

OVERRULED DECISIONS OF SPEAKERS AND CHAIRMEN—Continued.

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 committee, overruling the decision of the Chair, held that an amendment germane to an existing law is germane to a bill proposing its reenactment. Volume **VIII**, section **2941**.

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 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**.

OWENBY, J. A.

In 1891 a witness in contempt for refusing to testify before a committee was arrested and arraigned, and after purging himself of the contempt was discharged. Volume **III**, section **1701**.

OWENS.

The Kentucky election case of Denny, jr., v. Owens in the Fifty-fourth Congress. Volume **II**, sections **1087, 1088**.

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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**.

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PACKING BOXES.

The committee, overruling the Chairman, decided that an appropriation for packing boxes was authorized by law. Volume **VII**, section **1230**.

PACKING PLANTS.

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**.

PAGE, CHARLES H.

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Decision on question of order relating to —
Journal. Volume **IV**, section **2927**.

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Members elect credentials. Volume **VI**, section **2**.

PAGES.

No page, except chief pages and riding pages, shall be under 12 or more than 18 years of age. Volume **V**, section **7233**.

PAINTINGS.

The purchase of paintings and portraits has been within the jurisdiction of the Joint Committee on the Library. Volume **IV**, section **4343**.

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**.

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**.

Growth of the practice of pairing in the House. Volume **V**, section **5981**.

Discussion of the origin of the practice of pairing in the House and Senate. Volume **VIII**, section **3076**.

PAIRS—Continued.

- 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**.

On questions requiring a two-thirds majority Members are paired two in the affirmative against one in the negative. Volume **VIII**, section **3088**.

PALMER, A. MITCHELL, of Pennsylvania, Attorney General.

Decisions on questions of order relating to—

President to approve bills after adjournment. Volume **VII**, section **1088**.

PALMISANO.

The Maryland election case of Hill v. Palmisano, in the Seventy-first Congress. Volume **VI**, section **182**.

PANAMA CANAL.

The subject of a canal between the Atlantic and Pacific, and to a limited extent the general subject of canals in the United States, have been considered by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4103**.

Preliminary jurisdiction of the Committee on Foreign Affairs as to the canal between the Atlantic and Pacific oceans. Volume **IV**, section **4176**.

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**.

Construction of the Panama Canal and government of the Canal Zone, subjects formerly within the jurisdiction of the Committee on Interstate and Foreign Commerce, are now referred to the Committee on Merchant Marine and Fisheries. Volume **VII**, section **1807**.

PANAMA CONGRESS.

In 1825 the House after long debate made an unconditional appropriation for the expenses of the minister to the Panama Congress. Volume **II**, sections **1546**, **1547**.

PAPERS.

- (1) **In conferences.—Custody of.**
 - (2) **In conferences.—Possession of, necessary for action.**
 - (3) **In conferences.—Reading of.**
 - (4) **Compelling the production of.—General power.**
 - (5) **Compelling the production of.—The subpoena duces tecum.**
 - (6) **Calling for, from the Executive.**
 - (7) **Calling for, from the departments.**
 - (8) **Compelling production of, in election cases.**
 - (9) **Before committees.**
 - (10) **Reading of.—Right to demand, when a vote depends.**
 - (11) **Reading of.—Authority of House as to, when no vote depends.**
 - (12) **Reading of.—Reports.**
 - (13) **Reading of.—President's message.**
 - (14) **Reading of.—When criticism of the other House is involved.**
 - (15) **In the files.—Custody of.**
 - (16) **In the files.—Leave to withdraw.**
 - (17) **In the files.—Relation to pending business.**
 - (18) **In the files.—Relation to the other House.**
 - (19) **In the files.—Restriction on officers and employees in furnishing.**
 - (20) **In the files.—Attempts to obtain, by subpoena.**
 - (21) **At the electoral count.**
 - (22) **At an impeachment trial.**
 - (23) **Presentation of, to the House.**
 - (24) **In general.**
- (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 calumniator. 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 from 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 trial 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 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**.

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 in 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 of 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 existing 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 passed. 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**.

