127.**

WARRANTS.

(1) For arrest of Members during a call of the House.
(2) For arrest of other persons.—Issue, service, and return of.
(3) For arrest of other persons.—Signing, and forms of.
(4) In general.

(1) For Arrest of Members During a Call of the House.

Discussion of the authority of the Speaker to issue a warrant for the arrest of absent Members during a call of the House. volume **IV,** section **3043.**

Form of warrant issued under the new rule for a call of the House (footnote). Volume **IV,** section **3041.**

Form of warrant for the arrest of absent Members under the old rule for a call of the House (footnote). Volume **IV,** section **2982.**

A motion directing the Speaker to issue his warrant for the arrest of absent Members being pending, a motion to dispense with further proceedings under the call was ruled out. Volume **IV,** section **3036.**

A Member having escaped from arrest during a call of the House, it was held that he might not be brought back on the same warrant. Volume **IV,** section **3022.**

Under the rule for a call of the House, the Speaker issues warrants for arrest of absentees without further authorization from the House. Volume **VI,** section **702.**

Under a call of the House warrants for the arrest of Members may be issued by the Speaker pro tempore. Volume **VI,** section **688.**

The lack of a quorum being disclosed, in the absence of any motion the Speaker will issue warrants to bring in absent Members. Volume **VI,** section **680.**

WARRANTS—Continued.

(1) For Arrest of Members During a Call of the House—Continued.

Instance wherein the House authorized the Speaker to issue warrant for the arrest of absentees. Volume **VI,** section **638.**

A motion directing the Speaker to issue warrant for arrest of absentees may be entertained during proceedings to secure the attendance of a quorum. Volume **VI,** section **681.**

The House having agreed to a motion directing the issuance of a warrant for arrest of absentees during proceedings to secure a quorum, the Speaker disregarded the direction and declined to sign the warrant. Volume **VI,** section **681.**

(2) For Arrest of Other Persons.—Issue, Service, and Return of.

Discussion of the power of the House to issue a general warrant. Volume **II,** section **1606.**

A question as to issuing a warrant for the arrest of a person who has avoided a summons by seeking a foreign country. Volume **III,** section **1805.**

After debate the House ordered a warrant to issue for arrest of a person who had violated its privileges by assaulting a Member. Volume **II,** section **1616.**

Arrests are made by the Sergeant-at-Arms on authority of a warrant duly signed, attested, and sealed, and on performing the duty that officer makes return on the warrant. Volume **II,** section **1599.**

The Speaker has authority to issue a warrant of arrest only by order of the House. Volume **I,** section **287.**

In the absence of the Sergeant-at-Arms his deputy, by special resolution of the House, was empowered to serve a warrant. Volume **III,** section **1669.**

Deputies with authority to execute warrants may be appointed by the Sergeant-at-Arms under a standing order of the Senate. Volume **VI,** section 341.

In 1860 the Massachusetts court decided that a warrant directed only to the Sergeant-at-Arms of the United States Senate might not be served by deputy in that State. Volume **III,** section **1718.**

A discussion distinguishing between the serving of a warrant by deputy and the serving of a subpoena in the same way. Volume **III,** section **1702.**

The Sergeant-at-Arms having arrested Williamson by order of the House made his return verbally. Volume **III,** section **1673.**

Verbal return of the Sergeant-at-Arms on presenting a witness under arrest for contempt. Volume **III,** section **1697.**

A warrant for the arrest of a recalcitrant witness may issue without previous subpoena where service on the witness is a question of doubt. Volume **VI,** section **348.**

A witness having refused to answer certain questions propounded to him by a special committee of the Senate duly authorized to investigate the subject of inquiry, the Senate issued a warrant for his arrest and certified its committee's report of the circumstances to the district attorney. Volume **VI,** section **346.**

After debate the House ordered a warrant to issue for arrest of a person who had violated its privileges by assaulting a Member. Volume **VI,** section **332.**

By direction of the House, the Speaker issued and the Sergeant-at-Arms served a warrant for the arrest of a person charged with contempt of the House. Volume **VI,** section **532.**

(3) For Arrest of Other Persons.—Signing, and Forms of.

The Speaker signs all acts, addresses, writs, warrants, and subpoenas. Volume **II,** section **1313.**

The Clerk attests and affixes the seal of the House to all writs, warrants, and subpoenas issued by order of the House. Volume **I,** section **251.**

The Clerk being incapacitated, the House authorized the chief assistant clerk to attest a warrant and exercise the other functions of the Clerk. Volume **I,** section **287.**

Form of Speaker's warrant for commitment of a person in contempt and of Sergeant-at-Arms' return thereon.—Volume **II,** section **1628.**

In the Wolcott case the House provided that the resolution ordering him to be taken into custody should be a sufficient warrant. Volume **III,** section **1671.**

WARRANTS—Continued.

(3) For Arrest of Other Persons.—Signing, and Forms of—Continued.

Form of the warrant for commitment of John Nugent. Volume **II,** section **1640.**

Form of warrant and return used by the Senate in compelling the attendance of witnesses. Volume **III,** section **1702.**

Form of warrant signed by the President of the Senate for taking William Duane into custody. Volume **II,** section **1604.**

A warrant of commitment "need not set forth the particular facts which constitute the alleged contempt." Volume **II,** section **1640.**

(4) In General.

The Senate decided that the counsel for William Blount need not file any warrant of attorney or other written authority. Volume **III,** section **2309.**

WARREN, LINDSAY C., of North Carolina, Chairman.

Decisions on questions of order relating to—

Amendment, germaneness of. Volume **VIII,** section **2972.**

Amendment, substitute. Volume **VIII,** section **2881.**

Appropriations. Volume **VII,** sections **2152, 2160.**

Debate. Volume **VIII,** section **2579.**

Enacting clause, strike out. Volume **VIII,** sections **2623, 2624.**

Precedence. Volume **VI,** section **306.**

WARWICK, WALTER W., Comptroller.

Decisions on questions of order relating to—

Clerks. Volume **VI,** sections **206, 208, 210, 211.**

Salaries, Members-elect. Volume **VI,** section **202.**

Widow of Members, payments to. Volume **VI,** section **204.**

WASHBURN, CHARLES G., of Massachusetts, Chairman.

Decisions on questions of order relating to—

Question of consideration. Volume **VIII,** section **2444.**

Reference. Volume **VII,** section **2112.**

WASHBURN, ELECTION CASES OF.

The Maine election case of Washburn v. Ripley in the Twenty-first Congress. Volume **I,** section **779.**

The Indiana election case of Washburn v. Voorhees in the Thirty-ninth Congress. Volume **II,** sections **857–858.**

The Minnesota election case of Donnelly v. Washburn in the Forty-sixth Congress. Volume **II,** section **945–948.**

WASHBURN, ISRAEL, JR., of Maine, Chairman.

Decisions on questions of order relating to—

Disorder in Committee of the Whole. Volume **II,** section **1351.**

Motions. Volume **IV,** section **4763.**

WASHINGTON, GEORGE, PRESIDENT.

President Washington, in 1796, declined the request of the House that he transmit the correspondence relating to the recently ratified treaty with Great Britain. Volume **II,** section **1509.**

Ceremonies upon the announcement of the death of George Washington. Volume **V,** section **7181.**

On the occasion of the death of George Washington Congress requested the people to hold public memorial meetings. Volume **V,** section **7181.**

In honor of the centennial birthday of George Washington the two Houses, by concurrent action, adjourned from February 21 to 23, 1832. Volume **V,** section **7075.**

The centennial of the inauguration of George Washington was observed by exercises at a joint session of the two Houses. Volume **V,** section **7060.**

WASHINGTON, GEORGE, PRESIDENT—Continued.

The sword of Washington and the staff of Franklin were presented to Congress with addresses by Members. Volume **V,** section **7100.**

Washington's farewell address was read at a joint session of the two Houses in 1862. Volume **V,** section **7170.**

By concurrent action an invitation was extended to the President of the United States to address a joint session of the two Houses on the subject of the birth of George Washington. Volume **VIII,** section **3532.**

The House accepted an invitation to attend and participate in ceremonies in celebration of the first inauguration of George Washington as President of the United States without making provision for adjournment or representation. Volume **VIII,** section **3531.**

Commemoration of the two hundredth anniversary of the birth of George Washington. Volume **VIII,** section **3534.**

The House authorized a special program in commemoration of Washington's Birthday. Volume **VIII,** section **3533.**

WASHINGTON MONUMENT.

The completion of the Washington Monument was celebrated by exercises in the Hall of the House. Volume **V,** section **7059.**

WATER POWER AND RESOURCES.

The preservation of public works for the benefit of navigation and the use of water power on improved streams have been within the jurisdiction of the Committee on Rivers and Harbors. Volume **IV,** section **4125.**

The investigation of water resources, the creation of a Federal power Commission, the leasing of power sites, and the supervision and development of water power are subjects which have been committed to the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1808.**

The investigation of water resources, the creation of a Federal power Commission, the leasing of power sites, and the supervision and development of water power[10] are subjects which have been committed to the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1808.**

Bills relating to intrastate inland waterways have been held to fall within the jurisdiction of the Committee on Rivers and Harbors rather than that of the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1840.**

The privilege of the Committee on Rivers and Harbors to report at any time is confined to legislative propositions for the improvement of rivers and harbors and does not extend to provisions for the improvement of canals or artificial waterways. Volume **VIII,** section **2287.**

Control of the waters, and preservation of natural resources, of International boundary streams are within the general but not the exclusive jurisdiction of the Committee on Foreign Affairs. Volume **VII,** section **1881.**

Legislative propositions relating to the care of waters on arid public lands belong to the jurisdiction of the Committee on the Public Lands and not the Committee on Irrigation and Reclamation. Volume **VII,** section **1931.**

The Committee on Irrigation and Reclamation has reported on propositions to authorize interstate compacts and agreements relative to apportionment of waters for irrigation purposes. Volume **VII,** section **2033.**

The disposal of drainage waters from irrigation projects is a subject within the jurisdiction of the Committee on Irrigation and Reclamation and not that of the Committee on Public Lands. Volume **VII,** section **2034.**

Legislation relating to dikes, dams, levees, and telephone and telegraph wires across navigable streams, and to change of name, navigability or diversion of water from such streams, belongs to the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII,** section **1810.**

WATER POWER AND RESOURCES—Continued.

The Committee on Agriculture has reported bills providing for the purchase of land to be used for quarantine stations, experiment stations, forest reserves, and watersheds. Volume **VII,** section **1864.**

The Committee on Agriculture exercises jurisdiction over bills relating to the purchase, protection, and reforestation of watersheds of navigable streams and cooperation between the States or on the part of the Federal Government with the States for such purposes. Volume **VII,** section **1876.**

The investigation of watersheds of streams under improvement and the survey and investigation of dams on such streams are subjects within the jurisdiction of the Committee on Rivers and Harbors. Volume **VII,** section **1833.**

WATROUS.

The investigations into the conduct of John C. Watrous, United States judge for the district of Texas. Volume **III,** sections **2495–2499.**

The Judiciary Committee reported in 1860 in favor of the impeachment of Judge Watrous. Volume **III,** section **2499.**

WATSON, ELECTION CASES OF.

The Georgia election case of Watson v. Black in the Fifty-third Congress. Volume **II,** sections **1054, 1055.**

The Georgia election case of Watson v. Black in the Fifty-fourth Congress. Volume **II,** section **1096.**

The Senate election case of Clarence W. Watson and William E. Chilton, of West Virginia, in the Sixty-second Congress. Volume **VI,** section **87.**

WATSON, JAMES E., of Indiana, Chairman.

Decisions on questions of order relating to—

Amendment. Volume **VIII,** section **2866.**

Amendments germane. Volume **V,** section **5821.**

Appropriations. Volume **VII,** sections **1339, 1421, 1452.** Volume **VIII,** section **2351.**

Authorization of appropriations. Volume **IV,** sections **3597, 3610, 3612, 3613, 3869.**

Continuation of a public work. Volume **IV,** sections **3714, 3715, 3721, 3776, 3779, 3788, 3795, 3796, 3798.**

Debate. Volume **VIII,** section **2556.**

Dilatory motions. Volume **V,** section **5730.**

Five-minute debate. Volume **V,** sections **5256, 5734.**

Limitations on appropriation bills. Volume **IV,** sections **3920, 3943, 3944, 3966, 3973.**

Quorum. Volume **IV,** section **2970.**

Reading. Volume **VIII,** section **2336.**

WAYNE, ELECTION CASE OF.

The Georgia election case of Jackson v. Wayne in the Second Congress. Volume **I,** sections **708, 709.**

WAYNE, JAMES M., of Georgia, Chairman.

Decision on question relating to reading papers. Volume **V,** section **5285.**

WAYS AND MEANS, COMMITTEE ON. See "Committees."

WEATHER BUREAU.

Legislation relating to the Weather Bureau is within the jurisdiction of the Committee on Agriculture. Volume **IV,** section **4151.**

The purchase of sites and erection of buildings for the Weather Bureau not being authorized by prior legislation, an appropriation therefor is not in order on the agricultural appropriation bill. Volume **IV,** sections **3753, 3754.**

WEATHER BUREAU—Continued.

While the organic act creating the Department of Agriculture was held to authorize an appropriation for maintenance of a highway weather service, it was ruled not to justify an appropriation for collection of data as to the effects of weather on such highways. Volume **VII,** section **1308.**

WEAVER.

The Iowa election case of Campbell v. Weaver in the Forty-ninth Congress. Volume **II,** section **1002.**

The North Carolina election case of Britt v. Weaver in the Sixty-fifth Congress. Volume **VI,** section **95.**

WEBB.

The North Carolina election case of Smith v. Webb in the Sixty-first Congress. Volume **VI,** section **97.**

WEBB, EDWIN Y., of North Carolina, Chairman.

Decisions on questions of order relating to—

Appropriations. Volume **VII,** section **780.**

Reading. Volume **VIII,** section **2873.**

WEDNESDAY. See "Calendar Wednesday."

