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**TABLE, SPEAKER'S.** See "Speaker's Table,"

**TABLE OF THE HOUSE, MOTION TO LAY ON.**

- (1) **Precedence of, etc.**
- (2) **Application and use of.**
- (3) **In standing and select committees.**
- (4) **In Committee of the Whole.**
- (5) **Repetition of.**
- (6) **Relation to other motions.—In general.**
- (7) **Relation to other motions.—To reconsider.**
- (8) **As applied to Senate bills and conference reports.**
- (9) **Effect of.—In general.**
- (10) **Effect of.—As to related matters**
- (11) **Effect of.—As to general matter of privilege.**
- (12) **Effect of. —As to propositions affecting the title to a seat.**
- (13) **The vote on, as related to division of the question, etc.**
- (14) **Taking from the table.**

**(1) Precedence of, etc.**

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**.

Discussion of the relative privilege of the motions to adjourn, to lay on the table and for the previous question. Volume **VIII**, section **2651**.

The motion to lay on the table has precedence of the motion for the previous question. Volume **VIII**, sections **2658, 2660**.

A veto message having been read, only three motions are in order: to lay on the table, to postpone to a day certain, or to refer, which motions take precedence in the order named. Volume **VII**, section **1099**.

Whether "a question is under debate" or not, a motion to lay on the table has precedence of a motion to refer. Volume **V**, section **5303**.

A motion to lay a proposition on the table is in order before the Member entitled to prior recognition for debate has begun his remarks. Volume **V**, sections **5391–5395**. Volume **VI**, section **86**. Volume **VIII**, section **2649**.

While members of the committee are entitled to priority of recognition for debate, a motion to lay a proposition on the table is in order before the Member entitled to prior recognition for debate has begun his remarks. Volume **V**, section **413**.

The motion to lay on the table is not debatable. Volume **VI**, section **415**. Volume **VIII**, sections **2465, 2649**.

While the motion to lay on the table is not debatable, the chairman of a committee reporting a proposition to the House with the recommendation that it be laid on the table is entitled to recognition for debate before moving to lay on the table. Volume **VI**, section **412**.

The motion to discharge a committee is not debatable, and the proposition to lay on the table a motion to discharge a committee from the consideration of a resolution of inquiry is in order and takes precedence even though the proponent of that motion demands the floor. Volume **VI**, section **415**.

The motion to lay on the table is not in order in the Committee on the Whole. Volume **VIII**, sections **2330, 2556A, 3455**.

The previous question being ordered on a bill to final passage a motion to lay the bill on the table was not entertained. Volume **VIII**, section **2655**.

**(2) Application and Use of.**

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

The motion to lay on the table an appeal from a decision of the Chair may be made under general parliamentary law before the adoption of rules. Volume **V**, section **5440**.

**TABLE OF THE HOUSE, MOTION TO LAY ON**—Continued.**(2) Application and Use of**—Continued.

Although a proposition may be privileged for consideration under the rules, yet a motion to lay it on the table is in order, such action being one form of consideration. Volume **V**, section **5397**.

A bill returned with the objections of the President may be laid on the table. Volume **IV**, section **3549**.

It has been held in the Senate that a motion to lay on the table may apply to two papers pending before the body. Volume **V**, section **5442**.

In the Johnson trial the Chief Justice admitted a motion to lay a pending proposition on the table. Volume **III**, section **2103**.

For a series of years the House adopted orders that all petitions on a certain subject should be at once laid on the table without being read or debated. Volume **IV**, sections **3344–3346**.

It was held under the former practice that a proposition on the table might be printed. Volume **V**, section **5427**.

It has ordinarily been considered a mark of disapprobation to lay a message of the President on the table. Volume **V**, sections **6643, 6644**.

The House has laid on the table a question submitted by the Speaker as to whether or not a question of privilege was involved in a pending proposition. Volume **II**, section **1277**.

In the Pickering impeachment the chairman of the managers read the articles, and then delivered them at the table of the Senate. Volume **III**, section **2328**.

A proposal to investigate the official conduct of the President of the United States with a view to impeachment was laid on the table. Volume **VI**, section **541**.

The President having transmitted to the House a message reflecting on the integrity of its membership, the House declared it a breach of privilege and ordered it laid on the table. Volume **VI**, section **330**.

Charges against Members of the House and Senate being unsubstantiated, the resolution and report thereon were laid on the table. Volume **VI**, section **394**.

A memorial of an equivocal character, not considered sufficiently definite to be dismissed was laid on the table. Volume **VI**, section **137**.

The report of a committee of investigation making no recommendations was laid on the table. Volume **VI**, section **371**.

Instance wherein a memorial was referred to an election committee and on recommendation of the committee was laid on the table. Volume **VI**, section **136**.

A resolution presenting a question or privilege may be laid on the table. Volume **VI**, section **560**.

An appeal from the decision of the Chair is debatable both in the House and in the Committee of the Whole, but debate may be closed in the House by a motion to lay on the table and in the Committee of the Whole by a motion to close debate or to rise and report. Volume **VIII**, section **3543**.

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

**(3) In Standing and Select Committees.**

The motion to lay on the table is used in committees. Volume **III**, section **1737**.

In standing or select committees of the House the motions to lay on the table and to take from the table are admitted. Volume **IV**, section **4568**.

**(4) In Committee of the Whole.**

The motion to lay on the table is not in order in Committee of the Whole. Volume **IV**, sections **4719, 4720**.

In Committee of the Whole a motion to report a bill with the recommendation that it lie on the table has precedence of motions recommending postponement or recommittal. Volume **IV**, section **4777**.

**TABLE OF THE HOUSE, MOTION TO LAY ON—Continued.****(4) In Committee of the Whole—Continued.**

Before general debate has been closed in Committee of the Whole it is not in order to move to report the bill with the recommendation that it be laid on the table. Volume **IV**, section **4778**.

There is a question as to whether or not the recommendation of the Committee of the Whole that a bill do lie on the table may be accepted in the House as a pending motion. Volume **IV**, section **4897**.

**(5) Repetition of.**

The motion to lay on the table may be repeated after intervening business. Volume **V**, sections **5398–5400**.

The ordering of the previous question on a resolution does not carry the business to such new stage as to justify the repetition of a motion of a motion to lay on the table. Volume **V**, section **5709**.

The House having declined to lay a matter on the table, a question of order, an appeal, and a yea-and-nay vote thereon intervened, but this was held not sufficient to justify a repetition of the motion of the motion to lay on the table. Volume **V**, section **5402**.

The motion to lay a bill on the table having been decided in the negative, it was not admitted again on the same day after a call of the House, no actual proceedings on the bill having intervened. Volume **V**, section **5401**.

A motion to lay on the on the table, which submitted in effect a proposition previously rejected, was held to be dilatory. Volume **VIII**, section **2816**.

**(6) Relation to Other Motions.—In General.**

The motion to lay on the table may not be applied to a motion relating to the order of business. Volume **V**, sections **5403, 5404**.

It is in order to lay on the table a motion to discharge a committee. Volume **V**, section **5407**.

Under the later practice the motion to lay on the table may not be applied to a motion to suspend the rules. Volume **V**, section **5405**.

The previous question being demanded on a resolution and the yeas and nays ordered on that demand, a motion to lay the resolution on the table was held not in order. Volume **V**, sections **5408, 5409**.

The previous question being demanded on a resolution, a motion to lay the resolution on the table was held to be in order and to take precedence. Volume **VIII**, section **2651**.

The motion to lay on the table may not be applied to the motion for the previous question. Volume **V**, sections **5410–5411**.

Under both the earliest and latest practices the motion to lay on the table is not in order after the previous question is ordered. Volume **V**, sections **5415–5422**.

An instance wherein a motion to refer was laid on the table. Volume **V**, section **5433**.

The motion to lay on the table may not be applied to the motion to commit authorized after the previous question is ordered. Volume **V**, sections **5412–5414**.

A bill being reported from the Committee of the Whole with the recommendation that the enacting words be stricken out, a motion to lay on the table is not in order. Volume **V**, section **5337**.

An amendment may not attach to the motion for the previous question or the motions to lay on the table and adjourn when used in the House. Volume **V**, section **5754**.

The question of consideration may be raised after a motion to lay on the table has been made. Volume **V**, section **4943**.

A refusal to lay a motion on the table was held to be such a decision by the House as would prevent the withdrawal of the motion. Volume **V**, sections **5351, 5352**.

The motion to lay on the table may not be applied to the motion to recommit authorized after the previous question is ordered. Volume **VIII**, sections **2653, 2655**.

The motion to go into the Committee of the Whole may not be laid on the table or indefinitely postponed. Volume **VI**, section **726**.

**TABLE OF THE HOUSE, MOTION TO LAY ON**—Continued.**(6) Relation to Other Motions.—In General**—Continued.

It is in order to lay on the table a motion to postpone to a day certain. Volume **VIII**, sections **2654, 2657**.

An instance in which it was held that the motion to table might be applied to a proposition to lay on the table when that proposition was incidental to other provisions relating to the subject proposed to be tabled. Volume **VII**, section **2660**.

The ordering of the yeas and nays on a motion to lay an appeal on the table was held to be such a “decision” by the House as would prevent the withdrawal of the appeal. Volume **V**, section **5354**.

**(7) Relation to Other Motions.—To Reconsider.**

The vote to lay on the table may be reconsidered. Volume **V**, section **5695**.

A motion to reconsider an affirmative vote to lay on the table is admitted. Volume **V**, section **6288**.

An affirmative vote on the motion to lay on the table may be reconsidered. Volume **V**, section **5628**. Volume **VIII**, section **2785**.

The motion to reconsider may be applied to a negative vote on the motion to lay on the table. Volume **V**, section **5629**.

The motion to reconsider may not be applied to the vote whereby the House has laid another motion to reconsider on the table. Volume **V**, sections **5632, 5633**.

A motion to reconsider a vote laying a motion to reconsider on the table is not in order. Volume **V**, section **5638**.

The House having laid on the table a motion to reconsider the vote by which a proposition had been laid on the table, the proposition may be taken up only by unanimous consent or a suspension of the rules. Volume **V**, section **5640**.

Origin of the practice of preventing reconsideration by laying the motion to reconsider on the table. Volume **V**, sections **5634–5639**.

After careful consideration it was held in order to reconsider the vote laying an appeal on the table. Volume **V**, section **5630**.

During proceedings to secure a quorum the Chair ruled out of order a motion to reconsider the vote whereby an appeal had been laid on the table. Volume **IV**, section **3037**.

During proceedings under a call of the House it was held that a motion might not be made to reconsider the vote whereby an appeal was laid on the table. Volume **V**, section **5631**.

The motion to reconsider and the motion to lay that motion on the table are admitted while the previous question is operating. Volume **V**, sections **5657–5662**. Volume **VIII**, section **2784**.

On votes incident to a call of the House the motion to reconsider may be entertained and laid on the table, although a quorum may not be present. Volume **V**, sections **5607, 5608**.

During proceedings to secure a quorum it was held that the yeas and nays might not be demanded on a motion to lay on the table a motion to reconsider the vote whereby the yeas and nays were ordered. Volume **V**, section **6037**.

The motion to lay on the table is applicable to the motion to reconsider. Volume **VIII**, sections **2652, 2659**.

A motion to reconsider the vote by which an amendment was agreed to may be laid on the table without carrying with it the amendment proposed to be reconsidered. Volume **VIII**, section **2652**.

A motion to lay on the table a motion to reconsider the vote by which an amendment to a pending motion was rejected does not carry to the table the motion to which the amendment was offered. Volume **VIII**, section **2659**.

**TABLE OF THE HOUSE, MOTION TO LAY ON**—Continued.**(8) As applied to Senate Bills and Conference Reports.**

Under the later practice the motion to lay a conference report on the table has not been entertained, it being considered more courteous to the other body to take such action as would be communicated by message. Volume **V**, sections **6538–6203**.

A motion to lay on the table a House bill returned with Senate amendments is in order. Volume **V**, sections **6201–6203**.

Instance wherein the House, after disagreeing to a conference report already agreed to by the Senate, laid on the table a House bill with Senate amendments. Volume **V**, section **6588**.

It is in order to lay on the table Senate amendments to a House bill, and the bill in such a case goes to the table with the amendments, Volume **V**, section **5424**.

Senate bills are sometimes laid on the table in the House. Volume **IV**, sections **3418, 3419**. Volume **V**, section **5437**.

The House may dispose of a Senate proposition adversely by laying it on the table. Volume **V**, section **5638**.

**(9) Effect of.—In General.**

Affirmative action on the motion to lay on the table, while not a technical rejection, is in effect an adverse disposition equivalent to rejection. Volume **VIII**, section **2660**.

Refusal to lay a motion on the table was held to be such a decision by House as would prevent the withdrawal of the motion. Volume **VIII**, section **2640**.

Explanation of the usage by which the motion to lay on the table, as used in the House, has become the means of a final adverse disposition of a matter. Volume **V**, section **5389**.

Effect in the House of an affirmative decision on a motion to lay on the table. Volume **IV**, section **2805**.

In theory at least in the early practice a subject laid on the table was not regarded as disposed of adversely. Volume **II**, section **1326**.

Under the general parliamentary law the motion to lay on the table used merely to put aside a matter which may be called for at any time. Volume **V**, section **5389**.

A bill laid on the table is not technically rejected. Volume **V**, section **5437**.

A resolution laid on the table by the House may be presented again in similar but not identical form. Volume **IV**, section **3385**.

A committee report that a resolution lie on the table does not preclude debate until the member in charge of the report makes the motion. Volume **V**, section **5396**.

The laying on the table of a resolution of impeachment does not preclude the offering of a similar resolution if not in identical language. Volume **VI**, section **541**.

Affirmative action on a motion to lay on the table a resolution instructing conferees was held not to carry to the table with the resolution the bill in disagreement. Volume **VIII**, section **2658**.

The constitutional mandate that the House “shall proceed to reconsider” a vetoed bill is complied with by laying it on the table, referring it to a committee, postponing consideration to a day certain, or immediately voting on reconsideration. Volume **VII**, section **1105**.

