

RULES OF THE HOUSE OF REPRESENTATIVES.

MARCH 5, 1860.—Ordered to be printed, and committed to the Committee of the Whole House on the state of the Union, and made the special order for Thursday, the 15th instant, and from day to day thereafter until disposed of.

Mr. ISRAEL WASHBURN, jr., from the select committee on the revision of the rules, submitted the following

REPORT.

The select committee, to whom were referred the rules of the House of Representatives, beg leave to report the following amendments:

1. Amend *Rule 4*, by inserting after the word "required," in the 8th line, the words, "*by at least one-fifth of a quorum of the members,*" and by striking out the last three lines,

So that it will read:

"Questions shall be distinctly put in this form, to wit: 'As many as are of opinion that (as the question may be,) say ay;' and after the affirmative voice is expressed, 'As many as are of the contrary opinion, say no.'" If the Speaker doubt, or a division be called for, the House shall divide; those in the affirmative of the question shall first rise from their seats, and afterwards those in the negative. If the Speaker still doubt, or a count be required by at least one-fifth of a quorum of the members, the Speaker shall name two members, one from each side, to tell the members in the affirmative and negative; which being reported, he shall rise and state the decision to the House."

2. Amend *Rule 6*, by inserting after the word "hall," in the 3d line, the words "*and the unappropriated rooms in that part of the Capitol assigned to the House shall be subject to his order and disposal until the further order of the House,*"

So that it will read:

"The Speaker shall examine and correct the journal before it is read. He shall have a general direction of the hall, and the unappropriated rooms in that part of the Capitol assigned to the House shall be subject to his order and disposal until the further order of the House. He shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment."

3. Strike out all of *Rule 14*, and insert in lieu thereof:

"*There shall be elected at the commencement of each Congress, to continue in office until their successors are appointed, a Clerk, Sergeant-at-arms, Doorkeeper and Postmaster, each of whom shall take an oath for the true and faithful discharge of the duties of his office, to the best of his knowledge and abilities, and to keep the secrets of the House; and the appointees of the Doorkeeper and Postmaster shall be subject to the ap-*

proval of the Speaker ; and, in all cases of election by the House of its officers, the vote shall be taken viva voce."

4. Amend *Rule 17*, by inserting after the word "States," in the fourth line, the words "*and of the Court of Claims,*"

So that it will read :

"No person, except members of the Senate, their Secretary, heads of departments, President's private secretary, the governor for the time being of any State, and judges of the Supreme Court of the United States and of the Court of Claims, shall be admitted within the hall of the House of Representatives."

5. Strike out *Rule 21*.

(Provided for by proposed amendment to *Rule 14*.)

6. Amend *Rule 22*, by adding at the end thereof the following, viz: "*And all business before committees of the House at the end of one session shall be resumed at the commencement of the next session of the same Congress as if no adjournment had taken place,*"

So that it will read :

"After six days from the commencement of a second or subsequent session of any Congress, all bills, resolutions and reports which originated in the House, and at the close of the next preceding session remained undetermined, shall be resumed and acted on in the same manner as if an adjournment had not taken place ; and all business before committees of the House at the end of one session shall be resumed at the commencement of the next session of the same Congress as if no adjournment had taken place."

7. Strike out all of *Rule 23*, and insert in lieu thereof the following, viz :

"As soon as the journal is read, and the unfinished business in which the House was engaged at the last preceding adjournment has been disposed of, reports from committees shall be called for and disposed of—in doing which, the Speaker shall call upon each standing committee in their regular order, and then upon select committees ; and if the Speaker shall not get through the call upon the committees before the House passes to other business, he shall resume the next call where he left off, giving preference to the report last under consideration : *Provided*, That whenever any committee shall have occupied the morning hour on two days, it shall not be in order for such committee to report further until the other committees shall have been called in their turn. On the call for reports from committees on each alternate Monday, which shall commence as soon as the journal is read, all bills reported during the first hour after the journal is read shall be committed, without debate, to the Committee of the Whole, and, together with their accompanying reports, printed ; and if during the hour all the committees are not called, then, on the next alternate Monday, the Speaker shall commence where such call was suspended : *Provided*, That no bill reported under the call on alternate Mondays and committed shall be again brought before the House by a motion to reconsider."