WEFALD.

The Minnesota election case of Wefald v. Selvig in the Seventieth Congress. Volume **VI,** section **178.**

WEIGHTS.

The rule gives to the Committee on Coinage, Weights, and Measures jurisdiction of the subject of "coinage, weights, and measures." Volume **IV,** section **4090.**

Bills providing for the standardization in quality, weight, and measure of agricultural products and breadstuffs have been considered by the Committee on Agriculture. Volume **VII,** section **1868.**

WELLBORN, OLIN, of Texas, Chairman.

Decisions of, on questions relating to—

Continuation of a public work. Volume **IV,** section **3707.**

Points of order. Volume **V,** section **6921.**

WELCOME.

Lewis Kossuth was welcomed by a joint resolution signed by the President. Volume **V,** section **7083.**

WELLER.

The New York election case of Ansorge v. Weller in the Sixty-eighth Congress. Volume **VI,** section **163.**

WELLER, JOHN B., of Ohio, Speaker Pro Tempore.

Decision of, on question relating to rules of debate applying to a contestant. Volume **II,** section **1368.**

WELLS.

The Louisiana election cases of Bonanzo, Field, Mann, Wells, and Taliaferro in the Thirty-eighth Congress. Volume **I,** section **381.**

WEST.

The proposition to inquire into the conduct of William B. West, consult at Dublin. Volume **III,** section **2502.**

WEST VIRGINIA.
House election cases from:
Forty-third Congress.—West Virginia Members. Volume **I,** section **522.**
Fifty-first Congress.—Atkinson v. Pendleton. Volume **II,** sections **1020, 1021.**
Fifty-first Congress.—McGinnis V. Alderson. Volume **II,** section **1036.**
Fifty-first Congress.—Smith v. Jackson. Volume **I,** section **581–588.**
Sixty-second Congress.—Wiley v. Hughes. Volume **VI,** section **134.**
Seventieth Congress.—Taylor v. England. Volume **VI,** section **177.**
Senate election case from:
Fiftieth Congress.—Lucas v. Faulkner. Volume **I,** section **632.**
Sixty-second Congress.—Watson v. Chilton, Volume **VI,** section **87.**
Sixty-fifth Congress.—Case of Howard Sutherland. Volume **VI,** section **82.**

WHALEY.
The South Carolina election case against Richard S. Whaley in the Sixty-third Congress. Volume **VI,** section **77.**
The South Carolina election case of Prioleau v. Whaley in the Sixty-fourth Congress. Volume **VI,** section **142.**

WHATLEY.
The Alabama election case of Whatley v. Cobb in the Fifty-third Congress. Volume **II,** section **1046.**

WHEELER, BURTON K.
The investigation of charges against Burton K. Wheeler, a Senator from Montana. Volume **VI,** section **399.**

WHEELER, ELECTION CASE OF.
The Alabama election case of Lowe v. Wheeler in the Forty-seventh Congress. Volume **II,** sections **961–964.**

WHEELER, WILLIAM A., of New York, Vice-President.
Decisions on questions of order relating to—
Amendments. Volume **V,** section **5802.**
Casting vote. Volume **V,** sections **5976, 5977.**
Conference reports. Volume **V,** section **6522.**
Memorials. Volume **IV,** section **3328.**
Recede, motion to. Volume **V,** section **6218.**
Reconsider, motion to. Volume **V,** section **5611.**

WHIPS.
A discussion of the duties and methods of selection of the party whips. Volume **VIII,** section **3615.**

WHITE, ELECTION CASES OF.
The election of James White, Delegate from the Territory South of the Ohio, in the Third Congress. Volume **I,** section **400.**
The Indiana election case of Lowry v. White in the Fiftieth Congress. Volume **I,** sections **424, 425.**
The Kentucky election case of White v. Boreing in the Fifty-sixth Congress. Volume **II,** section **1117.**
The Kentucky election cases of Edwards v. Hunter and White v. Hunter in the Fifty-eighth Congress. Volume **I,** section **741.**
The Kansas election case of Clark v. White, in the Seventieth Congress. Volume **VI,** section **175.**

WHITE, HUGH, of New York, Chairman.
Decision on question of order relating to general debate. Volume **V,** section **5234.**

WHITE, JOHN, of Kentucky, Speaker.

Decisions on questions of order relating to—

Appeals. Volume **V,** sections **5056, 5059, 5060, 5723, 6939.**
Call to order. Volume **V,** section **5201.**
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Debate. Volume **V,** sections **5138, 5143.**
Disorder in Commitee of the Whole. Volume **II,** section **1650.**
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Joint resolutions. Volume **IV,** section **3375.**
Journal. Volume **IV,** sections **2732, 2736, 2873.**
Lay on the table motion to. Volume **V,** section **5401.**
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Organization. Volume **IV,** section **4407.**
Points of order. Volume **V,** section **6865.**
Previous question. Volume **II,** section **1256.** Volume **V,** sections **5452, 5454, 5483, 5491.**
Privilege. Volume **II,** section **1592.** Volume **III,** sections **2527, 2537, 2654.**
Quorum. Volume **IV,** section **2968.**
Recognition. Volume **II,** section **1447.**
Reconsider, motion to. Volume **V,** sections **5617, 5632, 5663, 5685, 5694.**
Refer, motion to. Volume **V,** section **5559.**
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Reports from Committee of the Whole. Volume **IV,** sections **4895, 4909.**
Revenue legislation. Volume **III,** section **2559.**
Rules, Committee on. Volume **V,** section **6780.**
Service on committees. Volume **IV,** sections **4490, 4508.**
Speaker's duty. Volume **II,** section **1255.** Volume **IV,** section **3550.**
Special orders. Volume **IV,** sections **3170, 3172, 3180, 3191.**
Suspension of rules. Volume **V,** sections **6820, 6829, 6836, 6837, 6852.**
Vetoed bills. Volume **IV,** section **3550.**
Voting. Volume **V,** section **5933.**

WHITELEY.

The Senate election case of Whiteley and Farrow v. Hill and Miller, from Georgia, in the Fortieth and Forty-first Congresses. Volume **I,** section **391.**

WHITFIELD.

The first election of Reeder v. Whitfield, from the Territory of Kansas, in the Thirty-fourth Congress. Volume **I,** sections **825, 826.**

The second election case of Reeder v. Whitfield, from the Territory of Kansas, the Thirty-fourth Congress. Volume **I,** section **827.**

WHITMORE.

The election case of Whitmore v. Herndon, from Texas, in the Forty-second Congress. Volume **I,** section **600.**

WHITNEY.

The contempt cases of Randall and Whitney in 1795. Volume **II,** sections **1599–1603.**

In 1837, for refusing to obey the subpoena of a committee, Reuben M. Whitney was arrested and tried at the bar of the House. Volume **III,** section **1667.**

WHITEMORE.

The attempt to expel and the censure of B.F. Whittemore in the Forty-first Congress. Volume **II,** section **1273.**

WHITTEMORE—Continued.
B. F. Whittemore, being reelected to the same House from which he had resigned to escape expulsion for crime, was excluded from taking the oath and his seat. Volume **I,** section **464.**

WITTHORNE, W. C., of Tennessee, Chairman.
Decision of, on question relating to general debate (footnote). Volume **V,** section **5236.**

WHITTLESEY.
The Virginia election case of Whittlesey v. McKenzie in the Forty-first Congress. Volume **I,** section **462.**

WHYTE.
The Maryland election case of Whyte v. Harris in the Thirty-fifth Congress. Volume **I,** section **324.**

WICKERSHAM.
The Alaska election case of Wickersham v. Sulzer in the Sixty-fifth Congress. Volume **VI,** section **147.**
The Alaska election case of Wickersham v. Sulzer and Grigsby in the Sixty-sixth Congress. Volume **VI,** section **113.**

WICKLIFFE, CHARLES A., of Kentucky, Chairman.
Decision of, on question relating to Senate amendments. Volume **V,** section **6193.**

WIDOW.
By joint resolution Congress has expressed its condolence with the widow of a deceased President. Volume **V,** section **7176.**
In conformity with custom widows of former Presidents of the United States are granted the franking privilege. Volume **VIII,** section **3581.**
Widows of former ex-Presidents are sometimes granted an annuity. Volume **VIII,** section **3584.**
It is the custom to grant to the widow or other dependent of deceased Member one year's salary. Volume **VI,** section **204.**
The payment of a year's salary to widows of deceased Members is a gratuity, and in event of the death of the beneficiary prior to payment there is no authority to make payments to any one else. Volume **VI,** section **204.**
While customary to grant the widow of an employee of the House an amount equal to one-half of a year's salary, in exceptional instances the house has authorized payment of the full amount of the annual salary. Volume **VIII,** section **3600.**

WIGGINTON.
The California election case of Wigginton v. Pacheco in the Forty-fifth Congress. Volume **II,** sections **927–930.**

WIKOFF.
In 1862 Henry Wikoff was imprisoned by the House for refusing to testify before a committee. Volume **III,** section **1684.**

WILCOX.
The election case relating to Delegate Wilcox, of Hawaii, in the Fifty-sixth Congress. Volume **I,** section **526.**

WILEY.
The West Virginia election case of Wiley v. Hughes in the Sixty-second Congress. Volume **VI,** section **134.**

WILFLEY.
The inquiry into the conduct of Lebbeus R. Wilfley, Judge of United States Court for China. Volume **VI,** section **525.**

WILLEY.

The Senate election case of Willey and Carlile, from Virginia, in the Thirty-seventh Congress. Volume **I,** section **383.**

WILLIAMS, ELECTION CASES OF.

The New York election case of Williams, jr., v. Bowers in the Thirteenth Congress. Volume **I,** section **647.**

The North Carolina election case of Williams v. Settle in the Fifty-third Congress. Volume **II,** sections **1048, 1049.**

The Mississippi election case of Ratcliff v. Williams in the Fifty-fourth Congress. Volume **I,** section **754.**

The Illinois election case of Davis v. Williams in the Sixty-fourth Congress. Volume **VI,** section **112.**

WILLIAMS, SHERROD

For defying and insulting the Chairman of the Committee of the Whole the House declared Sherrod Williams in contempt and liable to censure. Volume **II,** section **1653.**

WILLIAMSON, ELECTION CASE OF.

The New York election case of Williamson v. Sickles in the Thirty-sixth Congress. Volume **I,** sections **597, 598.**

WILLIAMSON, J. D.

In 1858 the House arrested and arraigned J. D. Williamson for contempt in declining to respond to a subpoena. Volume **III,** section **1673.**

WILLIS.

The Delaware election case of Willis v. Handy in the Fifty-fifth Congress. Volume **I,** section **748.**

WILLOUGHBY.

The New York election case of Willoughby v. Smith in the Fourteenth Congress. Volume **I,** section **648.**

WILLS.

The Committee for the District of Columbia has exercised jurisdiction as to bills relating to executors, administrators, wills, and divorce in the District. Volume **IV,** section **4289.**

WILSHIRE.

The Arkansas election case of Gunter v. Wilshire in the Forty-third Congress. Volume **I,** section **37.**

WILSON, ELECTION CASES OF.

The New York election case of Adams v. Wilson in the Eighteenth Congress. Volume **I,** section **776.**

The Indiana election case of Gooding v. Wilson in the Forty-second Congress. Volume **II,** section **888.**

The Iowa election case of Holmes, Wilson, Sapp, and Carpenter in the Forty-sixth Congress. Volume **I,** section **525.**

The Iowa election case of Frederick v. Wilson in the Forty-eighth Congress. Volume **II,** sections **997–999.**

The South Carolina election case of Wilson v. McLaurin in the Fifty-fourth Congress. Volume **II,** section **1075.**

The Virginia election case of Wilson v. Lassiter in the Fifty-seventh Congress. Volume **II,** section **1127.**

The Illinois election case of Crowley v. Wilson in the Sixty-second Congress. Volume **VI,** section **132.**

The Senate election case of William B. Wilson v. William S. Vare, of Pennsylvania, in the Seventieth Congress. Volume **VI,** section **180.**

WILSON, HENRY, of Massachusetts, Vice-President.
Decision of, on question relating to conference reports. Volume **V,** section **6587.**
WILSON, WILLIAM L., of West Virginia, Chairman.
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Legislation on appropriation bills. Volume **IV,** sections **3846, 3887.**
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WIMPY.
The Georgia case of Wimpy and Christy in the Fortieth Congress. Volume **I,** section **459.**

WING.
The election case of Biddle and Richard v. Wing, from Michigan Territory, in the Nineteenth Congress. Volume **I,** section **777.**
The Virginia election case of Wing v. McCloud in the Thirty-seventh Congress. Volume **I,** section **368.**

WINGO, OTIS, of Arkansas, Chairman.
Decisions on questions of order relating to—
Appropriations. Volume **VII,** section **1401.**

WINSLOW.
The inquiry into the conduct of Francis A. Winslow, judge of the southern district of New York in 1929. Volume **VI,** section **550.**

WINTHROP, ELECTION CASE OF.
The Senate election cases of Smith, Winthrop, Phelps, and Cass. Volume **I,** sections **787–790.**

WINTHROP, ROBERT C., of Massachusetts, Speaker.
Decisions on questions of order relating to—
Adjournment. Volume **V,** section **6714.**
Amend, motion to. Volume **V,** section **6858.**
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Appointment of committees. Volume **IV,** section **4465.**
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Lay on the table, motion to. Volume **V,** section **5418.**
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Personal explanation. Volume **IV,** section **2863.** Volume **V,** section **5069.**
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Previous question. Volume **V,** section **5484.**
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Reconsider, motion to. Volume **V,** sections **5616, 5691, 5697, 6029.**
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Senate amendments. Volume **V,** section **6212.**
Speaker's vote. Volume **V,** section **6061, 6202.**
Suspension of the rules. Volume **V,** section **6856.**
Voting. Volume **V,** sections **5937** (footnote), **6061, 6062, 6089, 6090.**
Yeas and nays. Volume **V,** sections **6029, 6040.**
Yielding the floor. Volume **V,** section **5023.**

WISCONSIN.