**(10) Effect of.—As to Related Matters.**

A bill being laid on the table, pending motions connected therewith go to the table also. Volume **V**, sections **5426, 5427**.

A proposed amendment to a pending bill being laid on the table, the bill goes there also. Volume **V**, section **5423**. Volume **VIII**, section **2656**.

The Senate has a rule that an amendment may be laid on the table without carrying the pending measure with it. Volume **V**, section **5425**.

A motion to lay a particular section of a bill on the table being entertained, it was held that the effect of an affirmative decision on it would be to take the whole bill to the table. Volume **IV**, section **5429**.

**TABLE OF THE HOUSE, MOTION TO LAY ON**—Continued.**(10) Effect of.—As to Related Matters**—Continued.

A resolution may be laid on the table without carrying with it a connected resolution already agreed to or a preamble not yet acted on. Volume **V**, section **5428**.

A preamble may be laid on the table without affecting the status of accompanying resolutions already agreed to by the House. Volume **V**, section **5430**.

A proposed amendment to the Journal being laid on the table, the Journal does not accompany the amendment to the table. Volume **V**, sections **5435**, **5436**.

A motion to receive a petition being laid on the table, the petition itself does not go to the table. Volume **V**, sections **5431**–**5433**.

The motion to lay on the table an appeal from a decision of a question of order does not, when decided in the affirmative, carry to the table the original matter as to which the question of order has arisen. Volume **V**, section **54354**.

Laying on the table a resolution providing for adverse disposition of a matter does not carry to the table the original matter proposed to be disposed of. Volume **VIII**, section **2660**.

Laying on the table the motion to postpone consideration of Senate amendments was held not to carry to the table pending motions for their disposition. Volume **VIII**, section **2657**.

A motion to lay on the table a resolution providing for final disposition of impeachment proceedings does not, if agreed to, carry such proceedings to the table with the resolution. Volume **VI**, section **538**.

The vote of the House tabling a motion to strike from the record words taken down in debate was held to carry to the table the entire proposition. Volume **VIII**, section **2465**.

**(11) Effect of.—As to General Matters of Privilege.**

Although a report as to an impeachment be laid on the table, the right to move again an impeachment in the same case is not precluded. Volume **III**, section **2049**.

**(12) Effect of.—As to Propositions Affecting the Title to a Seat.**

The report of an Elections Committee being laid on the table, the sitting Member retains the seat. Volume **I**, section **618**.

A question relating to a Member's right to his seat being laid on the table, the Member continues in his functions. Volume **I**, section **461**.

A resolution declaring a Delegate entitled to his seat being laid on the table, the Delegate continued to exercise his functions. Volume **I**, section **467**.

A resolution declaring a Delegate (already seated on prima facie showing) entitled to his seat being laid on the table, his status was not thereby affected. Volume **I**, section **656**.

The contestant having announced by letter the abandonment of his contest, the papers were laid on the table. Volume **VI**, section **119**.

**(13) The Vote on, as Related to Division of the Question, etc.**

A division of the question may not be demanded on a motion to lay a series of resolutions on the table. Volume **V**, section **6138**.

A motion to lay a resolution and pending amendment on the table may not be divided. Volume **V**, sections **6139**, **6140**.

Pending a motion to lay on the table, it is not in order to call for the reading of a paper offered as argument. Volume **V**, section **5441**.

**(14) Taking From the Table.**

A motion to take from the table a matter laid there may be admitted by a suspension of the rules. Volume **V**, section **6288**.

A proposition involving a question of privilege being laid on the table may be taken up at any time by a vote of the House. Volume **V**, section **5438**.

A vetoed bill when laid on the table is still highly privileged and thus justifies a motion to take it from the table and action thereon by majority vote (footnote). Volume **IV**, section **3550**.

**TABLE OF THE HOUSE, MOTION TO LAY ON—Continued.****(14) Taking From the Table—Continued.**

A vetoed bill, being privileged, may be taken from the table. Volume **V**, section **5439**.

Unless request for other disposition is made within three days a bill reported adversely is automatically tabled and may be taken from the table and recommitted or placed on the calendar by unanimous consent only. Volume **VI**, section **750**.

**TAGUE.**

The Massachusetts election case of Tague v. Fitzgerald in the Sixty-sixth Congress. Volume **VI**, section **96**.

**TALIAFERRO.**

The first election case of Taliaferro v. Hungerford, from Virginia, in the Twelfth Congress. Volume **I**, section **767**.

The second election case of Taliaferro v. Hungerford, from Virginia, in the Thirteenth Congress. Volume **I**, section **768**.

The Louisiana election cases of Bonanzo, Field, Mann, Wells, and Taliaferro in the Thirty-eighth Congress. Volume **I**, section **381**.

**TALLMADGE.**

The inquiry into the conduct of Judges William P. Van Ness, Mathias B. Tallmadge, and William Stephens in 1818. Volume **III**, section **2489**.

**TARIFF.**

The House maintains that customs duties may not be changed otherwise than by an act of Congress originated by itself. Volume **II**, section **1351**.

In 1844 the Senate took the view that the constitutional method of regulating duties was by act of Congress rather than by treaty. Volume **II**, section **1532**.

Argument that duties are more properly regulated with the publicity of Congressional action than by treaties negotiated by the Executive and ratified by the Senate in secrecy. Volume **II**, section **1532**.

Legislation providing for creation of a tariff board belongs within the jurisdiction of the Committee on Ways and Means. Volume **VII**, section **1729**.

While the manner of reading a bill is within the determination of the Committee, tariff bills are ordinarily read by paragraphs rather than by sections. Volume **VIII**, section **2349**.

Discussion of the prerogatives of the Senate as to treaties affecting customs duties. Volume **II**, section **1531**.

Approvals by Congress of reciprocity treaties affecting customs duties. Volume **II**, section **1531**.

The jurisdiction of the Committee on Ways and Means over tariff matters being challenged on behalf of the Committee on the Revision of the Laws, the House affirmed the claim of the former committee. Volume **IV**, section **4029**.

Reference to early jurisdiction of the Committee on Manufactures as to tariff bills. Volume **IV**, section **4221**.

The Committee on Agriculture has reported as to export bounties, regulation of importation of trees, shrubs, etc., and as to the effects of the tariff on agriculture. Volume **IV**, section **4155**.

The Committee on Foreign Affairs has exercised jurisdiction of the subjects of commercial treaties and reciprocal arrangements. Volume **IV**, section **4174**.

Forms of special order for considering in Committee of the Whole and the House, within certain limits of time, a general tariff bill. Volume **IV**, sections **3258**, **3259**. Volume **VII**, section **829**.

Form of rule providing for consideration of a general tariff bill. Volume **VII**, section **794**.

Form of rule utilized in expediting consideration of a general tariff bill. Volume **VII**, section **775**.

**TARSNEY, ELECTION CASE OF.**

The Missouri election case of Van Horn v. Tarsney in the Fifty-fourth Congress. Volume **II**, section **1062**.

**TARSNEY, JOHN C., of Missouri, Chairman.**

Decision on question of order relating to—  
Legislation on appropriation bills. Volume **IV**, section **3871**.

**TAWNEY, JAMES A., of Minnesota, Chairman.**

Decisions on questions of order relating to—  
Adjournment. Volume **II**, section **1160**.  
Amendments. Volume **IV**, sections **3394, 4750**. Volume **V**, section **5790**.  
Amendments germane. Volume **V**, section **5918**.  
Authorization of appropriations. Volume **IV**, section **3642**.  
Committee of the Whole. Volume **IV**, section **4757**.  
Continuation of a public work. Volume **IV**, sections **3708, 3717, 3720, 3809**.  
Five-minute debate. Volume **V**, sections **5225, 5227, 5228**.  
Leave to print. Volume **V**, section **7009**.  
Limitations on appropriation bills. Volume **IV**, sections **3950, 3955**.  
Quorum. Volume **IV**, section **2946**.  
Recognition. Volume **II**, section **1479**.  
Sundry civil appropriation bill. Volume **IV**, section **4123**.  
Tellers. Volume **II**, section **1302**.  
Yielding time. Volume **V**, section **5037**.

**TAX.**

All propositions involving a tax or charge on the people are considered in Committee of the Whole. Volume **IV**, section **4792**.

Taxes relating to bank circulation have not been considered such “tax or charge upon the people” as require consideration in Committee of the Whole. Volume **IV**, sections **4854, 4855**.

The subjects of tonnage taxes and fines and penalties on vessels are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4131**.

Bills imposing an internal revenue tax on oleomargarine are, by action of the House, included within the jurisdiction of the Committee on Agriculture. Volume **IV**, section **4156**.

The subject of tax sales and taxes in the District is within the jurisdiction of the Committee for the District of Columbia. Volume **IV**, section **4279**.

The Committee on Ways and Means has jurisdiction of bills providing methods of payment of duties and acceptance of negotiable instruments in payment of duties and taxes. Volume **VII**, section **1730**.

The Committee on Ways and Means has jurisdiction of legislation specifying methods of packing tobacco on which a tax is levied. Volume **VII**, section **1726**.

A joint resolution proposing a constitutional amendment authorizing mutual taxation of salaries between State and Federal Governments was held to come within the jurisdiction of the Committee on the Judiciary rather than that of the Committee on Ways and Means. Volume **VII**, section **1780**.

The residence, deportation, and readmission of aliens, and the taxation of immigrants admitted to the United States, are subjects within the jurisdiction of the Committee on Immigration and Naturalization. Volume **VII**, section **2039**.

The taxation, improvement, irrigation, and control of Indian lands and the construction of roads, cutting of timber, and granting of easements thereon are subjects within the jurisdiction of the Committee on Indian Affairs. Volume **VII**, section **1937**.

The subject of tonnage taxes on vessels has been considered to be within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **VII**, section **1856**.

A bill reported by the Committee on Ways and Means exempting profits on Treasury bills from taxation was held to be privileged. Volume **VIII**, section **2281**.

**TAYLOR.**

- The Pennsylvania election case to Taylor v. Reading in the Forty-first Congress. Volume **II**, section **876**.
- The West Virginia election case of Taylor v. England, in the Seventieth Congress. Volume **VI**, section **177**.

**TAYLOR, JOHN W., of New York, Speaker.**

- Decisions on question of order relating to—
- Adhere, motion to. Volume **V**, section **6241**.
  - Bills. Volume **II**, section **1326**.
  - Committee of the Whole. Volume **IV**, section **4706**.
  - Conference. Volume **V**, section **6271**.
  - Conference reports. Volume **V**, section **6535**.
  - Constitutional amendments. Volume **V**, section **7030**.
  - Debate. Volume **V**, sections **5089**, **5104**, **5115**, **5165**.
  - Discharge of committee. Volume **IV**, section **4696**.
  - Division of question. Volume **V**, section **6152**.
  - Electoral count. Volume **III**, section **1937**.
  - Journal. Volume **IV**, section **2734**.
  - Lay on the table, motion to. Volume **V**, section **5423**.
  - Postpone, motion to. Volume **V**, section **5311**.
  - Quorum. Volume **III**, section **3458**.
  - Reading of papers. Volume **V**, section **5263**.
  - Recognition. Volume **II**, section **1429**.
  - Reconsider, motion to. Volume **V**, section **5690**.
  - Refer, motion to. Volume **V**, section **5565**.
  - Strike out, motion to. Volume **V**, section **5759**.
  - Yeas and nays. Volume **V**, section **6034**.

**“TAYLOR SYSTEM.”**

- Decisions on the “stop-watch” or “Taylor system” and “bonus” or “premium” provisions proposed on general appropriation bills. Volume **VII**, section **1609**.

**TAYLOR, ZACHARY, PRESIDENT.**

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

**TELEGRAMS.**

- A telegram from a person beyond reach of the process of the House and not verified by oath was held not competent evidence for the consideration of an investigating committee. Volume **III**, section **1786**.
- In 1876, after examination and discussion, the House declared its right through a subpoena duces tecum to compel the production of books, papers, and especially telegrams. Volume **III**, section **1812**.
- In 1877 the House, in the course of an investigation of the recent Presidential election, compelled the production of telegrams by an employee of the company having actual custody of them. Volume **III**, section **1696**.
- Form of subpoena duces tecum used for compelling production of telegrams in 1877, but criticised as too general and verbally defective. Volume **III**, section **1695**.
- An official of a telegraph company not being in actual possession of dispatches demanded by the House proceedings for contempt were discontinued. Volume **III**, section **1697**.
- In 1877 the Senate, after discussion, decided that certain telegrams relating to the Presidential election should be produced by a witness. Volume **III**, section **1723**.
- The Senate sitting for the Belknap trial declined to order process to compel the attendance of a witness who had been subpoenaed by telegraph merely. Volume **III**, section **2159**.

**TELEGRAMS—Continued.**

The House held valid a report transmitted by telegraph from an investigating committee and ordered the arrest of a person for contempt on the strength of it. Volume **III**, section **1695**.

Instance of the authorization of a subpoena by telegraph. Volume **III**, section **1810**.

A question of privilege may be based on a communication received by telegraph. Volume **III**, section **2539**.

An instance wherein a Delegate gave notice of a contest by a telegram which was submitted to the House by the Speaker. Volume **I**, section **467**.

A question has risen in the Senate as to whether or not a telegraphic dispatch might be received as a memorial. Volume **IV**, section **3328**.

The Senate tabled a motion to receive a telegram relating to credentials of a claimant to a seat. Volume **I**, section **347**.

A Member recognized to present a question of privilege based on a telegram was permitted to discuss subjects indirectly referred to in a resolution mentioned in the telegram. Volume **VI**, section **563**.

The statement in a telegram, published in a newspaper, that a resolution introduced by a Member was "a tissue of misrepresentation" was held to involve a question of personal privilege. Volume **VI**, section **563**.

A telegram reprinted in a newspaper charging that a Member had been influenced in his official acts by unworthy motives was held to involve a question of personal privilege. Volume **VI**, section **576**.

The Committee on Accounts reserves the right to limit the franking privilege of telegrams and declines to authorize the franking of cablegrams. Volume **VI**, section **220**.