8. Amend *Rule 25*, by striking out the words "of Wisconsin," and inserting in lieu thereof the words "*last organized,*"

So that it will read :

“Reports from committees having been presented and disposed of, the Speaker shall call for resolutions from the members of each State and delegates from each Territory, beginning with Maine and the Territory last organized alternately,” &c., &c.

9. Amend *Rule 26*, by inserting before the word “resolutions,” in the 1st and 7th lines, the words “*bills on leave and;*” and by adding at the end the words: “*And the Speaker shall first call the States and Territories for bills on leave; and all bills so introduced during the first hour after the journal is read shall be referred, without debate, to their appropriate committees: Provided, however, That a bill so introduced and referred shall not be brought back into the House upon a motion to reconsider,*”

So that it will read:

“All the States and Territories shall be called for bills on leave and resolutions on each alternate Monday during each session of Congress; and, if necessary to secure the object on said days, all resolutions which shall give rise to debate shall lie over for discussion, under the rules of the House already established; and the whole of said days shall be appropriated to bills on leave and resolutions, until all the States are called through. And the Speaker shall first call the States and Territories for bills on leave; and all bills so introduced during the first hour after the journal is read shall be referred, without debate, to their appropriate committees: *Provided, however, That a bill so introduced and referred shall not be brought back into the House upon a motion to reconsider.*”

10. Amend *Rule 30*, by inserting after the word “Friday” the words “*and Saturday;*” and by adding at the end of the rule “*but when a bill is again reached, after having been once objected to, the committee shall consider and dispose of the same, unless it shall again be objected to by at least five members,*”

So that it will read:

“On the first and fourth Friday and Saturday of each month, the calendar of private bills shall be called over, (the chairman of the Committee of the Whole House commencing the call where he left off the previous day,) and the bills to the passage of which no objection shall then be made shall be first considered and disposed of; but when a bill is again reached, after having been once objected to, the committee shall consider and dispose of the same, unless it shall be again objected to by at least five members.”

11. Amend *Rule 34*, by adding at the end thereof the words, “*Provided further, That the House may, by the vote of a majority of the members present, at any time after five minutes’ debate has taken place upon proposed amendments to any section of a bill, close all debate upon such section,*”

So that it will read:

“No member shall occupy more than one hour in debate on any question, in the House or in committee; but a member reporting the measure under consideration from a committee may open and close the debate: *Provided, That where debate is closed by order of the House, any member shall be allowed, in committee, five minutes to explain any amendment he may offer—December 18, 1847—after*

which any member who shall first obtain the floor shall be allowed to speak five minutes in opposition to it, and there shall be no further debate on the amendment; but the same privilege of debate shall be allowed in favor of and against any amendment that may be offered to the amendment; and neither the amendment nor an amendment to the amendment shall be withdrawn by the mover thereof, unless by the unanimous consent of the committee.—*August 14, 1850: Provided further, That the House may, at any time after five minutes' debate has taken place upon proposed amendments to any section of a bill, close all debate upon such section.*”

12. Amend *Rule 42*, by inserting after the word “commenced,” in the fifth line, the words “*and before the main question is ordered to be put,*”

So that it will read:

“Every member who shall be in the House when the question is put shall give his vote, unless the House shall excuse him. All motions to excuse a member from voting shall be made before the House divides, or before the call of the yeas and nays is commenced, and before the main question is ordered to be put; and the question shall then be taken without debate.”

13. Amend *Rule 50*, by striking out all after “January 14, 1840,” in the tenth line, and inserting in lieu thereof the following, viz: “*but its only effect, if a motion to postpone is pending, shall be to bring the House to a vote upon such motion. Whenever the House shall refuse to order the main question, the consideration of the subject shall be resumed as though no motion for the previous question had been made. A call of the House shall not be in order after the previous question is seconded, unless it shall appear, upon an actual count by the Speaker, that no quorum is present,*”

So that it will read:

“The previous question shall be in this form: ‘Shall the main question be now put?’ It shall only be admitted when demanded by a majority of the members present; and its effect shall be to put an end to all debate, and to bring the House to a direct vote upon a motion to commit, if such motion shall have been made; and if this motion does not prevail, then upon amendments reported by a committee, if any; then upon pending amendments, and then upon the main question; but its only effect, if a motion to postpone is pending, shall be to bring the House to a vote upon such motion. Whenever the House shall refuse to order the main question, the consideration of the subject shall be resumed as though no motion for the previous question had been made. A call of the House shall not be in order after the previous question is seconded, unless it shall appear, upon an actual count by the Speaker, that no quorum is present.”