Division of the question. Volume **VIII**, section **2275**.

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.**

Motion to recede. Volume **V**, section **6223.**

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.**

Recognition. Volume **V**, section **6946.**

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Yeas and nays. Volume **IV**, section **2907.** Volume **V**, section **6025.**

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.**

Continuation of a public work. Volume **IV**, section **3709.**

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-President-elect, called a Member to the chair during 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 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**.
- 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-eighth 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 possess 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**.

Debate. Volume **III**, section **2196**.

Direction of trial. Volume **III**, section **2151**.

Documents as evidence. Volume **III**, section **2212**.

Form of question. Volume **III**, section **2191**.

Objection to evidence. Volume **III**, section **2184**.

Opening address. Volume **III**, sections **2133, 2134**.

Quorum. Volume **III**, section **2063**.

Submits question of evidence. Volume **III**, sections **2230, 2239, 2264, 2267**.

Relation of evidence to pleadings. Volume **III**, section **2224**.

PLAYGROUNDS.

An appropriation for maintenance and equipment of public playgrounds in the District of Columbia was held in order on an appropriation bill as in continuation of a work in progress. Volume **VII**, section **1375**.

Appropriations for necessary repairs and expenses of playgrounds owned or maintained by the Government in the District of Columbia are in order on appropriation bills as continuations of work in progress. Volume **VII**, section **1378**.

PLEADINGS.

Summary of protest against Reed Smoot as a Senator and his answer thereto. Volume **I**, section **482**.

PLOWMAN.

The Alabama election case of Aldrich v. Plowman in the Fifty-Fifth Congress. Volume **II**, section **1097**.

PLURALITY.

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**.

Discussion of complications arising as to the choice by majority when ballots, each bearing several names, are cast (footnote). Volume **V**, section **6003**.

PNEUMATIC TUBE MAIL SERVICE.

The jurisdiction of the Committee on Post-Office and Post-Roads extends to the railway mail service, ocean mail service, pneumatic tubes service, etc. Volume **IV**, section **4192**.

POCKET VETO.

The pocket-veto case decided by the Supreme Court in 1929. Volume **VII**, section **1115**.

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 withdraws it, another Member may renew it immediately. Volume **V**, section **6906**.

A reserved point of order being withdrawn 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 of 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 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**.

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 portraits has been within the jurisdiction of the Joint Committee on the Library. Volume **IV**, sections **4343**.

Ceremonies at the presentation of portraits of ex-Speakers. Volume **V**, sections **7065–7069**.

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**.

In 1910 provision was made by resolution for the painting of portraits 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 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**.

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 paraphernalia is a subject within the jurisdiction 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**.

The first attempt to impeach President Johnson was based on the salient charge of usurpation of power, with many specifications. Volume **III**, section **2404**.

A majority of the Judiciary Committee reported in favor of impeaching Judge Durell, principally for usurpation of power. Volume **III**, section **2508**.

POWERS, LLEWELLYN, of Maine, Speaker pro tempore and Chairman.

Decisions on questions of order relating to—

Authorization of appropriations. Volume **IV**, section **3649**.

Continuation of a public work. Volume **IV**, sections **3754**, **3772**.

Legislation on appropriation bills. Volume **IV**, section **3814**.

Limitations on appropriations. Volume **IV**, section **3896**.

PRALL, ANNING S., of New York, Chairman.

Decisions on questions of order relating to—

Amendment, germaneness of. Volume **VIII**, section **2928**.

Appropriations. Volume **VII**, section **1485**.

PRAYER.

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

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**.

PREAMBLE.

A bill sometimes has a preamble. Volume **IV**, sections **3412**, **3413**.

Reference to illustration of mode of disposing of a preamble (footnote). Volume **IV**, section **3411**.

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**.

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**. Volume **V**, sections **5469**, **5470**.

On the passage of a bill with a preamble a division of the question may not be demanded. Volume **V**, section **6147**.

On the passage of a joint resolution with the preamble a separate vote may not be demanded on the preamble. Volume **V**, section **6148**.

PREAMBLE—Continued.