A difficulty was caused during the electoral count of 1857 by the vote of Wisconsin, which was not cast on the day prescribed by law. Volume **III,** section **1946.**

In 1877 objection was made that a Wisconsin elector was disqualified by reason of holding another office, but the vote was counted. Volume **III,** section **1979.**

Interpretation of the Wisconsin corrupt practices law. Volume **VI,** section **85.**

Construing the corrupt practices act of the State of Wisconsin. Volume **VI,** section **81.**

Election cases from the Territory of:

Twenty-fifth Congress.—Doty v. Jones. Volume **I,** sections **403, 569.**

Thirtieth Congress.—Henry H. Sibley. Volume **I,** section **404.**

Sixty-fourth Congress—Gaylord v. Cary. Volume **VI,** section **81.**

Sixty-sixth Congress.—Boderstab v. Berger. Volume **VI,** section **59.**

Sixty-sixth Congress.—Victor L. Berger. Volume **VI,** section **56.**

Sixty-sixth Congress.—Carney v. Berger. Volume **VI,** section **58.**

The Senate election case of Isaac Stephenson, of Wisconsin, in the Sixty-second Congress Volume **VI,** section **83.**

WISE.

The Virginia election case of Massey v. Wise in the Forty-eighth Congress. Volume **II,** section **993.**

The Virginia election case of Waddill, jr., Wise in the Fifty-first Congress. Volume **II,** section **1026.**

The Virginia election case of Wise v. Young in the Fifty-fifth Congress. Volume **II,** sections **1102, 1103.**

The Virginia election case of Wise v. Young in the Fifty-sixth Congress. Volume **II,** section **1111.**

The Pennsylvania election case of Wise v. Crago in the Sixty-second Congress. Volume **VI,** section **99.**

WITHDRAW, MOTION TO.

In the joint meeting for the count of the electoral vote no debate is allowed and no question is put by the Presiding Officer except to either House on a motion to withdraw. Volume **III,** section **1921.**

WITHDRAWAL.

(1) Of motions.
(2) Of amendments.
(3) Of bills, reports, etc.
(4) Of points of order and appeals.
(5) Of a vote.
(6) Of papers from the files.
(7) Of Members.
(8) Of credentials.
(9) Of a resignation,
(10) Of the contestant in an election case.
(11) Of returned Member.

(1) Of Motions.

A motion may be withdrawn in the House at any time before action or decision thereon. Volume **VI,** section **587.** Volume **VIII,** sections **2332, 2764.**

A motion may be withdrawn in the House before decision thereon and decision of a question of order is not such "decision" as will prevent withdrawal. Volume **VIII,** section **3405.**

In the House a moiton may be withdrawn before action thereon, but in Committee of the Whole withdrawal of motions or amendments is by unanimous consent only. Volume **VIII,** section **2465.**

The withdrawal of a motion in Committee of the Whole is by unanimous consent only. Volume **VIII,** section **3405.**

WITHDRAWAL—Continued.

(1) Of Motions—Continued.

A motion which has been stated by the Speaker or read by the Clerk is in possession of the House, but may be withdrawn before a decision or amendment. Volume **V,** section **5304.**

The Member having the right in the House to withdraw a motion before a decision thereon has also the resulting power to modify the motion. Volume **V,** section **5358.**

A motion may be withdrawn in the House, although an amendment to it may have been offered and may be pending. Volume **V,** section **5347.** Volume **VI,** section **373.** Volume **VIII,** section **2639.**

A motion may be withdrawn after the viva voce vote has been taken and after tellers have been ordered and appointed. Volume **V,** section **5349.**

Even after the affirmative side had been taken in a division on a motion in Committee of the Whole the withdrawal of the motion was permitted, as the committee had come to no decision. Volume **V,** section **5348.**

The ordering of the yeas and nays on a motion is such a decision by the House as prevents withdrawal of the motion. Volume **V,** section **5353.**

Refusal to lay a motion on the table was held to be such a decision by the House as would prevent the withdrawal of the motion. Volume **V,** section **5341, 5342. Volume VIII,** section **2640.**

A motion may not be withdrawn after the previous question has been ordered on it. Volume **V,** section **5355.**

The previous question having been demanded on a motion to recommit, it was held to be not in order to withdraw the latter motion. Volume **V,** section **5489.**

While the House was dividing on a second of the previous question on a motion to refer a proposition a Member was permitted to withdraw it, the House having made no decision. Volume **V,** section **5350.**

Instance of the withdrawal of a motion after the previous question had been ordered on an appeal from a decision on a point of order as to the motion. Volume **V,** section **5356.**

The vote whereby the previous question was ordered having been reconsidered, it was held in order to withdraw the motion for the previous question, the "decision" having been nullified. Volume **V,** section **5357.**

A Member who, having the floor, moved the previous question was permitted to resume the floor on withdrawing the motion. Volume **V,** section **5474.**

A motion to suspend the rules may be withdrawn at any time before a second is ordered. Volume **V,** section **6844.**

After a second is ordered on a motion to suspend the rules the motion may be withdrawn or modified by unanimous consent only. Volume **VIII,** section **3420.**

A motion to suspend the rules may be withdrawn at any time before a second is ordered, even after tellers are appointed on seconding the motion. Volume **VIII,** section **3419.**

A second not having been ordered on a committee motion to suspend the rules, the committee may on a succeeding suspension day withdraw the motion. Volume **V,** section **6845.**

When a motion has been carried or lost, a motion to reconsider may be made on the same or succeeding day, and after the said succeeding day may not be withdrawn without consent of the House. Volume **V,** section **5605.**

A demand for the previous question having been withdrawn, any Member is entitled to recognition to renew the motion, although a Member of the committee reporting the bill demands the floor. Volume **VIII,** section **2683.**

A motion having been withdrawn pending an appeal from a decision that it was in order, it was held that the appeal did not thereby fall. Volume **V,** section **6854.**

A motion being withdrawn, all proceedings on an appeal arising from a point of order related to it fell thereby. Volume **V,** section **5356.**

The withdrawal of a matter precludes further debate on it. Volume **V,** section **4989.**

WITHDRAWAL—Continued.

(2) Of Amendments.

In the House (as distinguished from the Committee of the Whole) an amendment, whether simple or in the nature of a substitute, may be withdrawn at any time before amendment or decision is had thereon. Volume **V,** section **5753.**

An amendment once offered in Committee of the Whole may not be withdrawn. Volume **V,** section **5221.**

A pro forma amendment must be voted on unless withdrawn. Volume **VIII,** section **2874.**

An amendment once offered in Committee of the Whole may not be withdrawn or modified except by unanimous consent. Volume **VIII,** section **2563.**

During consideration of a bill "in the House as in Committee of the Whole" an amendment may be withdrawn at any time before action has been had on it. Volume **IV,** section **4935.**

(3) Of bills, Reports, etc.

A Member who has by unanimous consent presented a bill may withdraw it while the House is dividing on an appeal from a decision relating to a proposed amendment. Volume **IV,** section **3387.**

A bill taken up during the call of committees may be withdrawn by the committee at any time before amendment or other action which puts it into possession of the House. Volume **IV,** section **3129.**

A bill called up by a committee under the Calendar Wednesday rule may be withdrawn before amendment. Volume **VII,** section **930.**

A Member has the right to withdraw a resolution before a decision thereon, and may modify the proposition in the House, but not in the committee. Volume **VI,** section **570.**

A report when presented may be withdrawn by unanimous consent only. Volume **VIII,** section **2312.**

The chairman of a committee having made a report to the House in accordance with the instruction of his committee, may not withdraw it except by consent of the House. Volume **IV,** section **4690.**

A committee to which a resolution had been committed, having submitted a report making no recommendations thereon and proposing another resolution neither germane to nor recommended as a substitute for the original resolution, was permitted to withdraw it and file an amended report recommending the proposed resolution as a substitute. Volume **VI,** section **401.**

Instsances wherein the Senate expressed doubt of the right of conferees to withdraw a conference report after it had been presented and before action thereon. Volume **V,** section **6459.**

A Member having presented a memorial for reference under a rule and a ruling and appeal having been made as to that reference, it was held that the memorial might not be withdrawn. Volume **IV,** section **3363.**

By the later practice when the rules are suspended to enable a Member to submit a proposition he may withdraw it, but another Member may not renew it. Volume **V,** sections **6854, 6855.**

The rules having been suspended to enable a Member to present a proposition, he may not then modify it. Volume **V,** sections **6841–6843.**

A modification of a proposition, being dependent on the right of withdrawal, may not be made after the previous question is ordered (Speaker overruled). Volume **V,** section **5484.**

(4) Of Points of Order and Appeals.

A point of order may be reserved but must be decided or withdrawn on the demand of any Member for the regular order. Volume **VIII,** section **3430.**

When a Member who has reserved a point of order withdraws it another Member may renew it immediately. Volume **V,** section **6906.**

A reserved point of order being withdrawn, any Member may at once renew it. Volume **V,** section **6875.** Volume **VIII,** sections **3429, 3430.**

WITHDRAWAL—Continued.

(4) Of Points of Order and Appeals—Continued.

A point of order having been reserved and withdrawn, the chairman maintained the right as a member of the committee to renew and rule upon it. Volume **VIII,** section **2898.**

The point of no quorum may be withdrawn prior to ascertainment and announcement by the Chair. Volume **VI,** section **656.**

The point of no quorum may not be withdrawn after the absence of a quorum has been ascertained and announced by the Chair. Volume **IV,** sections **2926–2931.** Volume **VI,** section **657.**

The ordering of the yeas and nays on a motion to lay an appeal on the table was held to be such a "decision" by the House as would prevent the withdrawal of the appeal. Volume **V,** section **5354.**

Under a motion to suspend the rules and pass a conference report, the Speaker requested a Member to withdraw a point of order against the reading of the accompanying statement, indicating that the reading of the statement was not in order if objected to. Volume **VIII,** section **2606.**

While the precedents are not uniform, the practice of the Senate is to permit the withdrawal of suggestions that a quorum is not present prior to ascertainment and announcement by the Chair. Volume **VI,** section **644.**

(5) Of a Vote.

Having given his vote, a Member may not withdraw it without leave of the House. Volume **V,** section **5930.**

After a vote has been announced by the Speaker it is not in order for a Member to change or withdraw his vote even though inadvertently cast in violation of a pair. Volume **VIII,** section **3069.**

The Speaker having cast his vote in case of an apparent tie, asserted his right to withdraw it when the roll seemed to show that there was in fact no tie vote, but later caused it to be recorded to change the result. Volume **V,** section **5971.**

(6) Of Papers from the Files.

Except in certain cases no paper presented to the House shall be withdrawn from its files without its leave. Volume **V,** sections **7256–7258.**

The House usually allows the withdrawal of papers only in cases where there has been no adverse report. Volume **V,** section **7259.**

When leave is given for the withdrawal of a paper from the files of the House a certified copy of it is to be left in the office of the Clerk. Volume **V,** section **7256.**

The rules for the order of business give no place to a motion to withdraw papers, and hence it is made by unanimous consent. Volume **V,** section **7259.**

The House has found the necessity of strictness in the rule relating to the withdrawal of papers from the files. Volume **V,** sections **7257, 7258.**

When an act passes for the settlement of a claim the Clerk may transmit the papers relating thereto to the officer charged with the settlement. Volume **V,** section **7256.**

The House declined to allow the testimony in an election case to be withdrawn from its files. Volume **V,** section **7262.**

The President was allowed to withdraw papers included with a message by inadvertence. Volume **V,** section **6651.**

(7) Of Members.

The statutes provide that a Member or Delegate withdrawing from his seat before the adjournment of a Congress shall suffer deductions from his compensation. Volume **II,** section **1149.**

The withdrawal of Members caused by the secession of States. Volume **II,** section **1218.**

The withdrawal of a Senator to join the foes of the Government was held to create a vacancy which a legislature could recognize, although the Senate had not expelled him. Volume **I,** section **383.**

WITHDRAWAL—Continued.

(7) Of Members—Continued.

Senators having withdrawn from the Senate, the Secretary was directed to omit their names from the roll. Volume **II,** section **1219.**

The Journal of the Senate made no mention of the withdrawal of Senators by reason of the secession of their States. Volume **II,** section **1219.**

A Senator being indicted for fraud made a personal explanation and withdrew from the Senate pending the trial. Volume **II,** section **1278.**

(8) Of Credentials.

The Senate after debate allowed a claimant to a seat to withdraw his credentials. Volume **I,** section **63.**

Instance wherein an unsuccessful contestant for a seat in the Senate was permitted to withdraw his credentials. Volume **I,** section **352.**

(9) Of a Resignation.

A Member who had resigned was not permitted by the House to withdraw the resignation. Volume **II,** section **1213.**

The House declined to consider as privileged a resolution that a former Member be permitted to withdraw his letter announcing his resignation and resume his seat. Volume **II,** section **1213.**

The resignation of a Member, whether presented to the governor of the State or to the Speaker of the House, becomes immediately effective and may not be withdrawn. Volume **VI,** section **65.**

Resignation addressed to the Speaker or the House may be withdrawn at any time before action is taken thereon. Volume **VII,** section **2170.**

An exceptional instance wherein a Member having notified the House by letter of his resignation to take effect at a future date was permitted to withdraw the communication. Volume **VI,** section **229.**

(10) Of the Contestant in an Election Case.