14. Amend *Rule 53*, by inserting after the word “question,” in the first line, the words “*before or after the main question is ordered,*”

So that it will read:

“Any member may call for the division of a question before or after the main question is ordered, which shall be divided if it comprehend propositions, &c., &c.”

15. Amend *Rule 58*, by striking out all and inserting in lieu thereof the following, viz:

“The consideration of the unfinished business in which the House may be engaged at an adjournment shall be resumed as soon as the journal of the next day is read, and at the same time each day thereafter until disposed of; and if, from any cause, other business shall intervene, it shall be resumed as soon as such other business is disposed of. And the consideration of all other unfinished business shall be resumed whenever the class of business to which it belongs shall be in order under the rules.”

16. Amend *Rule 61* by striking out all after the word “general,” in the fourth line, to and including the word “House,” in the tenth line.

(Rendered unnecessary on account of the provisions of the printing law.)

17. Amend *Rule 67*, by striking out from the beginning to and including the word “be,” in the third line, and inserting in lieu thereof the words *“It shall be the duty of the Sergeant-at-arms,”* and also by inserting after the word “sittings,” in the same line, the words *“to aid in the enforcement of order under the direction of the Speaker,”*

So that it will read:

“It shall be the duty of the Sergeant-at-arms to attend the House during its sittings; to aid in the enforcement of order, under the direction of the Speaker; to execute the commands of the House from time to time, together with all such process issued by authority thereof, as shall be directed to him by the Speaker.”

18. Strike out *Rule 72*.

(Provided for by proposed amendment to *Rule 14*.)

19. Strike out *Rule 73*.

(Provided for by proposed amendment to *Rule 14*.)

20. Strike out *Rule 74*.

(Provided for by proposed amendment to *Rule 14*.)

21. Strike out all of *Rule 75*, and insert: *“The Postmaster shall superintend the post office kept in the Capitol for the accommodation of the members.”*

22. Amend *Rule 76*, by striking out the word “eight,” in the first line, and inserting in lieu thereof the word “seven;” and also by striking out the word “session,” in the second line, and inserting in lieu thereof the word “Congress,”

So that it will read:

“Twenty-seven standing committees shall be appointed at the commencement of each Congress, viz:”

Also, by striking out, on page 178, the words “a Committee on Engraving, to consist of three members.”

23. Amend *Rule 78* by striking out the words in brackets.

(See note to said rule.)

24. Amend *Rule 102* by striking out the words “and also to audit the accounts of the members for their travel to and from the seat of government.”

(See note to said rule.)

25. Amend *Rule 105* by striking out the the word “six,” in the first line, and inserting “seven” in lieu thereof.

Also, by inserting at the end of the rule the following :

“7. A committee on so much of the public accounts and expenditures as relates to the Interior Department.”

(This amendment simply provides for the appointment of a committee in relation to a department organized since the last revision of the rules.)

26. Amend *Rule 104*, by striking out the words “there shall be appointed a standing committee of this House, to consist of three members, to be called the Committee on Engraving, to whom shall be referred, by the Clerk,” and inserting in lieu thereof the words “*there shall be referred, by the Clerk, to the members of the Committee on Printing on the part of the House,*”

So that it will read :

“There shall be referred, by the Clerk, to the members of the Committee on Printing on the part of the House, all drawings, maps, charts or other papers, which may at any time come before the House for engraving, lithographing, or publishing in any way ; which committee shall report to the House whether the same ought, in their opinion, to be published ; and if the House order the publication of the same, that said committee shall direct the size and manner of execution of all such maps, charts, drawings, or other papers, and contract by agreement, in writing, for all such engraving, lithographing, printing, drawing, and coloring, as may be ordered by the House ; which agreement, in writing, shall be furnished by said committee to the Committee of Accounts, to govern said committee in all allowances for such works ; and it shall be in order for said committee to report at all times.”