- 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 privilege of a resolution of inquiry may be destroyed by a preamble. Volume **VI**, section **422**.
- The privilege of a resolution is destroyed by a preamble reciting an assertion of fact. Volume **VI**, section **427**.
- 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**.
- 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**.
- 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**.
- 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**.
- In the Committee of the Whole an amendment to the preamble of a bill or joint resolution is considered after the bill has been read for amendment. Volume **VII**, section **1065**.
- After an amendment to the preamble of a bill has been considered it is too late to propose amendment to the text of the bill. Volume **VII**, section **1065**.
- It is not in order to preface a motion to adjourn with preamble or argument touching reason or purpose of the proposed adjournment. Volume **VIII**, section **2647**.

PRECEDENTS.

- The Chair is constrained in his rulings to give precedent its proper influence. Volume **II**, section **1317**.
- Mr. Speaker Henderson on the advantage of following precedents. Volume **IV**, section **4045**.
- In 1860 the Senate looked to House precedents in dealing with a witness in contempt. Volume **III**, section **1724**.
- The Clerk is required to not all questions of order and the decisions thereon and print the record thereof as an appendix to the Journal. Volume **I**, section **251**.
- Reference to the precedents of Parliament. Volume **I**, section **251**.
- Reference to the procedure of Parliament. Volume **IV**, section **3334**.
- Reference to the parliamentary law. Volume **II**, section **1633**.
- Reference to English precedents in the Kilbourn case. Volume **II**, section **1611**.
- An instance wherein the precedents of Parliament were invoked and discussed. Volume **III**, section **1727**.
- Discussion of the right of the House to punish for contempt, with reference to English precedents. Volume **III**, section **1667**.
- A modification of the rule of Parliament in reference to the communication of testimony. Volume **III**, section **1851**.
- The rule of Parliament relating to members implicated by testimony discussed, but not applied. Volume **III**, section **1844**.
- 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 parliamentary method of raising a committee to investigate an alleged error in the Journal has not been utilized. Volume **IV**, section **2809**.

PRECEDENTS—Continued.

In 1868 the Senate ceased in its rules to describe the House of Representatives, while acting in impeachment cases, as the grant inquest of the nation. Volume **III**, section **2981**.

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

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 opinion of one Member of the Elections Committee, not necessarily approved by the House, is insufficient to establish a precedent. Volume **VI**, section **58**.

According to the precedents of the House of Representatives, official returns may be invalidated only in event of fraud in conducting the election, or want of authority in the election board, or irregularities rendering the result uncertain. Volume **VI**, section **144**.

The Senate recognizes no precedents save those established by itself in analogous cases. Volume **VI**, section **109**.

When precedents conflict, the Chair is constrained to give greatest weight to the latest decisions. Volume **VI**, section **248**.

Jefferson's Manual and Hinds' Precedents are cited by the Supreme Court as authorities in parliamentary procedure. Volume **VI**, section **343**.

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**.

Discussion as to the influence of precedent upon the rulings of the Chair. Volume **VII**, section **1363**.

Discussion as to the importance of observing precedent. Volume **VIII**, section **2424**.

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**.

While it is not in order to discuss the functions or criticize the acts of the other House, it was held admissible to identify certain remarks reported in the Record and cited as precedents by mentioning the name of the Senator delivering them. Volume **VIII**, section **2508**.

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**.

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**.

PRECINCTS, ELECTION. See "Elections of Representatives."**PREEMPTION.**

Preemption and disposition of lands on reclaimed and irrigated projects are subjects within the jurisdiction of the Committee on Irrigation and Reclamation. Volume **VII**, section **2032**.

PREHISTORIC RUINS.

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**.

PRENTISS.

The Mississippi election cases of Gholson, Claiborne, Prentiss, and Ward in the Twenty-fifth Congress. Volume **I**, section **518**.

PREPARATIONS.

The preparations in the Senate Chamber for an impeachment trial are directed by the Presiding Officer of the Senate. Volume **III**, section **2084**.

PREROGATIVES.