Instance wherein a contestant appeared before the Elections Committee and withdrew his case. Volume **I,** section **747.**

The contestant having announced to the committee his abandonment of the contest, the House confirmed the title of sitting Member. Volume **I,** section **748.**

The contestant having withdrawn from the contest, the committee reported a resolution confirming the right of the incumbent to his seat. Volume **VI,** section **167.**

The contestant having withdrawn from the contest by letter duly certified, the committee reported a resolution confirming the title of the sitting Member. Volume **VI,** section **176.**

Instance wherein a contestant went before the Elections Committee and announced his withdrawal from the contest. Volume **I,** section **746.**

Instance wherein, during the taking of testimony, a contestant put in an attested notice of his withdrawal. Volume **I,** section **745.**

Instance of the withdrawal of an election contest by letter from the contestant. Volume **I,** section **739.**

It being demonstrated to the Elections Committee that contestant had withdrawn, the House confirmed the title of sitting Member. Volume **I,** section **743.**

By a letter presented and read to the Senate a contestant withdrew his claim to a seat after the committee had reported in his favor. Volume **I,** section **631.**

The contestant having withdrawn, the House passed a resolution confirming the title of sitting Member. Volume **I,** section **745.**

A contestant having withdrawn his contest and accepted an office incompatible with membership, the House confirmed the title of sitting Member. Volume **I,** section **746.**

The House sometimes determines an election case by permitting the contestant to withdraw his case. Volume **II,** section **967.**

Form of resolution permitting a contestant to withdraw his case. Volume **II,** section **967.**

WITHDRAWAL—Continued.

(10) Of the Contestant in an Election Case—Continued.

The Elections Committee asserted that it might proceed with an election case after the withdrawal of the contestant. Volume **I,** section **746.**

A contestant being apparently unable to perfect his case the committee recommended that he have leave to withdraw his contest without prejudice. Volume **I,** section **753.**

A contestant having procured no testimony in support of his petition the Elections Committee recommended his withdrawal. Volume **I,** section **749.**

A contestant having failed to prosecute his case according to law or to take testimony, the House dismissed the contest. Volume **I,** section **750.**

A contestant having failed to file the brief required by law, the Elections Committee notified him to appear and show cause why his case should not be dismissed. Volume **I,** section **751.**

The contestant having failed to respond to a notice to appear, the House dismissed the case, Volume **I,** section **751.**

A contestant having failed through a series of adverse incidents to produce testimony, the House, on account of the lateness of the session, gave him leave to withdraw and confirmed the title of sitting Member. Volume **I,** section **752.**

A contestant having failed to produce testimony or respond to notification from the Elections Committee, the House confirmed the title of the returned Member. Volume **I,** section **755.**

Contestant not having filed any testimony, the House confirmed the title of sitting Member. Volume **I,** section **754.**

(11) Of Returned Member.

The sitting Member having announced that he conceded the election of contestant, the House passed the usual resolutions for seating the contestant. Volume **I,** section **744.**

The sitting Member having appeared before the committee and conceded the election of the contestant and withdrawn all pleadings, the committee expurgated its findings of fraud and confined its report to the brief statement that the contestant was entitled to be seated. Volume **VI,** section **181.**

WITHERSPOON.

The Florida election case of Witherspoon v. Davidson in the Forty-seventh Congress. Volume **I,** section **753.**

WITNESS FEES.

Affidavits of persons who did not appear at cross-examination because of failure of returned Member to pay witness fees were not rejected as ex parte. Volume **II,** section **1004.**

WITNESSES.

(1) Powwer to send for.—In general.
(2) Power to send for.—In a legislative inquiry.
(3) Subpoenas.—Forms of.
(4) Subpoenas.—Issue of.
(5) Subpoenas.—Service of.
(6) Immunity of, duty of, etc.
(7) Fees of.
(8) Members as.—Before the House or a committee.
(9) Members as.—Before the other House.
(10) Members as.—Before the Senate sitting for an impeachment trial.
(11) Members as.—Before the courts.
(12) Relations of the two Houses as to.—When Members are concerned.
(13) Relations of the two Houses as to.—When officers and others are concerned.
(14) When testimony implicates.—Members.
(15) When testimony implicates.—Other persons.

WITNESSES—Continued.

(16) Members of President's Cabinet as.
(17) Counsel for.
(18) In cases of false testimony.
(19) Procedure of investigating committees.
(20) In a trial at the bar of the House.—General procedure in examining.
(21) In a trial at the bar of the House.—The oath.
(22) In a trial at the bar of the House.—Examination of Members.
(23) In a trial at the bar of the House.—Journal entries of questions and answers.
(24) In a trial at the bar of the House.—Withdrawal of.

(1) Power to Send for.—In General.

Decision of the district court on the right of the Senate to compel testimony and the production of papers and records. Volume **VI,** section **337.**

Decision by the Supreme Court on the power of Congress to compel testimony. Volume **VI,** section **341.**

Decision of the Supreme Court on the right of the Senate to subpoena witness and compel testimony. Volume **VI,** section **346.**

A further decision by the Supreme Court affirming the power of the Senate to compel testimony. Volume **VI,** section **351.**

Congress has power to obtain information to be used as an aid in formulating legislation, and may require witnesses to testify for that purpose. Volume **VI,** section **355.**

The power of the Senate to require testimony of witnesses is in no wise inferior to that exercised by a court of justice and includes under comparable circumstances the power to compel attendance. Volume **VI,** section **348.**

Each House of Congress has power through its own process to summon a private individual before one of its committees to give testimony which will enable it the more efficiently to exercise its constitutional legislative function. Volume **VI,** section **342.**

It is presumed that is the eliciting of testimony the Senate will observe all constitutional restraints. Volume **VI,** section **347.**

Witnesses are summoned in pursuance and by virtue of the authority conferred on a committee to send for persons and papers. Volume **III,** section **1750.**

A motion to refer may specify that the reference be to a select committee of a stated number of Members and may endow this committee with power to send for persons and papers. Volume **IV,** section **4402.**

A question as to the authorization required to enable a committee to compel testimony Volume **III,** section **1690.**

The House may empower a committee of investigation to examine witnesses, but may not give it leave to report at any time except by a special order changing the rules. Volume **III,** section **1770.**

A subject being within the power of the House to investigate, it was held that State officers might not decline to produce records on the plea that they possessed them in their official capacities. Volume **III,** section **1698.**

In 1876, after examination and discussion, the House declared its right through a subpoena duces tecum to compel the production of books, papers, and especially telegrams. Volume **III,** section **1812.**

In 1877 the House, in the course of an investigation of the recent Presidential election, compelled the production of telegrams by an employee of the company having actual custody of them. Volume **III,** section **1696.**

In 1877 the Senate, after discussion, decided that certain telegrams relating to the Presidential election should be produced by a witness. Volume **III,** section **1723.**

It is not essential that a resolution authorizing an investigation of the conduct of Senators shall specify censure or expulsion in order that the Senate may constitutionally compel testimony. Volume **II,** section **1614.**

WITNESSES—Continued.

(1) Power to Send for.—In General—Continued.

The several expenditures committees may make investigations with or without specific direction from the House, but authority must be obtained fo the House for compelling testimony. Volume **IV,** section **4316.**

The two Houses, by concurrent resolution, constituted a joint select committee of investigation, with power to send for persons and papers and sit during the recess of Congress. Volume **III,** sections **1763, 1764.**

The Kansas committee of 1856 was empowered to send for persons and papers and to arrest and bring before the House any witnesses in contempt. Volume **III,** section **1752.**

A Committee of the Whole charged with an investigation in 1792 was given the power to send for persons and papers. Volume **III,** section **1804.**

The committee regulates the summoning of its witnesses. Volume **III,** section **1803.**

The House may confer upon the subcommittees of a committee the power to send for persons and papers. Volume **III,** section **1801.**

The House may empower a subcommittee to send for persons and papers and conduct an investigation. Volume **III,** section **2029.**

Witnesses are summoned in pursuance of and by virtue of the authority conferred on a committee to send for persons and papers. Volume **VI,** section **394.**

(2) Power to Send for.—In a Legislative Inquiry.

The House, after extended discussion, assumed the right to compel the attendance of witnesses in an inquiry entirely legislative in its character. Volume **III,** sections **1816–1820.**

Instance wherein the House empowered the Ways and Means Committee to send for persons and papers in any matter arising out of business referred to the Committee. Volume **III,** section **1813.**

In a resolution ordering an inquiry it is not necessary for the House or Senate to specify its legislative purposes; for inasmuch as this is the only legitimate purpose under which such investigations may be conducted in the absence of evidence to the contrary, such purpose is presumed. Volume **VI,** section **342.**

It is to be presumed that the object of the Senate in ordering an investigation is to secure information which will aid it in legislating. Volume **VI,** section **342.**

The Senate has authorized the compulsory attendance of witnesses in legislative inquiries. Volume **III,** section **1815.**

The right to coerce the attendance of witnesses in an inquiry for legislative purposes was discussed in the Hyatt case. Volume **III,** section **1722.**

(3) Subpoenas.—Forms of.

The Speaker signs all acts, addresses, writs, warrants, and subpoenas. Volume **II,** section **1313.**

The Clerk attests and affixes the seal of the House to all writs, warrants, and subpoenas issued by order of the House. Volume **I,** section **251.**

In the Kilbourn case the subpoena was attested for the Clerk by deputy. Volume **II,** section **1608.**

In the Whitney case the validity of a subpoena signed only by the chairman of a committee was challenged, but sustained. Volume **III,** section **1668.**

Form of subpoena for summoning witnesses to testify before a committee of the House, and of the return thereon. Volume **III,** section **1807.**

Form of subpoena served on a Member of the House. Volume **VI,** section **537.**

Forms of subpoenas used at different times. Volume **III,** sections **1808, 1809.**

A form of subpoena issued in 1834 and criticised as defective. Volume **III,** section **1732.**

Form of subpoena and return used in the case of Williamson. Volume **III,** section **1673.**

Form of subpoena and return thereon used for summoning witnesses by a Senate committee. Volume **III,** section **1702.**

WITNESSES—Continued.

(3) Subpoenas.—Forms of—Continued.

Form of subpoena issued by a joint committee. Volume **III,** section **1721.**

Form of subpoena duces tecum used for compelling production of telegrams in 1877, but criticised as too general and verbally defective. Volume **III,** section **1695.**

Form of subpoena duces tecum issued in the Kilbourn case. Volume **II,** section **1608.**

Form of subpoena duces tecum issued by order of the House. Volume **III,** section **1699.**

Form of subpoena duces tecum issued by order of the Senate. Volume **VI,** section **336.**

Form of order for attachment of delinquent witness. Volume **VI,** section **486.**

(4) Subpoenas.—Issue of.

A committee not being able to decide the question of issuing certain subpoenas authorized a member of the committee to exhibit its journal, so that the House might act. Volume **III,** section **1802.**

Instance of the authorization of a subpoena by telegraph. Volume **III,** section **1810.**

The Speaker may be authorized and directed to issue subpoenas during a recess of Congress. Volume **III,** section **1806.**

An investigating committee being empowered to sit during recess, the Speaker was authorized and directed to sign subpoenas as during a session. Volume **III,** section **1753.**

By concurrent resolution the two Houses empowered the Vice-President and Speaker to sign subpoenas during a recess of Congress. Volume **III,** section **1763.**

After the filing of lists of witnesses to be subpoenaed in a trial of impeachment, further witnesses may be subpoenaed on application of the managers or the respondent made to the Presiding Officer. Volume **VI,** section **484.**

Lists of witnesses to be subpoenaed in a trial of impeachment are supplied by the managers and respondent respectively to the Sergeant at Arms of the Senate. Volume **VI,** section **484.**

(5) Subpoenas.—Service of.

The House sometimes directs the Sergeant-at-Arms to attend the sittings of a committee and serve the subpoenas. Volume **III,** section **1753.**

A Sergeant-at-Arms serving subpoenas for a committee makes his return and it is entered on the journal of the committee. Volume **III,** section **1800.**

The Sergeant-at-Arms indorses on a subpoena his authorization of his deputy to act in his stead. Volume **III,** section **1673.**

A subpoena served by a deputy did not contain certificate of the deputy's appointment. Volume **III,** section **1695.**

Should the Sergeant-at-Arms make the return on a subpoena served by his deputy? Volume **III,** section **1702.**

Deputies with authority to execute warrants may be appointed by the Sergeant-at-Arms under a standing order of the Senate. Volume **VI,** section **341.**

(6) Immunity of, Duty of, etc.

Discussion of the privilege of a witness summoned to testify before a committee of the House. Volume **III,** section **1779.**

Testimony given before a House or its committee may not be used as evidence against the witness in any court, except in case of alleged perjury. Volume **III,** section **1769.**

Discussion of the law giving immunity to witnesses testifying before committees of the House. Volume **III,** section **2447.**

No witness is privileged to refuse to testify when examined by the House or its committee on the ground that his testimony would disgrace himself. Volume **III,** section **1769.**

A Member is allowed a wide latitude in debate relating to a contumacious witness at the bar of the House. Volume **V,** section **5170.**

A witness may rightfully refuse to answer where the committee exceeds its power or where questions submitted are not pertinent to the matter under inquiry. Volume **VI,** section **342.**

WITNESSES—Continued.

(6) Immunity of, Duty of, etc.—Continued.

A person summoned as a witness before a select committee of the Senate declined to testify on the ground that the authorization under which the examining committee purported to act had expired. Volume **VI,** section **386.**

A Member in debate may impeach the testimony of a witness before a committee. Volume **V,** section **5171.**

(7) Fees of.

The rules provide for the rate of compensation of witnesses summoned to appear before the House or either of its committees. Volume **III,** section **1825.** Volume **VI,** section **393.**

(8) Members as.—Before the House or a Committee.