27. Strike out *Rule 118*.

28. Amend *Rule 119*, by adding at the end thereof the words “*whenever a bill is reported from a Committee of the Whole, with a recommendation to strike out the enacting words, and such recommendation is disagreed to by the House, the bill shall stand recommitted to the said committee without further action by the House,*”

So that it will read :

“A motion to strike out the enacting words of a bill shall have precedence of a motion to amend ; and if carried, shall be considered equivalent to its rejection.

“Whenever a bill is reported from a Committee of the Whole, with a recommendation to strike out the enacting words, and such recommendation is disagreed to by the House, the bill shall stand recommitted to the said committee without further action by the House.”

29. Amend *Rule 120*, by adding at the end the words “*and should such recommitment take place after its engrossment, and an amendment be reported and agreed to by the House, the question shall be again put on the engrossment of the bill,*”

So that it will read :

“After the commitment and report thereof to the House, or at any time before its passage, a bill may be recommitted ; and should such recommitment take place after its engrossment, and an amendment be reported and agreed to by the House, the question shall be again put on the engrossment of the bill.”

30. Strike out *Rule 124*.

(Provided for in *Rule 136*.)

31. Amend *Rule 130*, by striking out the words "all questions whether in committee or in the House shall be propounded in the order in which they were moved except that,"

So that it will read :

"In filling up blanks the largest sum and longest time shall be first put."

32. Amend *Rule 135*, by adding at the end thereof "*and all debate on special orders shall be confined strictly to the measure under consideration,*"

So that it will read :

"In Committee of the Whole on the state of the Union the bills shall be taken up and disposed of in their order on the calendar ; but when objection is made to the consideration of a bill, a majority of the committee shall decide without debate whether it shall be taken up and disposed of or laid aside : provided that general appropriation bills, and, in time of war, bills for raising men or money, and bills concerning a treaty of peace, shall be preferred to all other bills at the discretion of the committee ; and when demanded by any member, the question shall first be put in regard to them ; and all debate on special orders shall be confined strictly to the measure under consideration."

33. Amend *Rule 136*, by inserting after the word "present," in the eighth line, the words : "*Nor shall the Speaker entertain a motion to suspend the rules, except during the last ten days of the session, and on Monday of every week at the expiration of one hour after the journal is read.*" And also by inserting after the word "present," in the ninth line, "*make any of the general appropriation bills a special order ; and also,*"

So that it will read :

"No standing rule or order of the House shall be rescinded or changed without one day's notice being given of the motion therefor ; nor shall any rule be suspended, except by a vote of at least two-thirds of the members present ; nor shall the order of business, as established by the rules, be postponed or changed, except by a vote of at least two-thirds of the members present ; nor shall the Speaker entertain a motion to suspend the rules, except during the last ten days of the session, and on Monday of every week at the expiration of one hour after the journal is read. The House may, at any time, by a vote of a majority of the members present, make any of the general appropriation bills a special order ; and also suspend the rules and orders for the purpose of going into the Committee of the Whole House on the state of the Union ; and also for providing, &c.

34. Strike out *Rule 137*.

(This is provided for in *Rule 136*.)

35. Amend *Rule 138*, by inserting after the words "enrolled bills" the words "*and the Committee on Printing,*"

So that it will read :

"It shall be in order for the Committee on Enrolled Bills and the Committee on Printing to report at any time."

36. Strike out *Rule 147*.

(This is provided for by the proposed amendment to *Rule 6*.)

37. Strike out *Rule 153.*

(This is provided for by the proposed amendment to *Rule 138.*)

38. Strike out all of *Rule 154*, and insert the following: "*The bills from the Court of Claims shall, on being laid before the House, be read a first and second time, committed to a Committee of the Whole House; and, together with the accompanying reports, printed.*"

The committee also recommend the adoption of the following resolution:

Resolved, That John M. Barclay, assistant Clerk of the House of Representatives, be, and he is hereby, authorized and empowered to rearrange the Rules of the House of Representatives of the United States, as amended, with a view to make the connexion and subject of said rules correspond as nearly as practicable; and that said rearrangement to be made under the direction of the committee on the revision of the rules, together with the Constitution of the United States, Jefferson's Manual, the Rules of the Senate, the Joint Rules of the two Houses, and a revised edition of the Manual lately prepared by said Barclay be furnished by him for the use of the House.