- (1) **Of the House of Representatives.—Questions of privilege.**
 - (2) **Of the House of Representatives.—As to organization.**
 - (3) **Of the House of Representatives.—As to rules.**
 - (4) **Of the House of Representatives.—Rules as related to law.**
 - (5) **Of the House of Representatives.—For the decision of the House rather than the Speaker.**
 - (6) **Of the House of Representatives.—As to contempts.—General discussion.**
 - (7) **Of the House of Representatives.—As to contempts.—Decisions of the courts.**
 - (8) **Of the House of Representatives.—As to contempts.—Relations to authority of the courts.**
 - (9) **Of the House of Representatives.—Members summoned as witnesses.**
 - (10) **Of the House of Representatives.—Demand of the court for papers from the files.**
 - (11) **Of the House of Representatives.—As to appropriation bills.**
 - (12) **Of the House of Representatives.—As to revenue legislation.**
 - (13) **Of the House of Representatives.—Power of investigation.**
 - (14) **Of the House of Representatives.—Inquires of the Executive.**
 - (15) **Of the House of Representatives.—As to Executive appointments.**
 - (16) **Of the House of Representatives.—As to treaty-making power in general.**
 - (17) **Of the House of Representatives.—As to revenue treaties.**
 - (18) **Of the House of Representatives.—As to foreign relations in general.**
 - (19) **Of the House of Representatives.—As to the election of President and Vice-President.**
 - (20) **Of the House of Representatives.—Declarations by.**
 - (21) **Of the House of Representatives.—Administration of oaths.**
 - (22) **Of the House of Representatives.—Conferences as to.**
 - (23) **Of the House of Representatives.—In general.**
 - (24) **Of the Chief Justice presiding at an impeachment trial.**
 - (25) **Of Congress as to meeting and adjourning.**
 - (26) **Of State legislatures.—As related to Congress.**
 - (27) **Of State legislatures.—As related to State constitutions.**
 - (28) **Of State legislatures.—In electing Senators.**
 - (29) **Of the President of the United States.**
- (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.**
 The ordinary rights and functions of the House under the Constitution are exercised in accordance with the rules, without precedence as matters of privilege. Volume **III**, section **2567.**
 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.

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

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

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**.

Discussion of the power of the House to issue a general warrant. Volume **II**, section **1606**.

Discussion of the right of the House to punish for contempt, with references to English precedents. Volume **III**, section **1667**.

Argument that the parliamentary law as to contempt does not apply to the House. Volume **II**, section **1619**.

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 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 18130 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 plea 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 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**.

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 represent 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.
 - (6) Messages of.—Reference of an ordinary or special message.
 - (7) Messages of.—In general.
 - (8) Communications with.—Old practice of the annual speech.
 - (9) Communications with.—Old practice of addresses to.
 - (10) Communications with.—Cabinet officers not called to the House.
 - (11) Communications with.—Cabinet officers before committees.
 - (12) Communications with.—General principles as to inquiries.
 - (13) Communications with.—Refusal to respond to inquiries.
 - (14) Communications with.—Inquiries as to treaties and foreign relations.
 - (15) Bills.—Requirements as to presentation to.
 - (16) Bills.—Manner of presentation to.
 - (17) Bills.—Approval of.
 - (18) Bills.—Recall and correction of bills already transmitted.
 - (19) Convening of Congress by.
 - (20) Adjourning of Congress.
 - (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 House 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.—Disturbtion 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 derogatory 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 criticism, 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 privilege 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 it 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 is 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 constituency.**
- (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.**
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- (1) **Definition of Questions of.**
- Definition and precedence of questions of privilege. Volume **III**, section **2521**.
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 - Definition of questions of privilege affecting the House. Volume **III**, section **2557**.
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 - 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 Organization—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 establishes 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 (foot-note). 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 peace,” 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 these 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 so 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**, section **596**.

(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**.

Statements 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**, section **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 confine 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**.

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 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**.

Discussion 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 negated. 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 of 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 matter 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 ordered 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 preference 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 demanded 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 deceased 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 Harbors.**

(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 adjourn. 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 forfeits 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**.

PRIVILEGES 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**.

PROSECUTION.

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) Distinguished 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 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**.

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**.