A committee having summoned a Member to testify as to statements made by him in debate, he protested that it was an invasion of his constitutional privilege. Volume **VI,** section **537.**

Instance wherein a Member declined to obey a summons to appear and testify before a committee of the House. Volume **VI,** section **537.**

When a case is on trial at the bar of the House, Members are examined in their places. Volume **III,** section **1668.**

The House has by resolution demanded of certain of its Members the production of papers and information. Volume **III,** section **1811.**

The House by resolution called on two of its Members to state what they knew concerning charges against the Chief of the Army, then under discussion. Volume **III,** section **1726.**

Members testifying in the case of Matthew Lyon, who was threatened with expulsion, were sworn and cross-questioned by Mr. Lyon. Volume **II,** section **1643.**

Instance wherein testimony as to a difficulty between two Members was heard in Committee of the Whole. Volume **II,** section **1642.**

A Member who had moved an investigation requested that he be not appointed one of the committee, as he would have to appear as a witness. Volume **III,** section **1827.**

An instance wherein the chairman of an investigating committee administered the oath to himself and testified. Volume **III,** section **1821.**

Instance wherein a Speaker gave testimony before a committee of investigation. Volume **III,** section **1776.**

Members having been summoned before committees to testify as to statements made by them in debate; but in one case a Member formally protested that it was an invasion of his constitutional privilege. Volume **III,** sections **1777, 1778.**

Stanley Matthews, a Senator from Ohio, was sworn and examined before a Senate committee appointed to investigate his conduct. Volume **III,** section **1837.**

(9) Members as.—Before the Other House.

Either House may request by message, but not command, the attendance of a Member of the other House. Volume **III,** section **1768.**

A message requesting the attendance of a Member of the other House should state clearly the purpose thereof. Volume **III,** section **1768.**

According to the parliamentary law neither House compels its Members to attend the other House in obedience to a request. Volume **III,** section **1768.**

(10) Members as.—Before the Senate Sitting for an Impeachment Trial.

The House by resolution authorized its Clerk to produce papers and its Members to give testimony before a court of impeachment. Volume **III,** section **1796.**

In impeachments a Senator called as a witness is sworn and testifies standing in his place. Volume **III,** section **2163.**

(11) Members as.—Before the Courts.

The House decided that the summons of a court to Members to attend and testify constituted a breach of privilege and directed them to disregard the mandate. Volume **III,** section **2661.**

WITNESSES—Continued.

(11) Members as.—Before the Courts—Continued.

The House, after discussion, declined to make a general rule permitting Members to waive their privilege in attending court as witnesses, but gave the permission asked on behalf of a single Member. Volume **III,** section **2660.**

Members having informed the House, as a matter of privilege, that they had been summoned before the grand jury of the District of Columbia, the House authorized them to respond to the summons. Volume **III,** section **2662.**

(12) Relations to the Two Houses as to.—When Members Are Concerned.

According to the parliamentary law neither House compels its Members to attend the other House in obedience to a request. Volume **III,** section **1768.**

Either House may request by message but not command the attendance of a Member of the other House. Volume **III,** section **1768.**

A message requesting the attendance of a member of the other House should state clearly the purpose thereof. Volume **III,** section **1768.**

When the House desires the testimony of Senators it is proper to ask and obtain leave for them to attend. Volume **III,** sections **1790, 1791.**

A committee of the House having summoned certain Senators by subpoena, the summons was either disregarded or obeyed under protest. Volume **III,** sections **1792, 1793.**

The Senate neglected to respond to a request of the House that a Senator be permitted to attend a House committee. Volume **III,** section **1794.**

A Senator having neglected to accept an invitation or respond to a subpoena requesting him to testify before a House committee, the House by message requested that the Senate give him leave to attend. Volume **III,** section **1794.**

Form of a subpoena issued to secure the attendance of a Senator. Volume **III,** section **1794.**

(13) Relations of the Two Houses as to.—When Officers and Others are Concerned.

The House by resolution authorized its Clerk to produce papers and its Members to give testimony before a court of impeachment. Volume **III,** section **1796.**

The Secretary of the Senate being subpoenaed to appear before a committee of the House with certain papers from the files, the Senate, after a discussion as to privilege, empowered him to attend with the papers in his custody. Volume **III,** section **2665.**

The Secretary of the Senate being subpoenaed to produce a paper from the files of the Senate, permission was given him to do so after a discussion as to whether or not he was exempted by privilege from the process. Volume **III,** section **2666.**

The Senate has not considered that its privilege forbade the House to summon one of its officers as a witness. Volume **III,** section **1798.**

The Secretary of the Senate obeyed a subpoena duces tecum of a House investigating committee. Volume **III,** section **1797.**

Either House may request of the other the attendance of a person in custody of the latter House. Volume **III,** section **1768.**

(14) When Testimony Implicates.—Members.

An examination before a committee disclosing that a Member was implicated, the committee informed him of the fact in order that he might attend. Volume **III,** section **1831.**

The rule of Parliament relating to members implicated by testimony discussed but not applied. Volume **III,** section **1844.**

A Member implicated by the testimony taken by a committee was permitted to read the testimony, testify himself, and call witnesses. Volume **III,** section **1848.**

(15) When Testimony Implicates.—Other Persons.

Instance wherein an investigating committee permitted a person implicated by testimony already given to appear and testify. Volume **III,** section **1789.**

A Member of the Cabinet who had been implicated by the terms of a resolution creating a committee of investigation was permitted to have witnesses summoned. Volume **III,** section **1787.**

WITNESSES—Continued.

(15) When Testimony Implicates.—Other Persons—Continued.

Witnesses summoned to testify may not excuse themselves under the pleas that their testimony would compromise them. Volume **VI,** section **335.**

The fact that testimony sought by a committee of the House might militate against the interest of the witness in a pending suit was held not to excuse him from supplying information properly within the scope of the inquiry. Volume **VI,** section **338.**

(16) Members of President's Cabinet as.

Members of the President's Cabinet appear before committees of the House and give testimony. Volume **III,** sections **1881–1883.**

The House decided early in its history that the Secretaries of the President's Cabinet should not be called to give information personally on the floor of the House. Volume **III,** section **1880.**

(17) Counsel for.

It is for the House to say whether or not a person whose conduct is being investigated shall be allowed to appear before the committee by counsel. Volume **III,** section **2501.**

A Senate committee determined that a witness summoned to testify before it was not entitled to counsel. Volume **III,** section **1837.**

Instance wherein a witness summoned before an investigating committee was accompanied by counsel. Volume **III,** section **1772.**

In 1812 the opinion of the House seems to have been against permitting counsel to a contumacious witness arraigned at the bar of the House (footnote). Volume **III,** section **1666.**

In the resolution ordering the arrest and arraignment of Whitney, the House at the same time give him permission to have counsel. Volume **III,** section **1667.**

The House denied to Kilbourn the services of counsel at his arraignment for contempt. Volume **II,** section **1608.**

A witness arraigned for contempt was accompanied by his counsel, but his request that he be heard by counsel was granted only to the extent of being permitted to respond in writing. Volume **III,** section **1696.**

A person having been arrested for contempt, a communication from his counsel was laid before the House. Volume **III,** section **1695.**

Counsel for a contumacious witness, present at the examination and transgressing the bounds of propriety, was admonished. Volume **VI,** section **336.**

(18) In Cases of False Testimony.

The House sometimes transmits to the courts reports in regard to witness who have apparently testified falsely. Volume **III,** sections **1780, 1781.**

(19) Procedure of Investigating Committees.

Early instance where testimony in a case of breach of privilege was heard before a select committee. Volume **II,** section **1643.**

Committees of investigation, by authority of the House expressly given, often carry on their work by subcommittees. Volume **III,** sections **1754–1759.**

Investigating committees do not always confine themselves within the strict rules of evidence. Volume **III,** section **1736.**

Instance wherein a House committee charged with an investigation examined testimony taken before a Senate committee. Volume **III,** section **2507.**

A telegram from a person beyond reach of the process of the House and not verified by oath was held not competent evidence for the consideration of an investigating committee. Volume **III,** section **1786.**

The Speaker, the Chairman of the Committee of the Whole or any other committee, or any Member any administer oaths to witnesses in any case under examination. Volume **III,** section **1769.**

WITNESSES—Continued.

(19) Procedure of Investigating Committees—Continued.

A committee charged with an investigation sometimes adopts rules to govern the examination of witnesses and the use of the testimony by persons implicated. Volume **III,** sections **1841, 1842.**

A question proposed to be propounded by a member of a committee directly to a witness should not be amended, but should be allowed or rejected in its original form. Volume **III,** section **1773.**

Instance wherein a Member of the House not a member of the committee was permitted to examine a witness. Volume **III,** section **2403.**

The committee investigating charges against Secretary of the Treasury W. H. Crawford permitted him to be represented by counsel and to produce testimony. Volume **III,** section **1741.**

In investigating charges of an impeachable offense the committee permitted the accused to be represented by counsel and have process to compel testimony. Volume **III,** section **1736.**

Members who had been concerned in a duel which resulted in the death of a Member were permitted to attend and cross-examine witnesses during the investigation. Volume **II,** section **1644.**

A person who had assaulted a Member was permitted to be present at the investigation by a select committee and cross-examine witnesses. Volume **II,** section **1620.**

Witnesses were examined under oath and in the presence of Brigham H. Roberts during the committee's investigation of his qualifications. Volume **I,** section **475.**

In considering the qualifications of Brigham H. Roberts the committee tendered to him the opportunity to testify in his own behalf. Volume **I,** section **475.**

A Member who had moved an investigation requested that he be not appointed one of the committee, as he would have to appear as a witness. Volume **III,** section **1827.**

(20) In a Trial at the Bar of the House.—General Procedure in Examining.

In a trial at the bar of the House for contempt a committee was appointed to examine witnesses for the House. Volume **III,** section **1668.**

For the trial of Samuel Houston a committee was appointed to examine witnesses at the bar of the House. Volume **II,** section **1617.**

The House being about to examine a person at its bar, a form of procedure as to questions was agreed to. Volume **II,** section **1633.**

Method of examining witnesses through the Speaker in a contempt case tried at the bar of the House in 1795. Volume **II,** section **1602.**

Rules for asking questions of a person under examination before a committee or at the bar of the House. Volume **III,** section **1768.**

The parliamentary law as to the examination of witnesses. Volume **III,** section **1768.**

In the examination of witnesses in the contempt case of Samuel Houston the House declined to permit a witness to state opinions. Volume **II,** section **1618.**

A person under examination at the bar was allowed to state his reasons why he should not answer a question and also to have entered on the Journal a statement. Volume **II,** section **1633.**

Rule adopted in the Whitney case for disposing of objections to questions proposed to witnesses. Volume **III,** section **1668.**

In the case of John Anderson the accused and witnesses were examined at the bar of the House. Volume **II,** section **1606.**

Samuel Houston, arrested for a breach of privilege, was arraigned at the bar of the House, informed of the charge, and informed that he might summon witnesses and employ counsel. Volume **II,** section **1616.**

A person on trial at the bar of the House for contempt was given permission to examine witnesses. Volume **III,** section **1668.**

WITNESSES—Continued.

(20) In a Trial at the Bar of the House.—General Procedure in Examining—Continued.

In the Whitney case a proposition to examine the respondent was ruled out of order while witnesses were being examined. Volume **III,** section **1668.**

The supposed author of an anonymous newspaper charge against a Member not named was arrested and interrogated at the bar of the House. Volume **II,** section **1633.**

The Senate allowed a Member threatened with expulsion to be heard by counsel, but did not grant his request for a specific statement of charges or compulsory process for witnesses. Volume **II,** section **1264.**

(21) In a Trial at the Bar of the House.—The Oath.

In 1795 the House introduced a district judge to administer oaths to witnesses in a contempt case heard at the bar of the House. Volume **II,** section **1602.**

In 1832 the Speaker was empowered to administer the oath to witnesses in the contempt case of Samuel Houston. Volume **II,** section **1617.**

Form of oath administered by the Speaker to a person about to be examined at the bar of the House. Volume **II,** section **1633.**

The oath administered to a witness at the bar of the House is not recorded in full in the Journal. Volume **IV,** section **2874.**

(22) In a Trial at the Bar of the House.—Examination of Members.

Rule for examining Members as witnesses in a trial at the bar of the House for contempt. Volume **II,** section **1619.**

When a case is on trial at the bar of the House Members are examined in their places. Volume **III,** section **1668.**

Members testifying in the case of Matthew Lyon, who was threatened with expulsion, were sworn and cross-questioned by Mr. Lyon. Volume **II,** section **1643.**

(23) In a Trial at the Bar of the House.—Journal Entries of Questions and Answers.

According to the parliamentary law questions asked a witness are recorded in the Journal. Volume **III,** section **1768.**

In a trial at the bar of the House both questions to witnesses and their answers were reduced to writing and appear in the Journal. Volume **III,** section **1668.**

The parliamentary law provides that the answers of witnesses before the House shall not be written down, but such is not the rule before committees. Volume **III,** section **1768.**

In the earlier practice the response of a witness arraigned at the bar of the House was never recorded in the Journal. Volume **IV,** section **2874.**

(24) In a Trial at the Bar of the House.—Withdrawal of.

A person under examination at the bar withdraws while the House deliberates on the objection to a question. Volume **III,** section **1768.**

A person under examination at the bar of the House withdrew while the House passed on a request made by him. Volume **II,** section **1633.**

WOMEN.

The Committee on the Judiciary has reported bills relating to the rights and privileges of women. Volume **IV,** section **4066.**

History of the former Committee on Women Suffrage. Volume **III,** section **2074.**

The first woman to sit in the Senate. Volume **VI,** section **156.**

Service of women in Congress (footnote, p. 294). Volume **VI,** section **156.**

Under a decision of the Supreme Court an American-born woman married to a foreigner prior to the passage of the Cable Act and continuing residence in the United States does not lose citizenship or right to vote by such marriage. Volume **VI,** section **166.**

WOMEN—Continued.

A woman who had forfeited her citizenship through marriage to a foreign subject and who later resumed it through naturalization less than seven years prior to her election was held to fulfill the constitutional requirements as to citizenship to a seat in the House. Volume **VI,** section **184.**

Since the enfranchisement of women constitutional provisions relating to apportionment are to be read in connection with the nineteenth amendment. Volume **VI,** section **54.**

Women presiding in the House or in the Committee of the Whole are properly addressed as "Madam Speaker" and "Madam Chairman" respectively. Volume **VI,** section **284.**

The Kansas election case of Wood v. Peters in the Forty-eighth Congress. Volume **I,** section **417.**

The Missouri election case of Coudrey v. Wood in the Fifty-ninth Congress. Volume **I,** section **715.**

WOOD, WILLIAM R., of Indiana, Chairman.