The franking privilege extends to telegraph service relating to official business. Volume **VI**, section **217**.

An amendment authorizing payment of telegraph tolls from the contingent fund was held to constitute legislation. Volume **VII**, section **1412**.

**TELEGRAPH AND TELEPHONE.**

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

Subjects relating to postal savings banks and postal telegraphy are within the jurisdiction of the Committee on Post-Office and Post-Roads. Volume **IV**, section **4193**.

The rule gives to the Committee on Pacific Railroads jurisdiction of subjects relating "to the railroads and telegraph lines between the Mississippi River and Pacific coast." Volume **IV**, section **4239**.

The use of the Government telegraph lines at the Capitol is regulated by statute. Volume **V**, section **7344**.

Legislation relating to dikes, dams, levees, and telephone and telegraph wires across navigable streams, and to change of name, navigability or diversion of water from such streams, belongs to the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **III**, section **1810**.

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

The Committee on the Post Office and Post Roads has jurisdiction over subjects relating to Government control of telephones in the District of Columbia. Volume **VII**, section **1919**.

**TELLERS.**

(1) **Rule for taking the vote by.—In general.**

(2) **Rule for taking the vote by.—For second of a motion to suspend the rules.**

(3) **Demand for.**

**TELLERS—Continued.**

- (4) **Appointment of.**
  - (5) **Relation of a vote by, to the quorum.**
  - (6) **Voting by, and interruptions thereof.**
  - (7) **Journal record of a vote by.**
  - (9) **For a vote viva voce or by ballot.**
  - (10) **For the electoral count.**
- (1) **Rule for Taking the Vote by.—In General.**  
 Rule for taking a vote by tellers. Volume **II**, section **1311**.  
 Tellers may be ordered by the Speaker if he is in doubt or by one-fifth of a quorum. Volume **V**, section **5985**.  
 In Committee of the Whole 20, one-fifth of quorum of 100, are required to order tellers. Volume **V**, section **5986**.  
 At the organization of the House in 1855 the Clerk ordered tellers. Volume **I**, section **90**.  
 A demand for tellers is not precluded or set aside by the fact that the yeas and nays are demanded and refused. Volume **V**, section **5998**.  
 Before the adoption of rules, while the House was acting under the general parliamentary law, it was held that the right to demand tellers did not exist. Volume **V**, section **6002**.  
 The rules do not specify the manner in which tellers shall count the vote. Volume **VIII**, section **3096**.  
 In a vote by tellers it is a matter of mutual agreement as to whether each teller shall count his own side or the opposing side. Volume **VIII**, section **3096**.  
 The Chair may be counted on a vote by tellers. Volume **V**, sections **5996**, **5997**.  
 On a vote by tellers the Chair may be counted without passing between the tellers. Volume **VIII**, sections **3100**, **3101**.  
 On a vote by tellers the Chair announces the vote as reported by the tellers and does not inquire as to the correctness of such report. Volume **VIII**, section **3098**.  
 The report of the tellers having been announced by the Chair, it is too late to raise a question as to the correctness of the report. Volume **VIII**, section **3098**.  
 Representation being made before announcement of the result that the count by tellers was incorrect, on a close vote, the Chairman ordered a recount. Volume **VIII**, section **3099**.
- (2) **Rule for Taking the Vote by.—For Second of a Motion to Suspend the Rules.**  
 A motion to suspend the rules is not submitted to the House until seconded by a majority on a vote by tellers. Volume **V**, section **6797**.  
 A motion to suspend the rules may be withdrawn at any time before second is ordered, even after tellers are appointed on seconding the motion. Volume **VIII**, section **3419**.  
 Where a quorum fails on a vote by tellers on seconding a motion to suspend the rules and a count by the Speaker disclosed the presence of a quorum, the second is ordered. Volume **VIII**, section **3412**.
- (3) **Demand for.**  
 The Speaker has ruled a demand for tellers dilatory when satisfied that it was made only for purposes of delay. Volume **V**, sections **5735**, **5736**.  
 A demand for tellers has been held to dilatory when the vote on a division was so decisive as to preclude possibility of change or error. Volume **VIII**, section **2818**.  
 A Member having requested tellers is not thereby precluded from demanding a division. Volume **VIII**, section **3102**.  
 There is no appeal from the count by the chair of the numbering rising to demand tellers. Volume **VIII**, section **3105**.  
 The right to demand tellers is not prejudiced by the fact that a point of no quorum has been made against a division of the question on which tellers are requested. Volume **VIII**, section **3104**.

**TELLERS**—Continued.**(3) Demand for**—Continued.

A demand for tellers or for a division is not precluded by the fact that yeas nays have been demanded and refused. Volume **VIII**, section **3103**.

During a call of the House a motion to adjourn is seconded by a majority ascertained “by actual count by the speaker,” and tellers may not be demanded. Volume **VI**, section **705**.

While the count of the Speaker in determining whether a requisite number of Members has sustained a demand for the yeas and nays is not subject to verification, and a call for those opposed may not be demanded as a matter of right, in exceptional instances requests for tellers have been entertained. Volume **VIII**, section **3115**.

**(4) Appointment of.**

It is the duty of the Member to serve as teller when appointed by the Chair. Volume **V**, section **5987**.

Two Members of the minority party having successively declined to act as tellers, the Speaker directed the Member who had been appointed teller for the majority party to count the vote. Volume **V**, section **5989**.

After gentlemen favoring an amendment had declined to act as tellers for a pending vote the Chair appointed the second teller from those opposed. Volume **V**, section **5988**.

An instance wherein a Delegate was appointed a teller. Volume **II**, section **1302**.

**(5) Relation of a Vote by, to the Quorum.**

A vote on an amendment taken by tellers in the Committee of the Whole having disclosed the lack of a quorum and objection being made for that reason, the vote by tellers is taken anew upon the appearance of a quorum. Volume **VIII**, section **3097**.

The rule providing an automatic roll call on the failure of a quorum to vote applies to votes by yeas and nays as well as those taken by tellers, division, or viva voce, but not on motions incidental to lack of a quorum. Volume **VI**, section **703**.

In ascertaining the presence of a quorum on a vote by tellers in Committee of the Whole the Chairman notes those present and not voting. Volume **VI**, section **641**.

On the failure of a quorum in a vote by tellers on seconding the old motion to discharge a committee the Chair directed a call of the House under the rule. Volume **VI**, section **707**.

When in the House a vote by tellers fails for lack of quorum and motions relating to a call of the House interrupt, the vote by tellers is taken anew rather than by a count additional to the first vote. Volume **V**, section **5990**.

The right to demand tellers as a further evidence of the vote is not waived by the fact that a question has been raised as to the presence of a quorum on the division and the Chair has counted the House. Volume **V**, sections **5999**, **6000**.

A line of rulings made under the old theory as to the quorum and since disregarded held that the point of no quorum might not be made after the House had declined to verify a division by tellers or the yeas and nays. Volume **IV**, sections **2918–2926**.

If a quorum be present it is not necessary that a quorum actually participate in a vote by tellers on seconding a motion to suspend the rules. Volume **IV**, section **2932**.

On seconding, by tellers, a motion to suspend the rules a quorum failed, whereupon the Speaker ordered the doors closed and the roll called. Volume **IV**, sections **3053–3055**.

The Speaker’s count of a quorum is not subject to verification by tellers. Volume **IV**, section **647**. The Chairman’s count of a quorum is subject to verification by tellers. Volume **VIII**, sections **2369**, **2436**.

Instance wherein the Speaker permitted his count of the House to be verified by tellers, but did not concede it a right of the House to have tellers under such circumstances. Volume **IV**, section **2888**.

**TELLERS—Continued.****(6) Voting by, and Interruptions Thereof.**

The yeas and nays may be demanded while a vote by tellers is being taken. Volume **V**, section **6038**.

Tellers having been ordered and appointed, it is not in order to move that the Committee of the Whole rise until the vote has been announced. Volume **IV**, section **4773**.

In Committee of the Whole a motion that the committee rise may not be made until a demand for tellers on the pending question has been disposed of. Volume **IV**, sections **4771**, **4772**.

Tellers having been ordered and appointed in Committee of the Whole, it is not in order to move that the committee rise pending the taking of the vote. Volume **V**, section **6001**.

A motion may be withdrawn after the viva voce vote has been taken and after tellers have been ordered and appointed. Volume **V**, section **5349**.

After the House, on a vote by tellers, has refused to order the yeas and nays, it is too late to demand the count of the negative on an original rising vote. Volume **V**, section **6045**.

**(7) Irregularities in the Vote by.**

The count by tellers becoming uncertain by reason of confusion, the Chair ordered the vote taken again. Volume **V**, section **5991**.

Before the Chairman had declared the result of a vote by tellers a question arose as to the count, and by unanimous consent the vote was taken again. Volume **V**, section **5992**.

A vote by tellers having been taken and the result announced, a recount may be had only by unanimous consent. Volume **V**, sections **5993**, **5994**.

After the Chair had announced the result of a vote by tellers be proposed, because of confusion during the voting, to order the vote taken again, but the Committee of the Whole on appeal decided against the proposed action. Volume **V**, section **5995**.

**(8) Journal Record of a Vote by.**

The Journal records the result of a vote in figures only when the yeas and nays are taken. Volume **IV**, section **2827**.

**(9) For a Vote Viva Voce or by Ballot.**

Tellers of the vote on the election of a Speaker are appointed by the Clerk. Volume **I**, section **217**. The Speaker appointed four tellers to count the ballots for managers of the Johnson impeachment. Volume **III**, section **2417**.

Instance wherein the Journal recorded the names of the tellers on a vote by ballot. Volume **III**, section **2368**.

Mr. Speaker Colfax tendered to several Members of the minority a place as one of the tellers to count the ballots for managers of the Johnson impeachment. Volume **III**, section **2417**.

Members of the minority declining to serve as tellers to count the ballots for managers of the Johnson impeachment, the Speaker appointed all from the majority party. Volume **III**, section **2417**.

**(10) For the Electoral Count.**

The two Houses by concurrent resolution provide for the meeting to count the electoral vote, for the appointment of tellers, and for the declaration of the state of the vote. Volume **III**, section **1961**.

Two tellers are appointed on the part of each House to tabulate the votes in the electoral count. Volume **III**, section **1918**.

While the Speaker has at times appointed the tellers for the electoral count as of his own authority, yet the best considered opinion is that the function belongs to the House itself (footnote). Volume **III**, section **1961**.

In 1877 the Speaker appointed the tellers for the electoral count without special authority from the House and named them all from the majority party, a course which was followed by the President pro tempore. Volume **III**, section **1954**.

**TELLERS**—Continued.**(10) For the Electoral Count**—Continued.

A teller appointed for the electoral count may be excused by authority of the House. Volume **III**, section **1944**.

The tellers on the part of the House for the electoral count of 1789 were appointed by resolution. Volume **III**, section **1928**.

At the electoral count of 1849 the Speaker appointed the tellers on the part of the House without authority expressly given. Volume **III**, section **1944**.

For the electoral count of 1853 the House authorized the Speaker to appoint the tellers. Volume **III**, section **1945**.

The House authorized the Speaker to appoint the tellers for the electoral count of 1857. Volume **III**, section **1946**.

The House empowered the Speaker to appoint the tellers for the electoral count of 1861. Volume **III**, section **1947**.

In 1901 the Speaker, with the assent of the House, appointed the tellers for the electoral count. Volume **III**, section **1962**.

Form of the duplicate reports made by the tellers at the electoral count. Volume **III**, section **1962**. Volume **VI**, section **443**.

The report by tellers is made and signed in duplicate, and is entered upon the Journal of each of the two Houses. Volume **VI**, section **444**.

In 1921 the provision authorizing the naming of tellers, which on the occasion of the electoral counts of 1909, 1913, and 1917 had been incorporated in separate resolutions, was included in the original resolution providing for the joint session. Volume **VI**, section **443**.

**TEMPLE, HENRY W., of Pennsylvania, Chairman.**

Decisions on questions of order relating to—Appropriations. Volume **VII**, section **1349**.

**TEMPORARY COMMITTEE ON ACCOUNTS.**

The statutes provide for a temporary Committee on Accounts, to be appointed by the Speaker, to serve through the recess following the expiration of a Congress. Volume **IV**, section **4335**.

A temporary Committee on Accounts, authorized by law, performs the functions of the committee during the time between the expiration of one Congress and the organization of the next. Volume **IV**, section **4328**.

The chairman of the temporary committee on accounts is authorized to appoint and dismiss clerks or other employees of his committee. Volume **VIII**, section **2207**.

**TEN EYCK.**

The New York election cases of Guyon, Jr., v. Sage and Hugunin v. Ten Eyck in the Sixteenth and Nineteenth Congresses. Volume **I**, section **649**.

**TENNESSEE.**

At the electoral count of 1865 the Vice-President, in deference to a provision of law, withheld from the joint meeting the returns from the States of Louisiana and Tennessee. Volume **III**, section **1948**.

The Senate declined to admit the persons bearing credentials as Senators-elect from Tennessee until that State had been admitted to the Union. Volume **I**, section **398**.

The inquiry into the conduct of Harry B. Anderson, United States judge for the western district of Tennessee, in 1931. Volume **VI**, sections **542**, **551**.

House election cases from:

Thirteenth Congress.—Kelly v. Harris. Volume **I**, section **734**.

Twenty-first Congress.—Arnold v. Lea. Volume **I**, section **778**.

Thirty-seventh Congress.—Andrew J. Clements. Volume **I**, section **365**.

Thirty-seventh Congress.—Alvin Hawkins. Volume **I**, section **373**.

Thirty-seventh Congress.—John B. Rodgers. Volume **I**, section **370**.

**TENNESSEE—Continued.**

House election cases from—Continued.