Decisions on questions of order relating to—

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WOODARD.

The North Carolina election case of Cheatham v. Woodard in the Fifty-fourth Congress. Volume **II,** section **1083.**

WOODRUM, CLIFTON A., of Virginia, Speaker pro tempore.

Decisions on questions of order relating to—

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WOODS.

The case of Patrick Woods, in contempt of the House in 1870. Volume **II,** sections **1626–1628.**

For assaulting a Member returning to the House from an absence on leave Patrick Woods was committed for a term extending beyond the adjournment of the session, but not beyond the term of the existing House. Volume **II,** section **1628.**

WOOLLEY.

The case of Charles W. Woolley, in contempt of the House in 1868. Volume **III,** sections **1685, 1686.**

In 1868 a contumacious witness, Charles W. Woolley, who declined to answer for the alleged reason that the examination was inquisitorial, was imprisoned for contempt. Volume **III,** section **1686.**

WORDS EXCLUDED.

Words spoken by a Member after he has been called to order may be excluded from the Congressional Record by direction of the Speaker. Volume **V,** sections **6975–6978.**

WORDS TAKEN DOWN. See "Debate."

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WORKMEN.

The Committee on the Judiciary have exercised jurisdiction over subjects pertaining to relations of workmen to employers. Volume **VII,** section **1769.**

Bills relating to the welfare of men working in mines have been reported by the Committee on Mines and Mining. Volume **VII,** section **1959.**

WORKS OF ART.

The arrangement of the Hall of the House and Statuary Hall, and the acceptance of works of art to be placed therein are subjects within the jurisdiction of the House branch of the Joint Committee on the Library. Volume **VII,** section **2083.**

WORLD COURT.

The participation by the United States in a World Court of International Justice is a subject within the jurisdiction of the Committee on Foreign Affairs. Volume **VI,** section **326.**

WORLD WAR VETERANS' LEGISLATION, COMMITTEE ON.

The creation and history of the Committee on World War Veterans' Legislation, section 40 of Rule XI. Volume **VII,** section **2077.**

The Committee on Ways and Means has jurisdiction of bills relating to adjusted compensation of World War veterans. Volume **VII,** section **1738.**

Legislation authorizing hospital facilities for soldiers, sailors,and marines has been reported by the Committee on Public Buildings and Grounds, although jurisdiction over that subject is now exercised by the Committee on World War Veterans' Legislation. Volume **VII,** section **1969.**

Jurisdiction over legislative propositions relating to the vocational rehabilitation of disabled persons discharged from the military or naval forces was exercised by the Committee on Education until transferred to the Committee on World War Veterans' Legislation, in 1924. Volume **VII,** section **1975.**

Examples of the general jurisdiction of the Committee on World War Veterans' Legislation. Volume **VII,** section **2078.**

Legislation authorizing hospital facilities for soldiers, sailors, and marines is within the jurisdiction of the Committee on World War Veterans' Legislation. Volume **VII,** section **2079.**

WORTHINGTON.

The Illinois election case of Worthington v. Post in the Fiftieth Congress. Volume **II,** sections **1009, 1010.**

WRECKS.

The privileges of foreign vessels in American ports, bills of lading, contracts in export trade, and wrecks in international waters have been reported generally by the Committee on Interstate and Foreign Commerce. Volume **IV,** section **4144.**

WRIGHT.

The New York election cases of Wright, jr., v. Fisher and Root v. Adams in the Twenty-first and Fourteenth Congresses. Volume **I,** section **650.**

The California election case relating to Gilbert and Wright in the Thirty-first Congress. Volume **I,** section **520.**

The Pennsylvania election case of Wright v. Fuller in the Thirty-second Congress. Volume **I,** sections **821, 822.**

The investigation into the conduct of Daniel Thew Wright, associate justice of the Supreme Court of the District of Columbia. Volume **VI,** section **528.**

WRITING.

The House always insists that reports on bills, resolutions, petitions, and memorials shall be in writing. Volume **IV,** section **4655.**

The report of a committee as provided for in the proviso of the Holman rule must be formally authorized by the committee and presented in writing. Volume **VII,** section **1569.**

The rule requiring motions to be reduced to writing on the demand of a Member applies to amendments as to other motions and is applicable in the Committee of the Whole as in the House. Volume **VIII,** section **2826.**

Amendments must be reduced to writing on demand and the Committee of the Whole is not required to delay its proceedings in order to permit the writing of a proposed amendment even though during the delay thus occasioned the section to which the amendment is proposed may be passed in reading and so preclude consideration of the amendment. Volume **VIII,** section **2827.**

WRITING—Continued.

While the rules provide for the submission of amendments in writing, under the practice of the House they are frequently presented orally if no Member objects but such presentation is within the discretion of the Chair. Volume **VIII,** section **2826.**

Amendments are required to be reduced to writing on demand in their entirety and if any portion of a proposed amendment remains to be filled in, it is not in order. Volume **VIII,** section **2828.**

Amendments are sometimes submitted orally, but on demand must be reduced to writing and sent to the Clerk's desk. Volume **VIII,** section **2829.**

Instance wherein the Speaker near the end of a session requested that Members desiring to be recognized to move to suspend the rules submit their request in writing. Volume **VIII,** section **3402.**

The practice requires that pairs be reduced to writing and be signed by the contracting Members. Volume **VIII,** section **3089.**

A select committee appointed to consider the propriety of remarks made by a Member in debate invited him to submit suggestions in writing. Volume **VIII,** section **2497.**

Reports of committees are required to be submitted in writing. Volume **IV,** section **4652.**

Forms of written reports submitted by committees (footnote). Volume **IV,** section **4652.**

A question put by a Senator to a witness in an impeachment trial is reduced to writing and put by the Presiding Officer. Volume **III,** section **2176.** Volume **VI,** section **522.**

In impeachment trials all motions made by the parties or counsel are addressed to the Presiding Officer and must be in writing if required. Volume **III,** section **2131.**

After testimony had been closed and the opening argument concluded in Louderback trial further questions were propounded in writing and were answered by the respondent. Volume **VI,** section **524.**

Stipulations in writing by parties were received by the Senate as though the facts therein agreed upon had been established by evidence. Volume **VI,** section **519.**

In arraigning one of its officers the Senate declined to require that questions be reduced to writing, and elected to interrogate him orally. Volume **VI,** section **37.**

The Senate permitted argument in manuscript to be filed with the reporter and included in the printed report of the proceeding. Volume **VI,** section **511.**

Managers and counsel for respondent might submit applications orally to the Presiding Officer but if requested by any Senator should reduce them to writing. Volume **VI,** section **519.**

WRITS.

(1) Of the House.

(2) Of election.

(1) Of the House.

The Speaker signs all acts, addresses, writs, warrants, and subpoenas. Volume **II,** section **1313.**

The Clerk attests and affixes the seal of the House to all writs, warrants, and subpoenas issued by order of the House. Volume **I,** section **251.**

(2) Of election.

Examination of the term "vacancy" as used in the Federal Constitution to empower a State executive to issue writs for an election. Volume **I,** section **518.**

Under a rule of the Senate subpoenas or other writs are signed by the Presiding Officer, whether the Vice President or President pro tempore, during session of the Senate sitting in trial of impeachment or in vacation. Volume **VI,** section **485.**

The Senate elected a presiding officer for the Archbald trial, who thereupon exercised the powers of the President of the Senate in signing orders, writs, etc. Volume **VI,** section **473.**

Votes cast on a legal election day were held valid by the House, although the State official had withdrawn his proclamation calling the election for that day. Volume **I,** section **524.**

WURZBACH

The Texas election case of Wurzbach v. McCloskey, in the Seventy-first Congress. Volume **VI,** section **181.**

WYOMING.

House election case from, Fortieth Congress.—J. S. Casement. Volume **I,** section **410.**

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The licensing, registering, etc., of pleasure yachts are subjects within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV,** section **4143.**

YATES.

The North Carolina election case of Yates v. Martin, in the Forty-sixth Congress. Volume **II,** section **953, 954.**

YEAMEN.

The Kentucky election case of Henry v. Yeaman in the Thirty-eighth Congress. Volume **I,** section **378.**

YEAS AND NAYS

(1) The requirement of the Constitution.
(2) The demand for.
(3) Reconsideration of the order of.
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(21) In general.

(1) The Requirement of the Constitution.

The Constitution provides that the yeas and nays shall be entered on the Journal at the desire of one-fifth of those present. Volume **V,** section **6011.**

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The Texas election case of Wurzbach v. McCloskey, in the Seventy-first Congress. Volume **VI,** section **181.**

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YEAS AND NAYS

(1) The requirement of the Constitution.
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The Constitution provides that the yeas and nays shall be entered on the Journal at the desire of one-fifth of those present. Volume **V,** section **6011.**

YEAS AND NAYS—Continued.

(1) The Requirement of the Constitution—Continued.

The yeas and nays may be ordered before the organization of the House. Volume **I,** section **91.**

According to the latest practice the yeas and nays are taken on questions arising before the organization of the House. Volume **V,** sections **6012, 6013.**

For a time a rule provided that the yeas and nays should be taken on the passage of every general appropriation bill (footnote). Volume **V,** section **6011.**

The yeas and nays are not necessarily taken on the passage of a resolution proposing an amendment to the Constitution. Volume **V,** sections **7038, 7039.** . Volume **VIII,** section **3506.**

On a vote on passing a bill returned with the objections of the President the yeas and nays are required to be entered on the Journal. Volume **IV,** section **3520.**

The Constitution provides that the vote on reconsideration of a bill returned with the President's objections shall be determined by yeas and nays. Volume **VII,** section **1110.**

Votes by yeas and nays and veto messages of the President are required by the Constitution to be spread on the Journal. Volume **IV,** section **2726.**

(2) The Demand for.

The constitutional right of a Member to demand the yeas and nays may not be overruled as dilatory. Volume **V,** section **5737.**

The right to demand the yeas and nays is a constitutional privilege which may not be denied or abridged and may not be ruled out as dilatory. Volume **VIII,** section **3107.**

The constitutional provision for ordering the yeas and nays has always been construed liberally in favor of the demand by any Member. Volume **VIII,** section **3110.**

A Member called to order in debate must take his seat and may not proceed unless permitted by the House on motion, but such disability does not extend beyond consideration of the point immediately under discussion, and a Member so called to order was permitted to demand the yeas and nays on the question under consideration at the time he was required to be seated. Volume **VIII,** section **2546.**

The right to demand the yeas and nays is not waived by the fact that the Member demanding them has just made the point of no quorum and caused the Chair to count the House. Volume **V,** section **6044.**

The yeas and nays may be demanded even after the announcement of the vote if the House has not passed to other business. Volume **V,** sections **6040, 6041.** Volume **VIII,** section **3110.**

The yeas and nays may be demanded while the Speaker is announcing the result of a division. Volume **V,** section **6039.**

The yeas and nays may be demanded while a vote by tellers is being taken. Volume **V,** section **6038.**

After the Speaker has announced the result of a division on a motion and is in the act of putting the question on another motion it is too late to demand the yeas and nays on the first motion. Volume **V,** section **6042.**

It is not in order during the various processes of a division to repeat a demand for the yeas and nays which has once been refused by the House. Volume **V,** sections **6030, 6031.**

The yeas and nays having been once refused, may not be again demanded on the same question. Volume **V,** section **6029.**

The constitutional right to demand the yeas and nays does not exist as to the vote to second a motion when such second is required by the rules. Volume **V,** sections **6032–6036.** Volume **VIII,** section **3109.**

In passing on a demand for the yeas and nays the Speaker need determine only whether one-fifth of those present sustain the demand. Volume **V,** section **6043.** Volume **VIII,** sections **3112, 3115.**

YEAS AND NAYS—Continued.

(2) The Demand for—Continued.

In ascertaining whether one-fifth of those present support a demand for the yeas and nays the Speaker counts the entire number present and not merely those who rise to be counted. Volume **VIII,** section **3111.**

In ascertaining whether one-fifth of the Members present support a demand for the yeas and nays the Speaker is not required to take a rising vote of those opposing but counts all present. volume **VIII,** section **3114.**

In counting to ascertain the presence of a quorum or whether a sufficient number have voted to order yeas and nays, the Chair counts all Members visible, including those in lobbies and cloakrooms. Volume **VIII,** section **3120.**

The count of the Speaker in ascertaining whether one-fifth of those present support a demand for the yeas and nays is not subject to verification, and a request for a rising vote of those opposed to the demand is not in order. Volume **VIII,** sections **3112, 3114.**

While the count of the Speaker in determining whether a requisite number of Members has sustained a demand for the yeas and nays is not subject to verification, and a call for those opposed may not be demanded as a matter of right, in exceptional instances requests for tellers have been entertained. Volume **VIII,** section **3115.**

After the House on a vote by tellers has refused to order the yeas and nays it is too late to demand the count of the negative on an original rising vote. Volume **V,** section **6045.**

(3) Reconsideration of the Order of.

A motion to reconsider the vote ordering the yeas and nays is in order. Volume **V,** section **6029.** Volume **VIII,** section **2790.**

The vote whereby the yeas and nays are ordered may be reconsidered by a majority, but if the House votes to reconsider the yeas and nays may again be ordered by one-fifth. Volume **V,** sections **5689–5691.**

The House having reconsidered the vote whereby the yeas and nays were ordered and having again ordered them, a second motion to reconsider was held out of order. Volume **V,** section **6037.**

The vote whereby the yeas and nays are refused may be reconsidered. Volume **V,** section **5692.**

It was once held that the yeas and nays might be demanded on a motion to reconsider the vote whereby the yeas and nays were ordered. Volume **V,** section **5689.**

On a vote on which the yeas and nays have not been ordered recorded, any member may move to reconsider regardless as to whether he voted with the prevailing side. volume **VIII,** section **2785.**

Where the yeas and nays on a vote have not been ordered recorded in the Journal, any Member irrespective of whether he voted with the majority or not, may make the motion to reconsider. Volume **VIII,** section **2775.**

(4) Effect of the Demand for or Ordering of.