- Thirty-ninth Congress.—Thomas v. Arnell. Volume **I**, section **680**.
- Fortieth Congress.—Roderick R. Butler. Volume **I**, section **455**.
- Fortieth Congress.—Thomas A. Hamilton. Volume **I**, section **315**.
- Forty-first Congress.—John B. Rodgers. Volume **I**, section **317**.
- Forty-first Congress.—Sheafe v. Tillman. Volume **II**, section **884**.
- Forty-second Congress.—Tennessee Members. Volume **I**, section **521**.
- Fifty-third Congress.—Thrasher v. Enloe. Volume **II**, section **1051**.
- Fifty-fifth Congress.—Patterson v. Carmack. Volume **II**, sections **1104, 1105**.
- Fifty-eighth Congress.—Davis v. Sims. Volume **II**, sections **1132, 1133**.
- Sixty-first Congress.—Smith v. Massey. Volume **VI**, section **101**.

**TERMS.****(1) Of Members of the House and Senate.****(2) Of sessions of Congress.****(3) Of officers of the House.****(1) Of Members of the House and Senate.**

The House is composed of Members chosen every second year by the people of the several States. Volume **I**, section **297**.

The term of a Congress begins on the 4th of March of the odd-numbered years and extends through two years. Volume **I**, section **3**.

A Member elected to fill a vacancy serves no longer time than the remainder of the term of the Member whose place he takes. Volume **I**, section **3**.

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

The House decided in 1869 that a person might not, by virtue of one election, sit as a Member of the House in two Congresses. Volume **I**, section **388**.

The term of a Delegate need not necessarily begin and end with the term of a Congress. Volume **I**, section **403**.

The House, in the Fifty-eighth Congress, declined to investigate the election of a Delegate to the Fifty-ninth Congress. Volume **I**, section **652**.

The Senate does not consider questions arising on the credentials until the beginning of the term to which they refer (footnote). Volume **I**, section **652**.

The question as to when the term of service of a Senator appointed by a State executive to fill a vacancy ceases. Volume **I**, sections **787-790**.

A Senator appointed by the State executive to fill a vacancy ceases to serve after the final adjournment of the legislature which should elect his successor. Volume **V**, section **6689**.

Ex-Members of Congress are entitled to the franking privilege until the first day of December following expiration of their term of office. Volume **VI**, section **217**.

**(2) Of Sessions of Congress.**

The term of a Congress begins on the 3d of January of the odd-numbered years, and extends through two years. Volume **VI**, section **1**.

The legislative day of March 3 of the final session of a Congress is held to terminate at 12 m. on March 4 unless a motion is made and carried for an adjournment previous to that hour. Volume **V**, sections **6694-6697**.

The last session of a Congress may be adjourned before the expiration of the constitutional period (footnote). Volume **V**, section **6724**.

The Speaker interrupts a roll call and declares the House adjourned sine die, without motion or vote of the House, when the hour of expiration of the term of the Congress arrives. Volume **V**, sections **6715-6718**.

When the House has sat to the limit of the constitutional term of the Congress the Speaker pronounces an adjournment sine die, without a motion being put or carried (footnote). Volume **V**, section **6709**.

**TERMS—Continued.****(2) Of Sessions of Congress—Continued.**

When the House adjourns sine die at an hour before the expiration of the constitutional term of the Congress, it does so by a simple motion made and carried without concurrent action of the Senate. Volume **V**, sections **6709, 6710**.

When the House has sat to the limit of the constitutional term of the Congress, a motion to adjourn may be put and carried or the Speaker may declare the adjournment sine die without motion. Volume **V**, sections **6711–6713**.

Although the House becomes fuctus officio at the end of its term, yet in practice certain rules and regulations have extended beyond that time. Volume **V**, sections **6748–6751**.

Proposed changes of the Constitution as to the term of Congress and the President and the time of annual meeting of Congress have been considered by the Committee on Election of President, Vice-President, and Representatives in Congress. Volume **IV**, section **4302**. volume **VII**, section **2026**.

**(3) Of Officers of the House.**

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

The Speaker, having been elected Vice President, continued in office until the expiration of his term. Volume **VI**, section **453**.

**TERRITORIES.**

**(1) Organization of, necessary for representation.**

**(2) Effect of admission as State on representation.**

**(3) Delegates from.—The office.**

**(4) Delegates from.—Laws governing election of.**

**(5) Delegates from.—Qualifications of.**

**(6) Delegates from.—House judges the election of.**

**(7) Delegates from.—Election cases of.**

**(8) Delegates from.—Privileges as to motions, etc.**

**(9) Impeachment of judges in.**

**(10) Jurisdiction of committees as to, etc.**

**(1) Organization of, Necessary for Representation.**

The House held that there should be prior legislation by Congress before the admission of a Delegate. Volume **I**, section **405**.

The House declined to admit a Delegate from a Territory not organized by law. Volume **I**, section **412**.

The House decided it inexpedient to admit a Delegate chosen by a community not yet made a Territory by law. Volume **I**, section **407**.

The House declined to give prima facie effect to credentials from a Territory not yet organized. Volume **I**, section **410**.

The House declined to admit a Delegate from an unorganized Territory, although by treaty the people were entitled to the rights of citizens. Volume **I**, section **411**.

After the passage of the act organizing the Territory of Wyoming, but before the actual organization, the Houses declined to admit a Delegate elected before the passage of the act. Volume **I**, section **410**.

The House declined to admit a Delegate from New Mexico before the organization of the Territory had been authorized by law. Volume **I**, section **405**.

The House declined to give prima facie effect to the credentials of a Delegate elected by a convention in an unorganized Territory. Volume **I**, section **405**.

A Territorial legislature is without power to change provisions embodied by Congress in the legislative act creating the Territory. Volume **VI**, section **113**.

**(2) Effect of Admission as State on Representation.**

In 1839 the Committee on Elections held that the office of Delegate ceased when the Territory ceased to exist as a corporation by becoming a State. Volume **I**, section **403**.

**Territories—Continued.****(2) Effect of Admission as State on Representation—Continued.**

The State of Minnesota being admitted, the House suspended the functions of the Delegate from the old Territory. Volume I, section 409.

Duty of the Speaker as to recognition of a Delegate after the Territory has been admitted as a State. Volume I, section 408.

The House admitted a Delegate from a county left under the old Territorial laws after the remainder of Wisconsin Territory had become a state. Volume I, section 404.

A Delegate was not dispossessed of his seat because a portion, but not all of his Territory had been erected into a State. Volume I, section 402.

After the admission of Minnesota as a State the House declared portions of the old Territory outside the limits of the State not entitled to a Delegate. Volume I, section 409.

**(3) Delegates From.—The Office.**

Each Territory sends to the House a Delegate having the right of debating but not of voting. Volume II, section 1290.

Discussion of the nature of the office of delegate. Volume I, section 826.

An elaborate discussion of the status in the House of a Delegate from a Territory. Volume I, section 473.

The office of Delegate was created by ordinance of the Continental Congress. Volume I, section 421.

The office of Delegate was established by an ordinance of the Continental Congress, confirmed by a law of Congress. Volume I, section 400.

The legislation as to the privileges of the Delegate was enacted after the House had recognized the office. Volume I, section 400.

The question as to whether or not a law of Congress creating Delegates is binding on the House in succeeding Congresses. Volume I, section 473.

In 1794 the Delegate seated by the House was elected by the legislature of the Territory and not by the people. Volume I, section 400.

The term of a Delegate need not necessarily begin and end with the term of a Congress. Volume I, section 403.

**(4) Delegates From.—Laws Governing Election of.**

Territorial laws fix the time, place, and manner of the election of Delegates. Volume I, section 509.

A Federal law empowers the States and Territories to provide by law the times of elections to fill vacancies in the House. Volume I, section 516.

When the organic law requires an act of the legislature to fix the times, etc., of a Territorial election an election called by the governor is not valid. Volume I, section 827.

Instance, in the absence of specific law, of an election of a Delegate on rules based on analogy to the law providing for election of other Territorial officers. Volume I, section 527.

Failure of a Territorial legislature to prescribe specially time, place, and manner of electing a Delegate did not invalidate an election actually held. Volume I, section 526.

**(5) Delegates From.—Qualifications of.**

In 1882, in a sustained case, the major opinion of the Elections Committee inclined to the view that the constitutional qualifications for a Member did not apply to a Delegate. Volume I, section 473.

Discussion of the effect, in the matter of qualifications of Delegates, of a law extending the Constitution over a Territory. Volume I, section 473.

A discussion as to whether or not a Delegate should have the same qualifications as a Member. Volume I, section 421.

A committee held that the strongest reasons of public policy require a Delegate to possess qualifications similar to those required of a Member. Volume I, section 423.

Congress has by law prescribed that Delegates from certain Territories must be citizens of the United States. Volume I, section 431.

**TERRITORIES—Continued.****(5) Delegates From.—Qualifications of—Continued.**

A committee held that under the principles of the common law an alien might not hold a seat as a Delegate. Volume I, section 423.

A person who had resided in a Territory one year as a person but not as a citizen was held to be qualified as a Delegate under the law requiring a residence of one year. Volume I, section 421.

A committee denied the binding effect on the House of a decision of a Territorial court on a question of fact concerning the qualifications of a Delegate. Volume I, section 423.

**(6) Delegates From.—House Judges the Election of.**

The House may investigate a contested election of a Delegate, as of a Member. Volume I, section 772.

The House has the same authority to determine the right of a Delegate to his seat that it has in the case of a Member. Volume I, section 423.

The House decided that it might investigate all matters pertaining to the election of a Delegate, including the constitution of the legislature which provided for the election. Volume I, section 826.

**(7) Delegates From.—Election Cases of.**

Alaska.—Forty-seventh Congress.—Mottrom D. Ball. Volume I, section 411.

Arkansas.—Seventeenth Congress.—Lyon v. Bates. Volume I, section 749.

Cimarron.—Fiftieth Congress.—Owen G. Chase. Volume I, section 412.

Dakota.—Thirty-fifth Congress.—Fuller v. Kingsbury. Volume I, sections 408, 409.

Dakota.—Thirty-eighth Congress.—Todd v. Jayne. Volume II, sections 852, 853.

Dakota.—Forty-second Congress.—Burleigh and Spink v. Armstrong. Volume II, section 889.

Deseret.—Thirty-first Congress.—Almon W. Babbitt. Volume I, section 4071.

Hawaii.—Fifty-ninth Congress. Iaukea v. Kalaniansaole. Volume I, section 527.

Idaho.—Forty-fourth Congress.—Fenn v. Bennett. Volume II, section 915.

Indiana.—Eleventh Congress.—Randolph v. Jennings. Volume I, section 766.

Kansas.—Thirty-fourth Congress.—Reeder v. Whitfield. Volume I, sections 825, 826.

Ohio.—Third Congress.—James White. Volume I, section 400.

Ohio.—Seventh Congress.—Paul Fearing. Volume I, section 402.

Oklahoma.—Fifty-eighth Congress.—Cross v. McGuire. Volume I, section 732.

Michigan.—Nineteenth Congress.—Biddle and Richard v. Wing. Volume I, section 777.

Mississippi.—Seventh Congress.—Narsworthy Hunter. Volume I, section 401.

Missouri.—Fourteenth Congress.—Easton v. Scott. Volume I, sections 772, 773.

Montana.—Forty-eighth Congress.—Botkin v. Maginnis. Volume II, section 994.

Nebraska.—Thirty-fourth Congress.—Bennet v. Chapman. Volume I, section 829.

Nebraska.—Thirty-sixth Congress.—Daily v. Estabrook. Volume I, sections 839, 840.

Nebraska.—Thirty-seventh Congress.—Morton and Daily. Volume I, section 687.

New Mexico.—Thirty-first Congress.—Hugh N. Smith and William S. Meservey. Volume I, sections 405, 406.

New Mexico.—Thirty-third Congress.—Lane v. Gallegos. Volume I, section 823.

New Mexico.—Thirty-fourth Congress.—Otero v. Gallegos. Volume I, sections 830, 831.

New Mexico.—Thirty-eighth Congress.—Gallegos v. Perea. Volume I, section 728.

New Mexico.—Forty-eighth Congress.—Manzanares v. Luna. Volume II, section 984.

Wisconsin.—Twenty-fifty Congress.—Doty v. Jones. Volume I, section 403.

Wisconsin.—Thirtieth Congress.—Henry H. Sibley. Volume I, section 404.

Wyoming.—Fortieth Congress.—J. S. Casement. Volume I, section 410.

**(8) Delegates From.—Privileges as to Motions, etc.**

Delegates from the Territories have the right to make motions. Volume II, section 1291.

Impeachment proceedings have been moved by a Delegate. Volume II, section 1303.

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

**TERRITORIES**—Continued.**(8) Delegates From.—Privileges as to Motions, etc.**—Continued.

The rights and prerogatives of a Delegate in parliamentary matters are not limited to legislation affecting his own territory. Volume **VI**, section **240**.

**(9) Impeachment of Judges in.**

Instances of proceedings looking to the impeachment of judges of Territories. Volume **III**, sections **2487, 2488**.

In 1796 the House discontinued impeachment proceedings against a Territorial judge on assurance that he would be prosecuted in the courts. Volume **III**, section **2486**.

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

Opinion of Attorney-General Charles Lee as to impeachment of a Territorial judge holding office during good behavior. Volume **III**, section **2486**.

Opinion of Attorney-General Felix Grundy that Territorial judges are not civil officers of the United States within the meaning of the impeachment clause of the Constitution. Volume **III**, section **2022**.

**(10) Jurisdiction of Committees as to, etc.**

The creation and the history of the Committee of the Territories. Section 17 of Rule XI. Volume **IV**, section **4208**.

Recent history of the Committee of the Territories, Section 17 of Rule XI. Volume **VII**, section **1941**.

The Committee of the Territories has, by rule, jurisdiction of subjects relating to “to Territorial legislation, the revision thereof, and affecting Territories or the admission of States.” Volume **IV**, section **4208**.

The Committee of the Territories has jurisdiction of legislation relating to the general affairs of the Territories, and has even reported bills relating to the courts. Volume **IV**, section **4209**. Volume **VII**, section **1942**.

The Committee of the Territories has jurisdiction of general subjects relating to the Territory of Alaska. Volume **IV**, section **4210**. Volume **VII**, section **1943**.