A demand for tellers is not precluded or set aside by the fact that the yeas and nays are demanded and refused. Volume **V,** section **5998.**

A demand for tellers or for a division is not precluded by the fact that the yeas and nays have been demanded and refused. Volume **VIII,** section **3103.**

A motion to suspend the rules may be entertained, although the yeas and nays may have been demanded on a motion highly privileged under the rules. Volume **V,** section **6835.**

In the general, although not universal, practice debate has not been closed by the ordering of the yeas and nays until one Member has responded to the call. Volume **V,** sections **6101–6105.**

Reference to instances in the Senate wherein debate was had after the yeas and nays were ordered, but not after the calling of the roll had been begun. Volume **V,** section **6100.**

A division of the question may not be demanded after the yeas and nays have been ordered. Volume **V,** sections **6160, 6161.**

YEAS AND NAYS—Continued.

(4) Effect of the Demand for or Ordering of—Continued.

The ordering of the yeas and nays on a motion is such a decision by the House as prevents withdrawal of the motion. Volume **V,** section **5353.**

The ordering of the yeas and nays on a motion to lay an appeal on the table was held to be such a "decision" by the House as would prevent the withdrawal of the appeal. Volume **V,** section **5354.**

A motion to adjourn may be made after the yeas and nays are ordered and before the roll call has begun. Volume **V,** section **5366.**

Ordering the yeas and nays is such intervening business as to justify the repetition of the motion to adjourn. Volume **V,** sections **5376, 5377.**

A motion relating to the order of business does not recur as unfinished business on a succeeding day, even though the yeas and nays may have been ordered on it before adjournment. Volume **IV,** section **3114.**

The previous question being demanded on a resolution and the yeas and nays ordered on that demand, a motion to lay the resolution on the table was held not in order. Volume **V,** sections **5408, 5409.**

The House having adjourned after ordering the yeas and nays and before they could be taken, the order stands when the bill is again taken up. Volume **VIII,** section **3108.**

The House having adjourned after yeas and nays were ordered and before the vote was taken, the pending question remains as unfinished business when the same class of business is again in order. Volume **VI,** section **740.**

An order for the yeas and nays coming over as unfinished business from a previous day may be vacated by unanimous consent. Volume **VI,** section **740.**

(5) Relation of, to the Quorum.—Less Than, May Order.

In the earlier practice of the House it was held that less than a quorum might not order the yeas and nays, but for many years the decisions have been uniformly the other way. Volume **V,** sections **6016–6028.**

A quorum is not necessary on a motion to reconsider the vote whereby the yeas and nays were ordered. Volume **V,** section **5693.**

(6) Relation of, to the Quorum.—Effect of Failure of.

When a vote by yeas and nays shows no quorum the House must take cognizance of the fact. Volume **IV,** section **2988.**

When a vote by yeas and nays shows no quorum the Chair takes cognizance of the fact, and, unless the House adjourns, orders a call under the rule without suggestion from the floor. Volume **VI,** section **679.**

It is not the duty of the Speaker to take cognizance of the absence of a quorum unless disclosed by a yea-and-nay vote or questioned by a point of order. Volume **VI,** section **624.**

When a vote taken by yeas and nays shows that no quorum has voted it is the duty of the Chair to take notice of that fact. Volume **IV,** sections **2953, 2963.**

When a yea-and-nay vote on a bill fails for lack of a quorum the order for the yeas and nays remains effective whenever the bill again comes before the House. Volume **V,** sections **6014, 6015.**

When a vote by yeas and nays shows no quorum the Chair takes cognizance of the fact, and unless the House adjourns, orders a call under the rule without suggestion from the floor. Volume **VI,** section **679.**

When a quorum fails on a yea-and-nay vote the call of the House is automatic under the rule, and the speaker directs the roll to be called without motion from the floor. Volume **VI,** section **678.**

A vote by yeas and nays having been without result because of the failure of a quorum, it was held that the question of consideration might not intervene on a succeeding day before the second call of the yeas and nays. Volume **V,** section **4949.**

YEAS AND NAYS—Continued.

(6) Relation of, to the Quorum.—Effect of Failure of—Continued.

It was held in the Senate that when the yeas and nays were ordered and taken and a quorum failed to respond debate was not in order when a quorum appeared. Volume **V,** section **6100.**

A line of rulings made under the old theory as to the quorum and since disregarded held that the point of no quorum might not be made after the House had declined to verify a division by tellers or the yeas and nays. Volume **IV,** sections **918–2926.**

A quorum has not failed to vote until both the yeas and nays have been taken, and a call of the House is not ordered until this stage is reached. Volume **VI,** section **694.**

(7) Relation of, to the Quorum.—Mr. Speaker Reed's Count.

In 1890 Mr. Speaker Reed directed the Clerk to enter on the Journal as part of the record of a yea-and-nay vote names of Members present but not voting, thereby establishing a quorum of record. Volume **IV,** section **2895.**

(8) Relation of, to the Quorum.—Call of the House.

The yeas and nays may be ordered during a call of the House. Volume **IV,** section **3010.**

The rule whereby a quorum is obtained and the vote taken on the pending proposition by one roll call. Volume **IV,** section **3041.** Volume **VI,** section **690.**

Interpretation and discussion of the rule proving for an automatic call of the House on the failure of a quorum to vote. Volume **VI,** section **703.**

When lack of a quorum develops while the House is dividing, the call of the House is automatic under the rule and no motion is required. Volume **VI,** section **691.**

The rule providing for an automatic call of the House does not apply unless the House is dividing and, if the point of no quorum is made before the question is put, may not be invoked. Volume **VI,** section **692.**

A roll call recurs under the rule on failure of a quorum on a viva voce vote. Volume **VI,** section **697.**

Lack of a quorum developing while a demand for the yeas and nays was pending, the demand for yeas and nays is disregarded and the vote is taken under the rule. Volume **VI,** section **696.**

The Speaker may, without suggestion from the floor, take note of the failure of a quorum to vote on the pending question, and on his own initiative direct a call of the House under the rule. Volume **VI,** section **699.**

The rule providing an automatic roll call on the failure of a quorum to vote applies to votes by yeas and nays as well as to those taken by tellers, division, or viva voce, but not on motions incidental to lack of a quorum. Volume **VI,** section **703.**

If a quorum fails to vote on the pending question and objection is made, an automatic roll call is still required after a motion to adjourn has been offered and rejected by a quorum vote. Volume **VI,** section **6701.**

Under the new rule for a call of the House the roll is called over twice and those appearing after their names are called may vote. Volume **IV,** section **3052.**

During proceedings to secure a quorum it was held that the yeas and nays might not be demanded on a motion to lay on the table a motion to reconsider the vote whereby the yeas and nays were ordered. Volume **V,** section **6037.**

(9) In Committee of the Whole.

The yeas and nays may not be taken in Committee of the Whole. Volume **IV,** sections **4722, 4723.**

It is not in order for the Committee of the Whole to arrange for a year-and-nay vote to be taken in the House. Volume **IV,** section **4724.**

The House, while acting "in the House as in Committee of the Whole," may refer to a committee, use the previous question, deal with disorder, take the yeas and nays, or adjourn. Volume **IV,** section **4923.**

YEAS AND NAYS—Continued.

(10) In Standing and Select Committees.

The yeas and nays are taken in committees. Volume **IV,** section **4579.**

(11) The Roll Call.—Rule and Practice as to.

On a roll call for a vote or a call of the house the names of the Members are called alphabetically by surname. Volume **V,** section **6046.**

After the roll has been called through once the names of those not responding are called again. Volume **V,** section **6046.**

Since 1879 the Clerk in calling the roll has called Members by the surnames, with the prefix "Mr.," instead of calling the full names. Volume **V,** section **6047.**

The Clerk is calling the roll calls Members by surnames only, omitting the prefix "Mr." Volume **VIII,** section **3121.**

Pairs which are announced but once during the legislative day are announced after the completion of a roll call and are published in the Congressional Record. Volume **V,** section **5981.**

The Speaker's name is not on the voting roll and is not ordinarily called. Volume **V,** section **5970.**

The names of Members who have not been sworn are not entered on the roll from which the yeas and nays are called for entry on the Journal. Volume **V,** section **6048.**

The President pro tempore of the Senate declined to take the responsibility of directing the Secretary to omit from the call of the yeas and nays the names of two Senators who had been declared in contempt. Volume **II,** section **1665.**

By practice founded on a former rule the names of those not voting on a roll call are recorded in the Record. Volume **V,** section **6046.**

A Member failing to respond when his name is called may not be recorded as voting, even by unanimous consent. Volume **VIII,** section **3119.**

(12) The Roll Call.—Refusal to Vote.

A Member having declined to vote on a call of the yeas and nays, the Speaker held that the resulting question of order might be acted on at the conclusion of the call of the roll. Volume **V,** section **5946.**

A Member having declined to vote and a question arising, the Speaker held that the pending vote should be completed and announced, leaving the incidental question until after the announcement. Volume **V,** sections **5947, 5948.**

A Member having declined to vote in 1836 the House finally abandoned its attempt to compel him. Volume **V,** section **5946.**

On a resolution in the Senate censuring two Senators the names of both were called, but neither voted. Volume **II,** section **1665.**

(13) The Roll Call.—Interruption of.

A motion to adjourn may not interrupt a call of the yeas and nays. Volume **V,** section **6053.**

A roll call may not be interrupted even by a point of order. Volume **VIII,** section **3131.**

A roll call may not be interrupted for a parliamentary inquiry. Volume **VIII,** section **3132.**

The roll call may not be interrupted either for a parliamentary inquiry or a question of personal privilege. Volume **V,** sections **6058, 6059.**

After the call of the yeas and nays has begun it may not be interrupted even for a question of personal privilege. Volume **V,** sections **6051, 6052.**

A roll call may not be interrupted even to admit the Senate to a joint meeting for counting the electoral vote. Volume **V,** section **6057.**

A roll call may not be interrupted because of the arrival of the time fixed by the rules for another order of business. Volume **V,** section **6056.**

A roll call is not interrupted by the arrival of an hour fixed for a recess by rule or prior vote of the House. Volume **V,** sections **6054, 6055.** Volume **VII,** section **3133.**

The Speaker has declined during a call of the yeas and nays to entertain an appeal from his decision that the roll call might not be interrupted. Volume **V,** section **6051.**

YEAS AND NAYS—Continued.

(13) The Roll Call.—Interruption of—Continued.

The presentation of a conference report is always in order, except when the Journal is being read, when the roll is being called, or when the House is dividing. Volume **V,** section **6443.**

While a conference report may not be presented while the House is dividing, it may be presented after a vote by tellers and pending the question of ordering the yeas and nays. Volume **V,** section **6447.**

A conference report was held to have precedence of the question on the reference of a Senate bill, even though an attempt had been made to take the yeas and nays and had failed from the lack of a quorum on a preceding day. Volume **V,** section **6457.**

An instance where an incidental question was raised and decided after the completion of the roll call and before the announcement of the vote. Volume **V,** section **6059.**

The Speaker interrupts a roll call and declares the House adjourned sine die without motion or vote of the House when the hour of expiration of the term of Congress arrives. Volume **V,** sections **6715–6718.**

The hour for final adjournment arriving in the midst of a call of the roll, the Speaker directed the call to be suspended and declared the House adjourned sine die. Volume **V,** section **6325.**

Bills on which one House had adhered have been lost by the expiration of the Congress, even while the roll was being called on a motion to recede that might have passed the bill. Volume **V,** sections **6230–6232.**

(14) The Roll Call.—Recapitulation of.

A Member may not as a matter of right demand a recapitulation of a yea-and-nay vote, but if the vote be close the Speaker usually orders it. Volume **V,** sections **6049, 6050.** Volume **VIII,** section **3126.**

The usage as to the recapitulation of a yea-and-nay vote does not permit it to be done after the announcement of the result, except by unanimous consent. Volume **V,** section **6064.**

Under the more recent practice recapitulation of a vote may be had either before or after the announcement of the result of the vote. Volume **VIII,** sections **3123–3125.**

Recapitulation of a vote is within the discretion of the Speaker and may not be demanded as a matter of right. Volume **VIII,** section **3128.**

The purpose of a recapitulation is the verification of the vote as cast, and a Member failing to vote on the roll call may not be recorded on recapitulation. Volume **VIII,** section **3070.**

On the recapitulation of a yea-and-nay vote a proposition to correct a vote is not in order until the recapitulation has been concluded. Volume **VI,** section **415.**

Errors in the record of votes are corrected on recapitulation at the close of the reading of the votes in the affirmative, in the negative, and those answering present, respectively. Volume **VIII,** section **3125.**

The motion that a vote be recapitulated is not privileged. Volume **VIII,** section **3126.**

The Speaker declined to entertain an appeal from his decision refusing recapitulation of a vote. Volume **VIII,** section **3128.**

Members failing to vote on the roll call may not be recorded on recapitulation. Volume **VIII,** section **3070.**

A decision holding that recapitulation of a vote may be requested prior to final announcement of the result but not thereafter. Volume **VIII,** section **3070.**

(15) The Roll Call.—Change of Votes.

Before the result of a vote has been finally and conclusively pronounced by the Chair, but not thereafter, a Member may change his vote. Volume **V,** sections **5931–5933.** Volume **VIII,** section **3070.**

A member may change his vote at any time before its announcement. Volume **VIII,** section **3128.**

YEAS AND NAYS—Continued.

(15) The Roll Call.—Change of Votes.—Continued.