The Committee of the Territories has exercised a general but not exclusive jurisdiction as to game and fish in Alaska, including the salmon fisheries. Volume **IV**, section **4211**.

Bills relating to Alaskan fisheries belong to the Committee on the Merchant Marine and Fisheries rather than to the Committee of the Territories. Volume **VII**, section **1850**.

The Committee of the Territories has general jurisdiction of subjects relating to the Territory of Hawaii. Volume **IV**, section **4212**. Volume **VII**, section **1944**.

The Committee on Claims has shared in jurisdiction over public bills for adjusting accounts between the United States and the several States and Territories. Volume **IV**, section **4267**.

Legislative propositions relating to claims of a Territory against the United States are within the jurisdiction of the Committee on Claims. Volume **VII**, section **1996**.

The war claims of States and Territories against the United States have been considered, although not exclusively, by the Committee on War Claims. Volume **IV**, section **4271**.

Subjects pertaining to the school lands of a State or Territory have been held to be within the jurisdiction of the Committee on the Public Lands. Volume **VII**, section **1928**.

A bill relating to the medical treatment of persons in Hawaii was transferred from the Committee on Interstate and Foreign Commerce to the Committee of the Territories. Volume **VII**, section **1945**.

The settlement of boundary lines between States or between a State and a Territory is within the jurisdiction of the Committee on the Judiciary. Volume **IV**, section **4064**.

The Committee on the Judiciary has exercised jurisdiction of bills relating to local courts in the District of Columbia and Alaska and the Territories. Volume **IV**, section **4068**.

**TERRITORIES**—Continued.**(10) Jurisdiction of Committees as to, etc.**—Continued.

Legislative propositions relating to woman suffrage in the Territories are within the jurisdiction of the Committee on Woman Suffrage and not the Committee on the Territories. Volume **VII**, sections **2076, 2124**.

The Committees on Rules, Elections, Ways and Means, Appropriations, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing, and Accounts may report at any time on certain matters. Volume **V**, section **4621**. Volume **VIII**, section **2251**.

Legislation to the relating organizations of a branch of the Government, and to the government of a Territory is within the jurisdiction of the Committee on the Judiciary. Volume **VII**, section **1772**.

Legislative provisions for the construction of Federal buildings in the Territories have been reported by the Committee on Public Buildings and Grounds. Volume **VII**, section **1964**.

Bills relating to the mining laws in their application to the Territories have been reported by the Committee on Mines and Mining. Volume **VII**, section **1957**.

Subjects relating to rural credits and farm-loan legislation, including the extension of rural-credit legislation to the Territories, come within the jurisdiction of the Committee on Banking and Currency. Volume **VII**, section **1791**.

Ministers from foreign governments and governors of States (but not of Territories) have the privilege of the floor. Volume **V**, section **7283**. Volume **VIII**, section **3634**.

**TERRITORY.**

In 1820 the House considered, but without result, its constitutional rights to a voice in any treaty ceding territory. Volume **II**, section **1507**.

In 1868 the House declined to assert that no purchase of foreign territory might be made without the sanction of a previously enacted law. Volume **II**, section **1508**.

A bill authorizing cession of territory belonging to the United States requires consideration in the Committee of the Whole. Volume **VIII**, section **2404**.

**TEST OATH.**

Reference to the enactment and repeal of the test oath (footnote). Volume **I**, section **130**.

Argument that the act of July 2, 1862, prescribing a test oath, did in effect create an additional qualification. Volume **I**, section **451**.

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

For persons whose disabilities had been removed the oath of July 2, 1862, was modified by the act of July 11, 1868. Volume **I**, section **455**.

A bill removing the disabilities of a Member-elect and modifying the test oath for his benefit was passed by a two-thirds vote. Volume **I**, section **455**.

**TESTIMONY.**

(1) **Inquiries at the bar of the House.**

(2) **Before committees.—Procuring, generally.**

(3) **Before committees.—Procuring, in legislative inquiries.**

(4) **Before committees.—Of Members and Senators.**

(5) **Before committees.—In relation to the individual's right of privacy.**

(6) **Before committees.—Rules of evidence.**

(7) **Before committees.—Subpoenas.**

(8) **Before committees.—Immunity of witnesses.**

(9) **Before committees.—When a Member is implicated.**

(10) **Before committees.—When a Senator is implicated.**

(11) **Before committees.—When others are implicated.**

(12) **Before committees.—Reports of.**

(13) **Before committees.—In general.**

**TESTIMONY—Continued.****(1) In Inquiries at the Bar of the House.**

Rule for examining Members as witnesses in a trial at the bar of the House for contempt. Volume **II**, section **1619**.

Rule for asking questions of a person under examination before a committee or at the bar of the House. Volume **III**, section **1768**.

The parliamentary law as to the examination of witnesses. Volume **III**, section **1768**.

According to the parliamentary law questions asked a witnesses are recorded in the Journal. Volume **III**, section **1768**.

The parliamentary law provides that the answers of witnesses before the House shall not be written down, but such is not the rule before committees. Volume **III**, section **1768**.

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

Samuel Houston, arrested for a breach of privilege, was arraigned at the bar of the House, informed of the charge, and informed that he might summon witnesses and employ counsel. Volume **II**, section **1616**.

In the trial of Samuel Houston for contempt the House permitted an affidavit to be read. Volume **II**, section **1618**.

In the examination of witnesses in the contempt case of Samuel Houston the House declined to permit a witness to state opinions. Volume **II**, section **1618**.

**(2) Before Committees.—Procuring Generally.**

The power of the Senate to require testimony of witnesses is in no wise inferior to that exercised by a court of justice and includes under comparable circumstances the power to compel attendance. Volume **VI**, section **348**.

It is presumed that in the eliciting of testimony the Senate will observe all constitutional restraints. Volume **VI**, section **347**.

Discussion of the extent of the House's power to compel testimony and the production of books and papers. Volume **VI**, section **400**.

A question as to the authorization required to enable a committee to compel testimony. Volume **III**, section **1690**.

The statutes provide that a person summoned as a witness who fails to appear or refuses to testify shall be punished by fine or imprisonment. Volume **III**, section **1769**.

Instance wherein the House authorized a subpoena duces tecum by registered letter. Volume **I**, section **731**.

The several expenditures committees may make investigations with or without specific direction from the House, but authority must be obtained of the House for compelling testimony. Volume **IV**, section **4316**.

A motion to refer may specify that the reference be to a select committee of a stated number of members, and may endow this committee with power to send for persons and papers. Volume **IV**, section **4402**.

The Joint Committee on the Conduct of the War ordered that less than a quorum should be sufficient to take testimony. Volume **IV**, section **4424**.

A Senate committee, with authority to take testimony in the recess between two sessions of the same Congress, was yet unable to compel testimony from a recalcitrant witness. Volume **III**, section **1837**.

Instance wherein a House committee charged with an investigation, examined testimony taken before a Senate committee. Volume **III**, section **2507**.

It is for the House to say whether or not a person whose conduct is being investigated shall be allowed to appear before the committee by counsel. Volume **III**, section **2501**.

A statute penalizes recalcitrancy of witnesses summoned to testify before their House or any committee of either House. Volume **VI**, section **335**.

Instance wherein a witness, summoned in pursuance and by virtue of the authority conferred on a committee to elicit testimony, declined to testify. Volume **VI**, section **353**.

**TESTIMONY—Continued.****(2) Before Committees.—Procuring Generally—Continued.**

A person summoned as a witness before a select committee of the Senate declined to testify on the ground that the authorization under which the examining committee purported to act had expired. Volume **VI**, section **386**.

Decision of the district court on the right of the Senate to compel testimony and the production of papers and records. Volume **VI**, section **337**.

Decision of the Supreme Court on the right of the Senate to subpoena witness and compel testimony. Volume **VI**, section **346**.

Decision by the Supreme Court on the power of Congress to compel testimony. Volume **VI**, section **341**.

A further decision by the Supreme Court affirming the power of the Senate to compel testimony. Volume **VI**, section **351**.

Further decision of the Supreme Court with particular reference to the relation of the question of pertinency of interrogatories propounded by the committee. Volume **VI**, section **350**.

**(3) Before Committees.—Procuring, in Legislative Inquiries.**

Congress has power to obtain information to be used as an aid in formulating legislation, and may require witnesses to testify for that purpose. Volume **VI**, section **355**.

It is to be presumed that the object of the Senate in ordering an investigation is to secure information which will aid it in legislating. Volume **VI**, section **342**.

Each House of Congress has power through its own process to summon a private individual before one of its committees to give testimony which will enable it the more efficiently to exercise its constitutional legislative function. Volume **VI**, section **342**.

In a resolution ordering an inquiry it is not necessary for the House or Senate to specify its legislative purposes; for insomuch as this is the only legitimate purpose under which such investigations may be conducted. in the absence of evidence to the contrary, such purpose is presumed. Volume **VI**, section **342**.

Instance wherein the House empowered the Ways and Means Committee to send for persons and papers in any matter arising out of business referred to the committee. Volume **III**, section **1813**.

Reference to the statute providing for taking testimony in private claims pending before a committee. Volume **III**, section **1826**.

**(4) Before Committees.—Of Members and Senators.**

The House has, by resolution, demanded of certain of its Members the production of papers and information. Volume **III**, section **1811**.

Instance wherein a Speaker gave testimony before a committee of investigation. Volume **III**, section **1776**.

An instance wherein a committee of the House took the testimony of a Senator, although consent of the Senate had not been obtained (footnote). Volume **III**, section **1795**.

Instance wherein a Member declined to obey a summons to appear and testify before a committee of the House. Volume **VI**, section **537**.

A committee having summoned a Member to testify as to statements made by him in debate, he protested that it was an invasion of his constitutional privilege. Volume **VI**, section **537**.

**(5) Before Committees.—In Relation to the Individual's Right of Privacy.**

Discussion of the power of investigation possessed by Congress in relation to the individual's right of privacy. Volume **III**, section **1766**.

The general authority of the House to compel testimony and the production of papers in an investigation and the relation of this right to the rights of individuals to privacy in business affairs were discussed in 1837. Volume **III**, section **1733**.

While emphasizing the importance of protecting the 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**.

**TESTIMONY—Continued.****(6) Before Committees.—Rules of Evidence.**

Investigating committees do not always confine themselves within the strict rules of evidence. Volume **III**, section **1736**.

Discussion as to the rules which would govern the admission of evidence before a legislative committee of investigation. Volume **III**, section **1838**.

A question as to how far a legislative investigating committee should be governed by the rules of evidence. Volume **III**, section **1839**.

A committee charged with an investigation sometimes adopts rules to govern the examination of witnesses and the use of the testimony by persons implicated. Volume **III**, sections **1841**, **1842**.

A telegram from a person beyond reach of the process of the House and not verified by oath was held not competent evidence for the consideration of an investigating committee. Volume **III**, section **1786**.

A Senate committee having, on the strength of ex parte affidavits, found Benjamin Stark disloyal, the Senate disagreed to a resolution for his expulsion. Volume **I**, section **443**.

Complaint in the Smoot investigation that the rules of evidence were not adhered to by the Senate committee. Volume **I**, section **481**.

A committee of investigation adopted rules for examination of witnesses and taking of testimony. Volume **VI**, section **377**.

Instances wherein the Senate by order restricted the number of character witnesses which might be called to testify. Volume **VI**, section **510**.

**(7) Before Committees.—Subpoenas.**

Precedents relating to the issuing of subpoenas. Volume **III**, sections **1799–1812**.

Form of subpoena for summoning witnesses to testify before a committee of the House and of the return thereon. Volume **III**, section **1807**.

Form of subpoena and return thereon used for summoning witnesses by a Senate committee. Volume **III**, section **1702**.

Form of warrant and return used by the Senate in compelling the attendance of witnesses. Volume **III**, section **1702**.

Form of subpoena duces tecum issued by order of the Senate. Volume **VI**, section **336**.

Discussion of the use of the subpoena duces tecum in procuring books and papers from a private person. Volume **VI**, section **400**.

Subpoenas issued by a committee of the Senate summoning witnesses to testify in an investigation authorized by the Senate are as if issued by the Senate itself. Volume **VI**, section **341**.

Should the Sergeant-at-Arms make the return on a subpoena served by his deputy? Volume **III**, section **1702**.

**(8) Before Committees.—Immunity of Witnesses.**

Testimony given before a House or its committee may not be used as evidence against the witness in any court, except in case of alleged perjury. Volume **III**, section **1769**.

No witness is privileged to refuse to testify when examined by the House or its committee on the ground that his testimony would disgrace himself. Volume **VII**, section **1769**.

Discussion of the law giving immunity to witnesses testifying before committees of the House. Volume **III**, section **2447**.

The fact that testimony sought by a committee of the House might militate against the interest of the witness in a pending suit was held not to excuse him from supplying information properly within the scope of the inquiry. Volume **VI**, section **338**.

Witnesses summoned to testify may not excuse themselves under the plea that their testimony would comprise them. Volume **VI**, section **335**.

**TESTIMONY**—Continued.**(9) Before Committees.—When a Member Is Implicated.**

When testimony elicited by a committee involves a Member, the committee is to report to the House, that the Members may be heard and special authority be given to inquire concerning him. **Volume III, section 1840.**

The rule of Parliament relating to Members implicated by testimony discussed but not applied. **Volume III, section 1844.**

A Member implicated by the testimony taken by a committee was permitted to read the testimony, testify himself, and call witnesses. **Volume III, section 1848.**

Testimony taken before a joint select committee tending to impeach the official characters of a Senator and a Representative, the committee ordered the testimony to be reported to each House. **Volume III, section 1854.**

Instance wherein testimony taken before a committee and relating to the conduct of a Member was not reported to the House at once. **Volume III, section 2637.**

A Member whose qualifications were questioned was permitted to be present before the committee, cross-examine, and offer counter proofs. **Volume I, section 420.**

**(10) Before Committees.—When a Senator Is Implicated.**

An investigating committee of the House having taken testimony affecting a Member of the Senate, the House transmitted the same to the Senate. **Volume II, section 1276,**

A committee of the House having reported that it had taken testimony which inculpated a Senator, the House directed that it be transmitted to the Senate. **Volume III, section 1850.**

A committee of the House having taken testimony affecting a Senator, it was ordered that a copy of it be sent to him. **Volume III, section 1852.**

The Senate requested of the House and received a copy of testimony taken before a House committee and implicating a Senator. **Volume III, section 1837.**

Testimony affecting a Senator, when taken by a House committee in open session, need not be under seal when transmitted to the Senate. **Volume III, section 1851.**

**(11) Before Committees.—When Others Are Implicated.**

Instance wherein an investigating committee permitted a person implicated by testimony already given to appear and testify. **Volume III, section 1789.**

**(12) Before Committees.—Report of.**

A committee of investigation sometimes submits the testimony to the House with its report. **Volume IV, section 4668.**

An investigating committee sometimes reports testimony to the House with the recommendation that it be sealed and so kept in the files until further order of the House. **Volume III, section 1782.**

Instance wherein a committee in its discretion kept testimony secret. **Volume III, section 1694.**

The Senate having requested from the House the testimony taken by a certain investigating committee, the House ordered it communicated in secrecy, with the injunction that it be returned. **Volume III, section 1855.**

All evidence taken by a committee under order of the House and not reported to the House shall be delivered to the Clerk at the final adjournment of the Congress. **Volume V, section 7260.**

The House sometimes orders that testimony taken by an investigating committee be taken in charge by the Clerk, to be by him delivered to the next House. **Volume III, sections 1783, 1784.**

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

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

**TESTIMONY—Continued.****(12) Before Committees.—Reports of—Continued.**

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

**(13) Before Committees.—In General.**

Instance wherein testimony as to a difficulty between two Members was heard in Committee of the Whole. Volume **II**, section **1642**.

Early instance wherein testimony in a case of breach of privilege was heard before a select committee. Volume **II**, section **1643**.

The rule of parliamentary law that the answers of witnesses before the House shall not be written down does not apply to committees. Volume **III**, section **1768**.

Rules for asking questions of a person under examination before a committee. Volume **III**, section **1768**.

The validity of testimony taken when a quorum of a committee was not present has been doubted. Volume **III**, section **1774**.

A charge that the chairman of an investigation committee had suppressed evidence was presented as a matter of privilege. Volume **III**, section **1786**.

A witness may rightfully refuse to answer where the committee exceeds its power or where questions submitted are not pertinent to the matter under inquiry. Volume **VI**, section **342**.

In directing an investigation of charges against certain of its Members the House provided that all meetings of the committee for the purpose of taking testimony or hearing arguments should be open to the public. Volume **VI**, section **396**.

**TEXAS.**

In 1873 objections were made to the electoral vote of Texas on the ground of a defective certificate and because less than an assumed quorum of the electors had acted, but the vote was counted. Volume **III**, section **1970**.

House election cases from:

Forty-first Congress.—Grafton v. Connor. Volume **I**, section **465**.

Forty-second Congress.—Giddings v. Clarke. Volume **I**, sections **601–604**.

Forty-second Congress.—Whitmore v. Herndon. Volume **I**, section **600**.

Fifty-fourth Congress.—Davis v. Culberson. Volume **I**, section **755**.

Fifty-fourth Congress.—Kearby v. Abbott. Volume **II**, section **1076**.

Fifty-fourth Congress.—Rosenthal v. Crowley. Volume **I**, section **684**.

Fifty-ninth Congress.—Houston v. Crowley. Volume **I**, sections **643, 644**.

Sixty-eighth Congress.—Case of E.W. Cole. Volume **VI**, section **54**.

Seventy-first Congress.—Wurzbach v. McCloskey. Volume **VI**, section **181**.

Senate election cases from:

Forty-second Congress.—Reynolds v. Hamilton. Volume **I**, section **395**.

Forty-second Congress.—Horace Chilton. Volume **II**, section **1228**.

**TEXT OF A BILL.**

(1) **In general.**

(2) **That to which both Houses have agreed. See also “Conference.”**

**(1) In General.**

The enrolling clerk should make no change, however unimportant, in the text of a bill to which the House has agreed. Volume **III**, section **2598**.

The printing of an argument with the text of a bill was held to involve a question of privilege and the House ordered the objectionable portions stricken out. Volume **III**, section **2599**.

The pagination and marginal numerals are no part of the text of a bill and, after amendment are altered, changed or transposed by the clerk to conform to the amended text without order. Volume **VIII**, section **2876**.

**TEXT OF A BILL**—Continued.**(1) In General**—Continued.

A clause stricken out on a point of order but inadvertently retained in the bill when messaged to the Senate, was held to be a part of the text when the bill is taken from the Speaker's table with Senate amendments. Volume **VIII**, section **3345**.

**(2) That to Which Both Houses Have Agreed. See also "Conference."**

In considering in the House Senate amendments to a House bill it is not in order to change the text to which both Houses have agreed. Volume **V**, section **6180**.

The text to which both Houses have agreed may not be changed in the slightest particular. Volume **V**, section **6181**.

The text to which both Houses have agreed may not be amended, even by adding a new section at the end of the bill. Volume **V**, section **6182**.

The House may not, even by unanimous consent, change the text to which both Houses have agreed. Volume **V**, section **6179**.

The text to which both Houses have agreed may not be changed except by the unanimous consent of both Houses. Volume **V**, sections **6433–6436**.

The fact that an amendment proposed to a Senate amendment would in effect change a provision of the text to which both Houses have agreed does not constitute a reason why the Speaker should rule it out. Volume **II**, section **1335**. Volume **V**, sections **6183–6185**.

Managers of a conference may not change text to which both Houses have agreed. Volume **V**, sections **6417, 6418, 6420**.

It is not in order to give such instructions to managers of a conference as would require changes in the text to which both Houses have agreed. Volume **V**, section **6388**.

A provision changing the text to which both Houses have agreed has been appended to a conference report and agreed to by unanimous consent after action on the report. Volume **V**, sections **6433–6436**.

**THANKS.**

Form of resolution thanking the Speaker at the adjournment of a Congress. Volume **V**, sections **7046–7048**. Volume **VIII**, sections **3509, 3513**.

The resolution of thanks to the Speaker at the end of his term of service is presented as privileged. Volume **V**, sections **7050, 7051**.

References to divisions on the resolution of thanks to the Speaker (footnote). Volume **V**, section **7046**.

A resolution of thanks to a Speaker who had resigned was agreed to before the election of a successor. Volume **I**, section **231**.

A Speaker pro tempore is sometimes thanked for his services. Volume **V**, section **7049**.

Instance of thanks to the Clerk for presiding during a prolonged contest over the organization. Volume **I**, section **222**.

The House thanked its Clerk for his service in presiding during a delayed election of a Speaker. Volume **VIII**, section **3671**.

The House thanked its managers for their services in the Swayne impeachment trial. Volume **III**, section **2037**.

The thanks of Congress have been bestowed in recognition of public services since the early days of the Government. Volume **V**, sections **7333–7335**. Volume **VIII**, section **3670**.

Mr. Richard Henry Lee received the thanks of the House for his oration on the occasion of the death of George Washington. Volume **V**, section **7181**.

The eulogists of deceased Presidents have received the thanks of Congress. Volume **V**, sections **7178–7180**.

Chief Justice Fuller received the thanks of Congress for his oration at the centennial of the inauguration of Washington (footnote). Volume **V**, section **7060**.

For his oration in memory of Lafayette Mr. John Quincy Adams received the thanks of Congress. Volume **V**, section **7219**.

**THANKS—Continued.**

The Committee on Foreign Affairs exercises general but not exclusive jurisdiction of authorizations to receive medals or decorations from foreign governments, extension of thanks of Congress to foreign governments and erection of monuments in foreign lands. Volume **VII**, section **1885**.

The House has sometimes thanked organizations and individuals for public services. Volume **V**, sections **7331**, **7332**.

Persons who have by name received the thanks of Congress have the privilege of the floor. Volume **V**, section **7283**. Volume **VIII**, section **3634**.

The privileges of the floor incident to receiving the thanks of Congress are limited to those who have been designated by name. Volume **VIII**, section **3638**.

**THAYER.**

The Pennsylvania election case of Carrigan v. Thayer in the Thirty-eighth Congress. Volume **I**, section **712**.

The Oregon election case of Shiel v. Thayer in the Thirty-seventh Congress. Volume **I**, section **613**. Volume **II**, section **846**.

**THIRD DEGREE.**

An amendment in the third degree is not permissible. Volume **V**, section **5754**. Volume **VIII**, section **2580**.

In considering an amendment to a committee amendment, an amendment in the nature of substitute for the pending amendment was not admitted, being in the third degree. Volume **VIII**, section **2891**.

While there may be pending an amendment, an amendment to it, and another amendment in the nature of a substitute, an amendment in the third degree may not be admitted under the guise of a substitute. Volume **VIII**, section **2888**.

A substitute for an amendment to an amendment is in the third degree and is not permissible. Volume **VIII**, section **2889**.

**THIRD READING.**

The second reading of a bill is in full; the third reading by title, unless a Member demand reading in full. Volume **IV**, section **3391**.

The vote by which the House refuses to order a third reading may be reconsidered. Volume **VIII**, section **2777**.

A bill is not amended on its first reading, but pending the engrossment and third reading. Volume **V**, section **5781**.

A Member may demand the reading in full of the actual engrossed copy of a bill and, though the previous question be ordered, the bill, on demand, is laid aside until engrossed. Volume **IV**, sections **3395–3399**.

The right to demand the reading in full of the engrossed copy of a bill exists only immediately after it has passed to be engrossed and not at later stages. Volume **IV**, section **3400**.

Unless the previous question is operating, debate is in order after the third reading and pending the vote on the passage of the bill. Volume **VIII**, section **3067**.

In voting on the engrossment and third reading and passage of a bill, a separate vote on the various propositions of the bill may not be demanded. Volume **VIII**, section **3172**.

A bill having been read a third time by title and the yeas and nays being ordered on the passage, it is too late to demand the reading in full of the engrossed copy. Volume **IV**, section **3402**.

The motion to refer is in order before the previous question is demanded, but after the previous question has been ordered on a bill to final passage, the motion to refer is not admissible until after the third reading. Volume **VIII**, section **2746**.

The motion to recommit is not in order until the bill has been read the third time. Volume **VIII**, section **2694**.

**THIRD READING**—Continued.

Where the motion for the previous question covers all stages of the bill to final passage the motion to recommit is made after the third reading, and is not in order after the question has been put on the passage of the bill. Volume **VIII**, section **2747**.

**THOBE.**

The Kentucky election case of Thobe v. Carlisle, the Speaker, in the Fiftieth Congress. Volume **II**, section **1006**.

**THOMAS, ELECTION CASES OF.**

The Tennessee election case of Thomas v. Arnell in the Thirty-ninth Congress. Volume **I**, section **680**.

The Virginia election case of Thomas v. Davis in the Forty-third Congress. Volume **II**, section **898**.

The North Carolina election case of Fowler v. Thomas in the Fifty-seventh Congress. Volume **II**, section **1124**.

**THOMAS, PHILIP F.**

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

**THOMASON EWING R., of Texas, Chairman.**

Decisions on questions of order relating to—  
Bills. Volume **VII**, section **1065**.

**THOMPSON.**

The Iowa election case of Miller v. Thompson in the Thirty-first Congress. Volume **I**, sections **815–819**.

The North Carolina election case of Thompson v. Shaw in the Fifty-fourth Congress. Volume **II**, section **1081**.

**THORP.**

The Virginia election case of Thorp v. McKenney in the Fifty-fourth Congress. Volume **II**, section **1072**.

The Virginia election case of Thorp v. Epes in the Fifty-fifth Congress. Volume **II**, sections **1098, 1099**.

**THRASHER.**

The Tennessee election case of Thrasher v. Enloe in the Fifty-third Congress. Volume **II**, section **1051**.

**THREE DAYS.**

The constitutional adjournment for not “more than three days” must take into the account either the day of adjourning or the day of meeting. Volume **V**, sections **6673, 6674**.

Sunday is not taken into account in making the constitutional adjournment of “not more than three days.” Volume **V**, sections **6673, 6674**.

A concurrent resolution providing for an adjournment of the two Houses for more than three days is privileged. Volume **V**, section **6701**.

When the two Houses adjourn for more than three days, and not to or beyond the day fixed by Constitution or law for the next regular session to begin, the session is not thereby necessarily terminated. Volume **V**, sections **6676, 6677**.

**THREET.**

The Alabama election case of Threet v. Clark in the Fifty-first Congress. Volume **II**, section **1025**.

**THRUSTON.**

The investigations into the conduct of Judge Buckner Thruston in 1825 and 1837. Volume **III**, section **2491**.

**THURMAN, ALLEN G., of Ohio, Presiding Officer.**

Decision on question of order relating to personalities in debate. Volume **V**, section **5155**.

**TIBBATTI, JOHN W., of Kentucky, Speaker Pro Tempore and Chairman.**

Decisions on questions of order relating to—

Speaker's authority. Volume **II**, section **5995**.

Vote by tellers. Volume **V**, section **5995**.

**TIE VOTE.**

(1) **Effect of, in the House.**

(2) **Speaker's vote in case of.**

(3) **Casting vote of the Vice-President.**

(4) **In elections of Representatives.**

**(1) Effect of, in the House.**

The voice of a majority decides on a vote, but if the House be equally divided the motion fails. Volume **V**, section **5926**.

In all cases of a tie vote the question shall be lost. Volume **V**, section **5964**.

The most carefully considered ruling has been that in case of a tie vote any Member recorded on the prevailing side may move to reconsider. Volume **V**, sections **5615, 5616**.

**(2) Speaker's Vote in Case of.**

The duty of the Speaker to give a casting vote may be exercised after the intervention of other business when a correction of the roll call reveals a tie not before ascertained. Volume **V**, sections **6061–6063**.

The Speaker having cast his vote in case of an apparent tie asserted his right to withdraw it when the roll seemed to show that there was in fact no tie vote, but later caused it to be recorded to change the result. Volume **V**, section **5971**.