A Member who has voted on a roll call may change his vote before the announcement of the result. Volume **VIII,** section **3160.**

A Member may not change his vote on recapitation if the result of the vote has been announced prior to recapitulation. Volume **VIII,** section **3124.**

Before the decision of the Chair on a vote has been pronounced finally and conclusively a Member may change his vote. Volume **V,** sections **6093, 6094.**

A Member who has answered "present" on a roll call may change the answer to "yea" or "nay," but the Speaker may not entertain the request of a Member who has not answered at all to record his vote. Volume **V,** section **6060.**

A Member may not have the record of his vote changed on the statement that he voted on a misapprehension of the question, and a motion relating thereto is not a matter of privilege. Volume **V,** sections **6082, 6083.**

(16) The Roll Call.—Withdrawal of Votes.

Having given his vote, a Member may not withdraw it without leave of the House. Volume **V,** section **5930.**

After a vote has been announced by the Speaker it is not in order for a Member to change or withdraw his vote even though inadvertently cast in violation of a pair. Volume **VIII,** section **3069.**

(17) The Roll Call.—Entry of Votes at the End of.

After the roll call is completed the Speaker is forbidden to entertain a request to record a vote, unless in a case wherein a Member's presence has been noted in ascertaining a quorum. Volume **V,** section **6046.**

Members voted as present under section 3 of Rule XV may be permitted to vote after the calling of the roll is concluded. Volume **VI,** section **640.**

A Member is permitted to vote the roll call has been concluded on a yea-and-nay vote only on the theory that the Clerk inadvertently failed to call his name. Volume **VIII,** section **3134.**

The practice does not contemplate that a Member shall be permitted to vote simply because he does not hear his name called, but is on the theory that through inadvertence on the part of the Clerk the name was not called at all, and therefore only those Members qualify who are present and listening when their names should have been called. Volume **VIII,** section **3137.**

It is not sufficient that a Member be present but he must also be listening when his name was called in order to qualify on a yea-and-nay vote. Volume **VIII,** sections **3134, 3148, 3149.**

In order to qualify to vote at the end of the roll, a Member must have been within the Hall proper at the time his name should have been called. Volume **VIII,** section **3144.**

It is the duty of the Speaker to qualify a Member asking to vote at the end of the roll, but it is for the Member and not the Speaker to say whether he was in the Hall and listening and unless he answers categorically in the affirmative he may not vote. Volume **VIII,** section **3139.**

In order for a Member to qualify as being entitled to vote, he must not only state that he was present when his name should have been called but that he was listening at that time. Volume **VIII,** section **3147.**

A Member who has failed to respond when his name was called may not as a constitutional right demand that his vote be recorded before the announcement of the result. Volume **V,** sections **6066–6068.**

A Member failing to qualify as entitled to vote after the roll has been called may not be recorded as "present" although present before the pronouncement of the vote. Volume **VIII,** section **3146.**

Although a Member may not come within the rule permitting him to vote on roll call, the Speaker may count him as present to make a quorum. Volume **VIII,** section **3157.**

YEAS AND NAYS—Continued.

(17) The Roll Call.—Entry of Votes at the End of—Continued.

At the end of a yea-and-nay vote on a motion to adjourn, pending a call of the House, Members appearing prior to the announcement of the vote were recorded without the qualification. Volume **VIII,** section **3152.**

Before the adoption of rules the Speaker has declined to record the vote of a Member who failed to qualify as being in the Hall and listening when his name was called. Volume **VIII,** section **3386.**

A Member in the lobby, cloakroom, or gallery is not entitled to vote even though he heard his name called. Volume **VIII,** section **3144.**

The Speaker may not entertain the request of a Member to answer "present" at the conclusion of the roll call provided for by section 1 of Rule XV. Volume **V,** section **6069.**

In the earlier practice of the House Members were allowed often to record their votes after the close of the roll call, sometimes on the next day, even. Volume **V,** sections **6074–6079.**

A Member who is listening when his name should be called and fails to hear it is permitted to vote at the end of the roll call, but under no circumstances may the Speaker entertain a Member's request to be recorded. Volume **V,** sections **6071–6072.**

The fact that a Member was absent in the service of the House does not justify the Speaker in submitting a request that his name be recorded after the yea-and-nay call is finished. Volume **V,** section **6073.**

It is not permissible to entertain the request of a Member to record his vote after he has failed to respond because his attention was distracted when his name was called. Volume **V,** section **6070.**

It is not permissible to entertain the request of a Member to record his vote after he has on the call of his name refrained from voting because of a misunderstanding as to a pair. Volume **V,** section **6081.**

(18) The Roll Call.—Correction of Errors.

Where a vote actually given fails to be recorded it is the right of the Member to have the proper correction made before the approval of the Journal. Volume **IV,** section **2766.** Volume **V,** sections **6061–6063.**

When the Clerk in calling the roll fails to note a Member's vote, the Member may, at any time, before the approval of the Journal, demand as a matter of right that it be recorded. Volume **VIII,** section **3143.**

Where a Member votes and the Journal fails to include his name among the yeas and nays he may demand a correction as a matter of right before the approval of the Journal. Volume **V,** section **5969.**

While the regular time for amending the Journal expires with its approval, yet this rule has sometimes been waived for the correction of a yea-and-nay vote. Volume **IV,** sections **2767–2769.**

There being a dispute among Members as to whether or not a Member whose name was recorded was present when his name was called, the Speaker held that, in the absence of the Member, the Clerk's record must stand. Volume **V,** section **6064.**

A Member having stated on his responsibility that another Member recorded as voting on a preceding day was not then present, the Speaker ordered the correction of the Journal before its approval. Volume **V,** section **6099.**

The statement that a Member who is alleged to be absent has been recorded as voting should be sustained by undoubted evidence to justify the Chair in ordering the vote stricken off. Volume **V,** section **6096.**

The record of a yea-and-nay vote may not be impeached by showing that Members voted who were recorded as paired. Volume **V,** section **6095.**

In case of error whereof the correction leaves decisive effect to the Speaker's vote, he may exercise his right, even though the result has been announced. Volume **V,** section **5970.**

YEAS AND NAYS—Continued.

(18) The Roll Call.—Correction of Errors—Continued.

It having been erroneously announced that a quorum had voted when the roll later disclosed the absence of a quorum on the vote, the Speaker declared subsequent proceedings in connection therewith vacated, and the Journal was amended accordingly. Volume **VIII,** section **3161.**

The Speaker has voted when a correction on the day after the roll call has created a condition wherein his vote would be decisive. Volume **V,** section **5969.**

The duty of the Speaker to give a casting vote may be exercised after the intervention of other business when a correction of the roll call reveals a tie not before ascertained. Volume **V,** section **6061–6063.**

Discovery of error in the count of a vote subsequent to the announcement of the vote, even on another day, vitiates the proceedings. Volume **VIII,** section **3126.**

Where, by an error of the Clerk in reporting the yeas and nays, the Speaker announces a result different from that shown by the roll the status of the question must be determined by the vote as actually recorded. Volume **V,** section **6085.** Volume **VIII,** section **3162.**

A vote having been erroneously announced in such a way as to change the true result, subsequent proceedings in connection therewith fall and the Journal is amended accordingly. Volume **V,** section **6086–6088.**

A vote having been incorrectly announced through error on the part of the Clerk, it is in order to move that the Journal and Record be amended to conform to the facts, or the Speaker may of his own initiative announce the correction and direct that the Journal be corrected. Volume **VIII,** section **3162.**

(19) Journal Records of.

The Journal records the result of a vote in figures only when the yeas and nays are taken. Volume **IV,** section **2827.**

Where a vote is recorded by yeas and nays the nature of the question on which they are taken should be clearly stated in the Journal, even though thereby the summary of an exceptionable petition be printed. Volume **IV,** section **2826.**

The refusal of the yeas and nays by the House is not recorded in the Journal. Volume **IV,** section **2828.**

There is no rule requiring the names of those not voting on a call of the yeas and nays to be entered on the Journal. Volume **IV,** section **2739.**

In early and rare instances the names of absent Members have been, by consent of the House, recorded in the Journal among the yeas and nays. Volume **IV,** section **2825.**

(20) The Signal Bells.

Failure of the signal bells to announce a vote does not warrant repetition of the roll call. Volume **VIII,** section **3153.**

The failure of the bells to signal the beginning of a roll call is not taken into consideration by the Speaker in qualifying Members desiring to vote after their names have been passed. Volume **VIII,** section **3156.**

Failure of the bells to function properly in announcing a vote does not waive the rule requiring Members to be in the Hall and listening when their names are called. Volume **VIII,** section **3157.**

Exceptional instances in which the Speaker has entertained requests for unanimous consent that the roll be called a third time because of failure of the belles to signal the beginning of the vote. Volume **VIII,** section **3153.**

The signal bells having failed to ring announcing a vote, the House ordered that they be tested. Volume **VIII,** section **3155.**

(21) In General.

It is improper for a Member to have published in the Record the individual votes of Members on a question of which the yeas and nays have not been entered on the Journal. Volume **V,** section **6982.**

YEAS AND NAYS—Continued.

(21) In General—Continued.

Instance of prolonged obstruction by the repetition of motions and the multiplication of roll calls. Volume **V,** section **5709.**

The House having adjourned after yeas and nays were ordered and before the vote was taken, the pending question remains as unfinished business when the same class of business is again in order. Volume **VI,** section **740.**

The House having adjourned after ordering the yeas and nays and before they could be taken, the order stands when the bill is again taken up for consideration. Volume **VIII,** section **3108.**

An order for the yeas and nays coming over as unfinished business from a previous day may be vacated by unanimous consent. Volume **VI,** section **740.**

It is not in order after a record vote on which he failed to vote for a Member to announce how he would have voted if present. Volume **VIII,** section **3151.**

On undisputed evidence that a Member recorded as voting was not present at the roll call the Speaker ordered the vote stricken from the tally. Volume **VIII,** section **3159.**

YELL.

The prima facie election case relating to Newton and Yell, of Arkansas, in the Twenty-ninth Congress. Volume **I,** section **572.**

The election cases of Edward D. Baker, of Illinois, and Archibald Yell, of Arkansas, in the Twenty-ninth Congress. Volume **I,** section **488.**

In 1847 Thomas W. Newton presented credentials showing his election in place of Archibald Yell, of Arkansas, who was an officer in the Army, and was admitted on his prima facie right. Volume **I,** section **489.**

YIELDING THE FLOOR. See "Debate."

YOCUM.

The Pennsylvania election case of Curtin v. Yocum in the Forty-sixth Congress. Volume **II,** sections **939–941.**

YOST.

The Virginia election case of Yost v. Tucker in the Fifty-fourth Congress. Volume **II,** sections **1077–1080.**

YOUNG.

The Kentucky election case of McKee v. Young in the Fortieth Congress. Volume **I,** section **451.**

The Kentucky election case of Burns v. Young in the Forty-third Congress. Volume **II,** section **899.**

The Virginia election case of Wise v. Young in the Fifty-fifth Congress. Volume **II,** sections **1102, 1103.**

The Virginia election case of Wise v. Young in the Fifty-sixth Congress. Volume **II,** section **1111.**

The Michigan election case of MacDonald v. Young in the Sixty-third Congress. Volume **VI,** section **93.**

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ZEIGLER.

The Kentucky election case of Zeigler v. Rice in the Forty-first Congress. Volume **I,** section **460.**

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(21) In General—Continued.

Instance of prolonged obstruction by the repetition of motions and the multiplication of roll calls. Volume **V,** section **5709.**

The House having adjourned after yeas and nays were ordered and before the vote was taken, the pending question remains as unfinished business when the same class of business is again in order. Volume **VI,** section **740.**

The House having adjourned after ordering the yeas and nays and before they could be taken, the order stands when the bill is again taken up for consideration. Volume **VIII,** section **3108.**

An order for the yeas and nays coming over as unfinished business from a previous day may be vacated by unanimous consent. Volume **VI,** section **740.**

It is not in order after a record vote on which he failed to vote for a Member to announce how he would have voted if present. Volume **VIII,** section **3151.**

On undisputed evidence that a Member recorded as voting was not present at the roll call the Speaker ordered the vote stricken from the tally. Volume **VIII,** section **3159.**

YELL.

The prima facie election case relating to Newton and Yell, of Arkansas, in the Twenty-ninth Congress. Volume **I,** section **572.**

The election cases of Edward D. Baker, of Illinois, and Archibald Yell, of Arkansas, in the Twenty-ninth Congress. Volume **I,** section **488.**

In 1847 Thomas W. Newton presented credentials showing his election in place of Archibald Yell, of Arkansas, who was an officer in the Army, and was admitted on his prima facie right. Volume **I,** section **489.**

YIELDING THE FLOOR. See "Debate."

YOCUM.

The Pennsylvania election case of Curtin v. Yocum in the Forty-sixth Congress. Volume **II,** sections **939–941.**

YOST.

The Virginia election case of Yost v. Tucker in the Fifty-fourth Congress. Volume **II,** sections **1077–1080.**

YOUNG.

The Kentucky election case of McKee v. Young in the Fortieth Congress. Volume **I,** section **451.**

The Kentucky election case of Burns v. Young in the Forty-third Congress. Volume **II,** section **899.**

The Virginia election case of Wise v. Young in the Fifty-fifth Congress. Volume **II,** sections **1102, 1103.**

The Virginia election case of Wise v. Young in the Fifty-sixth Congress. Volume **II,** section **1111.**

The Michigan election case of MacDonald v. Young in the Sixty-third Congress. Volume **VI,** section **93.**

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ZEIGLER.

The Kentucky election case of Zeigler v. Rice in the Forty-first Congress. Volume **I,** section **460.**

ZIHLMAN.

The investigation of charges against John W. Langley, of Kentucky, and Frederick N. Zihlman, of Maryland. Volume **VI,** section **402.**

ZOOLOGICAL PARK.

Subjects relating to the Zoological Park in the District of Columbia have been within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV,** section **4235.**

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