Instance wherein, on a tie vote on an appeal the Speaker voted in the affirmative. Volume **V**, section **5686**.

When the vote on an appeal has resulted in a tie the Chair has sometimes given a casting vote in favor of his own decision. Volume **V**, section **6956**.

Instance wherein the Chair gave a casting vote in case of a tie on an appeal from his decision. Volume **V**, section **5239**.

On an appeal from a decision of the chairman in a committee, the Chair voted to sustain his ruling, thereby producing a tie, and so the decision was sustained. Volume **IV**, section **4569**.

When on an appeal from the decision of the Chair the vote would be a tie after the Chair should have voted to sustain his own decision, an interesting question would be presented. Volume **V**, section **6957**.

The Chair may vote to make a tie and so decide the question in the negative as he may vote to break a tie and decide a question in the affirmative. Volume **VIII**, section **3100**.

**(3) Casting Vote of the Vice-President.**

The Vice-President votes on all questions wherein the Senate is equally divided, even on a question relating to the right of a Senator to his seat. Volume **V**, sections **5976, 5977**.

Instance wherein the Vice-President cast a deciding vote on questions relating to the organization of the Senate. Volume **V**, section **5975**.

The right of the Vice-President to give a casting vote extends to cases arising in the election of officers of the Senate. Volume **V**, sections **5972–5974**.

**(4) In Elections of Representatives.**

The Constitution requires election of Representatives by the people, and State authorities may not determine a tie by lot. Volume **I**, section **775**.

Two candidates having equal number of votes, the governor did not issue credentials to either, but ordered a new election after they had waived their respective claims. Volume **I**, section **555**.

**TILLMAN.**

The Tennessee election case of Sheafe v. Tillman in the Forty-first Congress. Volume **II**, section **884**.

The South Carolina election case of Tillman v. Smalls in the Forty-fifth Congress. Volume **II**, section **926**.

The South Carolina election case of Smalls v. Tillman in the Forty-seventh Congress. Volume **II**, section **968-970**.

**TILSON, JOHN Q., of Connecticut, Chairman.**

Decisions on questions of order relating to—

Amendment. Volume **VIII**, section **2427, 2837, 2869, 2870, 2892, 3183**.

Amendment, germaneness of. Volume **VII**, section **1415, 1422**. Volume **VIII**, sections **2915, 2926, 2942, 2986, 3014, 3016, 3018, 3019, 3027, 3034, 3054, 3062**.

Appropriations. Volume **VII**, sections **1118, 1157, 1162, 1175, 1177, 1179, 1212, 1221, 1268, 1280, 1282, 1284, 1285, 1311, 1326, 1329, 1348, 1361, 1376, 1387, 1394, 1411, 1497, 1580, 1587, 1588, 1590, 1592, 1595, 1602, 1606, 1608, 1614, 1616, 1618, 1633, 1639, 1664, 1668, 1669, 1680, 1692, 1694, 1696, 1710, 1720, 2137, 2157**.

Calendar Wednesday. Volume **VII**, sections **894, 966**.

Committee of the Whole House. Volume **VIII**, section **2319**.

Debate. Volume **VIII**, sections Volume **2462, 2533, 2540, 2550, 2595**.

Debating. Volume **VIII**, section Volume **3067**.

Enacting clause, strike out. Volume **VIII**, sections **2629, 2638**.

Holman rule. Volume **VII**, sections **1501, 1526, 1542, 1544, 1546, 1553**.

Jurisdiction of committees. Volume **VII**, section **2115**.

Preferential motions. Volume **VIII**, section **3100**.

Privilege of the floor. Volume **VIII**, section **3636**.

Quorum. Volume **VI**, sections **671, 677**.

Reading. Volume **VII**, section **1050**.

Recognition. Volume **VI**, section **294**.

Reference. Volume **VII**, section **1994**.

Reports of committees. Volume **VIII**, sections **2236, 2237, 2238, 2245, 2247**.

Resolutions. Volume **VII**, section **1044**.

The Speaker. Volume **VI**, section **251**.

Special orders. Volume **VII**, section **793**. Volume **VII**, sections **3066, 3160**.

**TILTON, F. A., Third Assistant Postmaster General.**

Decisions on questions of order relating to—

Franking privilege. Volume **VI**, section **224**.

**TIMBER.**

The Committee on Agriculture has jurisdiction of subjects relating to timber and forest reserves other than those created from the public domain. Volume **IV**, section **4160**.

The taxation, improvement, irrigation, and control of Indian lands and the construction of roads, cutting of timber, and granting of easements thereon are subjects within the jurisdiction of the Committee on Indian Affairs. Volume **VII**, section **1937**.

A law permitting Indians to remove timber from reservations does not authorize an appropriation for that purpose. Volume **VII**, section **1204**.

**TIMES OF ELECTIONS. See "Elections."****TINCHER, J. N., of Kansas, Chairman.**

Decisions on questions of order relating to—

Quorum. Volume **VI**, section **641**.

**TINKHAM.**

The Massachusetts election case of Horgan v. Tinkham in the Sixty-fourth Congress. Volume **VI**, section **141**.

**TITLE**

- (1) **Of a bill.**
- (2) **Of the Journal.**
- (3) **Of certain officers.**
- (4) **In general.**

**(1) Of a Bill.**

The statutes prescribe the style of title of all appropriation bills. Volume **IV**, section **3367**.

The statutes and the practice of the House prescribe the style of titles and form of bill. Volume **VII**, section **1035**.

Decisions as to the effect of the title in controlling the body of an act of Congress. Volume **VI**, section **3381**.

Committees may not change the title or subject of bills committed to them and must set down on a separate paper the amendments which they recommend. Volume **IV**, section **4557**.

Amendments to the title of a bill are in order after its passage. Volume **VIII**, section **2906**.

Amendments to the title of a bill are in order after its passage and were formerly debatable, even though the bill had passed under the operation of the previous question, but a later rule prohibits such debate. Volume **V**, section **5753**.

Amendments to the title of a bill, whether considered in the House or in Committee of the Whole, are not in order until after its passage. Volume **VIII**, section **2619**.

Amendments to the title of a bill are in order after its passage, and are not datable. Volume **VIII**, section **2907**.

Instance in which the title of a bill was amended on a day subsequent to its passage. Volume **VIII**, section **2877**.

An amendment to the second title of a bill was held not germane to the first title of the bill. Volume **VIII**, section **2923**.

The ordering of the previous question to the final passage of a bill was held to exclude a motion to strike out the title. Volume **V**, section **5471**.

The House has adjourned pending the question on the title of a bill. Volume **IV**, section **3415**.

The reading of a bill by paragraphs being completed in Committee of the Whole, it was held to be too late to make a point of order in committee against the title. Volume **V**, section **6930**.

Procedure for amendment of the title when the bill is considered in the House as in Committee of the Whole. Volume **IV**, section **3416**.

The transaction of business is not in order before the reading of the Journal, even for the purpose of amending the title of a bill which has passed on the preceding day. Volume **IV**, section **2751**.

In determining the germaneness of amendments offered to a bill the title of the bill is not taken into consideration. Volume **VIII**, section **2916**.

The title of an act is not law and is not considered in construing its provisions. Volume **VII**, section **1254**.

The title of a bill is not conclusive as to contents or purport of a bill and is not considered in passing upon points of order relating to provisions of the bill proper. Volume **VII**, section **1489**.

**(2) Of the Journal.**

The House in early days fixed the title of Journal. Volume **IV**, section **2728**.

The title of the Journal indicates whether or not the Congress was convened by law. Volume **IV**, section **2729**.

**TITLE**—Continued.**(3) Of Certain Officers.**

Form decided on by the two Houses for addressing the President of the United States (foot-note).  
Volume **V**, section **6629**.

Forms for addressing the Vice-President or President pro tempore while presiding at an impeachment trial. Volume **III**, section **2066**.

Title by which the Chief Justice is addressed while presiding at an impeachment trial. Volume **III**, section **2065**.

The title "Father of the House" as applied to the Member of longest continuous service. Volume **VI**, section **234**.

**(4) In General.**

A contention that the admissions of a claimant might not waive a prima facie title in which the people of the district were interested. Volume **I**, section **45**.

A concurrent resolution is not used in conveying title to Government property. Volume **VII**, section **1045**.

A bill transferring title of public lands to a private corporation was classed as a private bill. Volume **VII**, section **861**.

**TOBACCO.**

While the Committee on Agriculture has jurisdiction of revenue legislation affecting oleomargarine, the Ways and Means Committee has retained jurisdiction as to revenue bills affecting tobacco, lard, cheese, etc. Volume **IV**, section **4022**.

A bill relating to the method of packing dutiable tobacco for parcel-post shipment was held not to be a revenue bill within the meaning of the rule giving such bills privilege. Volume **VIII**, section **2280**.

The Committee on Ways and Means has jurisdiction of legislation specifying methods of packing tobacco on which a tax is levied. Volume **VII**, section **1726**.

**TODD.**

The election case of Todd v. Jayne, from the Territory of Dakota, in the Thirty-eighth Congress. Volume **I**, section **619**. Volume **VII**, sections **852**, **853**.

**TOMPKINS.**

The Ohio election case of Lentz v. Tompkins in the Fifty-seventh Congress. Volume **II**, section **1125**.

**TONGUE.**

The Oregon election case of Vanderburg v. Tongue in the Fifty-fifth Congress. Volume **II**, section **1100**.

**TONNAGE TAXES.**

The subjects of tonnage taxes and fines and penalties on vessels are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4131**. Volume **VII**, section **1856**.

**TOOMBS, ROBERT, of Georgia, Chairman.**

Decisions on question of order relating to general debate. Volume **V**, section **5234**.

**TOPOGRAPHICAL SURVEY.**

An appropriation for continuing a topographical survey was held in order on a general appropriation bill as being in continuation of a public work. Volume **IV**, sections **3796**, **3797**. Volume **VII**, section **1382**.

The Committee on Interstate and Foreign Commerce has considered bills providing for a topographical survey of the United States. Volume **VII**, section **1829**.

**TORPEDOES.**

An appropriation for torpedoes for harbor defense is within the jurisdiction of the Committee on Appropriations (footnote). Volume **IV**, section **4042**.

**TOULMIN.**

The inquiry into the conduct of Judge Harry Toulmin in 1811. Volume **III**, section **2488**.

**TOWNER, HORACE M., of Iowa, Chairman.**

Decisions on questions of order relating to—

Adjourn, motion to. Volume **VI**, section **706**.

Amendment. Volume **VIII**, sections **2421, 2931**.

Amendment, germaneness of. Volume **VIII**, sections **2934, 2978, 3029**.

Amendment, substitue. Volume **VIII**, sections **2426, 2904**.

Appropriations, Volume **VII**, sections **1132, 1161, 1198, 1220, 1230, 1248, 1250, 1254, 1313, 1362, 1382, 1478, 1514, 1521, 1705, 1744, 2149**.

Dilatory motions. Volume **VIII**, section **2799**.

Enacting clause, strike out. Volume **VIII**, section **2620**.

Question of order. Volume **VIII**, section **3451**.

**TOWNSEND, CHARLES E., of Michigan, Chairman.**

Decisions on questions of order relating to—

Appropriations. Volume **VII**, section **1702**.

**TRADE.**

Measures for fostering commercial intercourse with foreign nations and for safeguarding American business interests abroad have been considered by the Committee on Foreign Affairs. Volume **IV**, section **4175**.

The protection of trade and commerce against unlawful restraints and monopolies is a subject within the jurisdiction of the Committee on the Judiciary. Volume **VII**, section **1748**.

**TRADE-MARKS.**

The rule gives to the Committee on Patents jurisdiction of subjects relating “to patents, copyrights, and trade-marks.” Volume **IV**, section **4254**.

Bills relating to the general subject of trade-marks, including punishment for the counterfeiting thereof, have been considered by the Committee on Patents. Volume **IV**, section **4256**. Volume **VII**, section **1985**.

Appropriations for the annual quota of the United States in support of the International Trade-Mark Bureau and the International Hydrographic Bureau were held not to be authorized by existing law. Volume **VII**, section **1256**.

**TRANSPORTATION.**

In the later practice of the House subjects relating to transportation of dutiable goods, ports of entry and delivery, and customs collection districts have been reported by the Committee on Ways and Means. Volume **IV**, section **4026**.

An appropriation for transportation and subsistence of diplomatic and consular officers en route to and from their posts was held to be in order on an appropriation bill. Volume **VII**, section **1251**.

Payment of cash in lieu of transportation for naval personnel is not authorized by statute and an appropriation for that purpose is not in order on an appropriation bill. Volume **VII**, section **1130**.

Bills to prevent the adulteration, misbranding, manufacture, sale, or transportation of foods, drugs, medicines, and liquors have occasionally been reported by the Committee on Agriculture. Volume **VII**, section **1874**.

A provision in permanent law authorizing establishment of rifle ranges open to “all able-bodied males capable of bearing arms” authorizes an appropriation for “transportation of instructors of employees and civilians engaged in target practice.” Volume **VII**, section **1276**.

An appropriation for the transportation of officers of the United States Court for China was held to be authorized by the organic act creating the court. Volume **VII**, section **1252**.

**TRANSPORTATION—Continued.**

The use of Army transports and authorizations and regulations for the transportation of civilians thereon are subjects within the jurisdiction of the Committee on Military Affairs. Volume **VII**, section **1896**.

The importation and interstate transportation of trees, shrubs, and other nursery stock, quarantine regulations against insect pests and plant disease, and the establishment of a national arboretum are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1863**.

The transportation of passengers on shipping is a subject within the jurisdiction of the Committee on the Merchant Marine and Fisheries. Volume **VII**, section **1852**.

**TRAVEL.**

The rule provides that “the ascertainment of the travel of Members of the House shall be made by the Committee on Mileage and reported to the Sergeant-at-Arms.” Volume **IV**, section **4336**.

An appropriation for traveling expenses of the President, within the prescribed statutory limit, is authorized by law. Volume **VII**, section **1196**.

**TREADWAY, ALLEN T., of Massachusetts, Chairman.**

Decisions on questions of order relating to—

Amendment, germaneness of. Volume **VIII**, section **3060**.

Appropriations. Volume **VII**, sections **1305, 1663**.

**TRESON.**

(1) **Of a Member.—Destroys his privilege.**

(2) **Of a Member.—Prior rights of House as to charges of.**

(3) **Of a Member.—Questions of privilege as to.**

(4) **Of a Member.—Expulsion for.**

(5) **Of a Member.—Censure for.**

(6) **Of a Member.—The “test oath” of 1862.**

(7) **Of a Member.—Exclusion for.**

(8) **Of a constituency.**

(9) **Of a civil officer.**

**(1) Of a Member.—Destroys His Privilege.**

The words “treason, felony, and breach of the peace” in the constitutional guarantee of privilege have been construed to mean all indictable crimes. Volume **III**, section **2673**.

All criminal offenses are comprehended by the terms “treason, felony, and breach of the peace.” as used in the Constitution, excepting these cases from the operation of the privilege from arrest therein conferred upon Senators and Representatives during their attendance at the sessions of their respective Houses, and in going to and returning from the same. Volume **VI**, section **589**.

**(2) Of Member.—Prior Rights of House as to Charges of.**

Prior rights of the House when a Member is accused of treason, felony, or breach of the peace. Volume **II**, section **1260**.

Instance of examination by a House committee of charges of bigamy and treason against a Delegate. Volume **I**, section **526**.

**(3) Of a Member.—Questions of Privilege as to.**

A resolution directing an inquiry into alleged treasonable conduct on the part of a Member was admitted as a question of privilege. Volume **III**, section **2653**.

A charge that a Member had been holding intercourse with the foes of the Government was investigated as a question of privilege. Volume **III**, section **2652**.

Inferences charging treason present a question of privilege. Volume **VI**, section **596**.

**TREASON—Continued.****(4) Of a Member.—Expulsion for.**

Two Members were expelled for treason, and the House ordered the governors of their respective States to be notified. Volume **II**, section **1261**.

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

The Senate failed by one vote to expel John Smith, charged with participation in a treasonable conspiracy. Volume **II**, section **1264**.

In the early days of the secession movement a question arose as to the right to expel a defiant Senator representing a seceding State. Volume **II**, section **1265**.

By a single resolution the Senate expelled several Senators for treasonable conspiracy against the Government. Volume **II**, section **1266**.

“For sympathy with and participation in the rebellion” a Senator was expelled after examination of his case by a committee. Volume **II**, section **1268**.

For bearing arms against the Government John C. Breckinridge was summarily expelled from the Senate. Volume **II**, section **1267**.

For a letter implying friendship with the foes of the Government Jesse D. Bright was expelled from the Senate. Volume **II**, section **1269**.

For expressions hostile to the Government, absence from his seat, and presence within the lines of the enemy Trusten Polk was expelled from the Senate. Volume **II**, section **1270**.

The Senate did not consider Lazarus W. Powell worthy of expulsion because he had formerly counseled his State to be neutral between the Government and its enemies. Volume **II**, section **1271**.

A Senator having used words which might incite treason, a resolution of expulsion was proposed, but withdrawn upon explanation. Volume **II**, section **1272**.

A Senate committee having, on the strength of ex parte affidavits, found Benjamin Stark disloyal, the Senate disagreed to a resolution for his expulsion. Volume **I**, section **443**.

The Senate did not pursue inquiry as to the charge that Senator John Smith had sworn allegiance to a foreign power, the said oath having been taken before his election as Senator. Volume **II**, section **1264**.

Convinced that Reed Smoot had taken an oath of hostility to the nation, a majority of the Senate committee held this a reason for vacating his seat as a Senator. Volume **I**, section **482**.

**(5) Of a Member.—Censure, for.**

After considering the question of expulsion, the House censured a Member for words alleged to be treasonable. Volume **II**, section **1253**.

For words alleged to be treasonable the House censured a Member, after a motion to expel him had failed. Volume **II**, section **1254**.

An attempt to censure a Member for presenting a petition alleged to be treasonable failed after long debate. Volume **II**, section **1255**.

It has been held in order to censure a Member for words alleged to be treasonable, even though they were not taken down at the time they were uttered. Volume **II**, section **1252**.

**(6) Of a Member.—The “Test Oath” of 1862.**

Form of oath prescribed by the act of July 2, 1862, known as the “ironclad oath.” Volume **I**, section **449**.

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

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

Discussion of the question as to whether or not the test oath of July 2, 1862, actually prescribed a new qualification for the Member. Volume **I**, sections **457**, **458**.

**TREASON—Continued.****(6) Of a Member.—The “Test Oath” of 1862—Continued.**

In 1868, a question of loyalty arising, the House in effect held that there might be established by law qualifications other than those required by the Constitution. Volume **I**, section **449**.

**(7) Of a Member.—Exclusion for.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In 1866 a Senator having stated in his place that the loyalty of a Senator-elect was doubtful, the credentials were referred to a committee before the oath was taken. Volume **I**, section **453**.

In 1867 the Senate, upon the statement by a Member that there were rumors affecting the loyalty of a Member-elect, referred the credentials before permitting the oath to be taken. Volume **I**, sections **457, 458**.

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

**TREASON—Continued.****(7) Of a member.—Exclusion for—Continued.**

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

**(8) Of a Constituency.**

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

In 1868 the House refused a seat to a contestant who received a small minority of the votes in a Territory, but who alleged that the majority voters were disqualified by treasonable antagonism to the Government. Volume **I**, section **467**.

In an exceptional case the House rejected votes cast by persons lately in armed resistance to the Government, although by the law of the State they were qualified voters. Volume **I**, section **451**.

In 1868 the House declined to pass on the title to a seat of William H. Hooper, Delegate from Utah, who was alleged to have been elected by undue influence of an alleged disloyal organization. Volume **I**, section **467**.

**(9) Of a Civil Officer.**

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

**TREASURY.**

The Committee on Ways and means has jurisdiction of subjects relating to the Treasury of the United States and the deposit of public moneys. Volume **IV**, section **4028**.

As to jurisdiction in relation to overdue bonds of certain States held in the Treasury as part of Indian trust funds. Volume **IV**, section **4207**.

**TREASURY, SECRETARY OF.**

The Secretary of the Treasury, alone of all the Cabinet, transmits his report directly to Congress (footnote). Volume **V**, section **6652**.

The annual estimates of the Secretary of the Treasury for the support of the government are printed in advance of the assembling of Congress. Volume **IV**, sections **3574**, **3575**.

The Secretary of the Treasury may recommend legislation to Congress, even when his views have not been requested by either House. Volume **V**, section **6652**.

Authority of the Committee on Accounts and the accounting officers of the Treasury over the expenditure of the contingent fund of the House. Volume **V**, section **7236**.

Proposed inquiry into the eligibility of Andrew W. Mellon to serve as Secretary of the Treasury, in 1932. Volume **VI**, section **540**.

**TREATIES.**

**(1) House's participation in.—In general.**

**(2) House's participation in.—Relating to the revenue.**

**(3) House's participation in.—With the Indians.**

**(4) Requests for information as to.**

**(5) Jurisdiction of committees as to.**

**(6) In general.**

**(1) House's Participation in.—In General.**

Discussion of the right of the House to share in the treaty-making power. Volume **VI**, section **324**.

Discussion of the prerogatives of the House as to treaties. Volume **VI**, section **325**.

**TREATIES—Continued.****(1) House's Participation in.—In General—Continued.**

Discussion of the prerogatives of the House in relation to treaties, commercial and otherwise, and its obligation in the enactment of supplementary legislation. Volume **VI**, section **326**.

The House sometimes requests the Executive to negotiate a treaty, although the propriety of the act has been questioned. Volume **II**, sections **1514–1517**.

Notice to a foreign government of the abrogation of a treaty is authorized by a joint resolution. Volume **V**, section **6270**.

Instances of the action of the House in carrying into effect, terminating, enforcing, and suggesting treaties. Volume **II**, sections **1502–1505**.

In 1816 the House, after discussion with the Senate, maintained its position that a treaty must depend on a law of Congress for its execution as to such stipulations as relate to subjects constitutionally intrusted to Congress. Volume **II**, section **1506**.

In 1796 the House affirmed that when a treaty related to subjects within the power of Congress it was the constitutional duty of the House to deliberate on the expediency of carrying such treaty into effect. Volume **II**, section **1509**.

In 1868, after discussion with the Senate, the House's assertion of right to a voice in carrying out the stipulations of certain treaties was conceded in a modified form. Volume **II**, section **1508**.

In 1871 the House asserted its right to a voice in carrying into effect treaties on subject submitted by the Constitution to the power of Congress. Volume **II**, section **1523**.

Discussion of the right of the House to share in the treaty-making power. Volume **II**, section **1509**.

Discussion of the prerogatives of the House in relation to treaties, commercial and otherwise. Volume **II**, sections **1546, 1547**.

In 1820 the House considered, but without result, its constitutional right to a voice in any treaty ceding territory. Volume **II**, section **1057**.

In 1868 the House declined to assert that no purchase of foreign territory might be made without the sanction of a previously enacted law. Volume **II**, section **1508**.

**(2) House's Participation in.—Relating to the Revenue.**

The question raised in the House as to whether a treaty modifying or repealing laws providing for revenue may be negotiated without action on the part of the House. Volume **VI**, section **324**.

Argument that the treaty-making power is subject to the authority and power to originate revenue legislation specially delegated by the Constitution to the House. Volume **VI**, section **324**.

The House has at times advised the Executive in regard to treaties affecting the revenue. Volume **II**, sections **1520–1522**.

After long and careful consideration the Judiciary Committee of the House decided, in 1887, that the executive branch of the Government might not conclude a treaty affecting the revenue without the assent of the House. Volume **II**, sections **1528–1530**.

In 1880 the House declared that the negotiation of a treaty affecting the revenue was an invasion of its prerogatives. Volume **II**, section **1524**.

In 1884 and 1886 the Ways and Means Committee assumed that the right of the House to a voice in making treaties affecting the revenue had been conceded. Volume **II**, sections **1526, 1527**.

Discussion by a Senate committee as to the jurisdiction of the Senate over revenue treaties. Volume **II**, section **1533**.

In 1881 the House Committee on Foreign Affairs, discussing the treaty-making power, concluded that the House had no share in it. Volume **II**, section **1525**.

In 1844 the Senate took the view that the constitutional method of regulating duties was by act of Congress rather than by treaty. Volume **II**, section **1532**.

**TREATIES—Continued.****(2) House's Participation in.—Relating to the Revenue—Continued.**

Argument that duties are more properly regulated with the publicity of Congressional action than by treaties negotiated by the Executive and ratified by the Senate in secrecy. Volume **II**, section **1532**.

Discussion of the prerogatives of the Senate as to treaties affecting customs duties. Volume **II**, section **1531**.

Reference to discussion of the Senate over right of the House to a voice in making treaties affecting the revenue (footnote). Volume **II**, section **1528**.

Approvals by Congress of reciprocity treaties affecting customs duties. Volume **II**, section **1531**.

Provisions of the tariff act of 1897 in reference to reciprocity treaties. Volume **II**, section **1533**.

Alleged infringement by the treaty-making power on the constitutional right of the House to originate revenue measures presents a question of privilege. Volume **III**, section **2564**.

**(3) House's Participation in.—With the Indians.**

After long discussion the House, in 1871, successfully asserted its right to a voice in approving Indian treaties. Volume **II**, section **1535, 1536**.

Even in the case of an application for papers relating to an Indian treaty President Jackson asserted the Executive prerogative as opposed to the contention of the House. Volume **II**, section **1534**.

**(4) Requests for Information as to.**

The House has requested the President to lay before it information as to the carrying out and the violation of treaties, and the information has been furnished. Volume **II**, sections **1510, 1511**.

President Washington, in 1796, declined the request of the House that he transmit the correspondence relating to the recently ratified treaty with Great Britain. Volume **II**, section **1509**.

In 1822 the House called generally and specifically for papers relating to the treaty of Ghent and obtained them, although the Executive advised against their publication. Volume **II**, sections **1512, 1513**.

In 1848 President Polk declined on constitutional grounds to honor the unconditional request of the House for a copy of the instructions to the minister sent to negotiate a treaty with Mexico. Volume **II**, sections **1518, 1519**.

In 1846 President Polk, for reasons of public policy, declined to inform the House as to expenditures from the secret or contingent fund of the State Department. Volume **II**, section **1561**.

**(5) Jurisdiction of Committees as to.**

Bills to carry out the stipulations of treaties are often reported by the Committee on Foreign Affairs. Volume **IV**, section **4178**.

The treaty rights of American fisherman in waters adjacent to foreign shores are within the jurisdiction of the Committee on Foreign Affairs. Volume **IV**, section **4171**.

The enforcement of treaty regulations as to the protection of the fur seals has been considered by the Committee on Foreign Affairs. Volume **IV**, section **4170**.

The Ways and Means Committee has exercised jurisdiction over the subjects of customs unions, reciprocity treaties, and conventions affecting the revenues. Volume **IV**, section **4021**.

The Committee on Foreign Affairs has exercised jurisdiction of the subjects of commercial treaties and reciprocal arrangements. Volume **IV**, section **4174**.

The Committee on Insular Affairs exercises practically an exclusive jurisdiction over the affairs of the islands ceded by the treaty of 1899, except as to matters of revenue and appropriations. Volume **VII**, section **1947**.

**TREATIES**—Continued**(5) Jurisdiction of Committees as to**—Continued.

Awards of money to foreign nations in pursuance of treaties for the adjustment of claims or as acts of grace have been reported by the Committee on Appropriations. Volume **IV**, section **4050**.

A treaty with Indians is not in order for ratification on an Indian appropriation bill. Volume **IV**, section **3882**.

In former days there existed a rule that appropriations for carrying treaties into effect should not be made in general appropriation bills (footnote). Volume **IV**, section **3564**.

The Appropriations Committee report appropriations in fulfillment of treaty stipulations with Indian tribes. Volume **VII**, section **1742**.

**(6) In General.**

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

The meaning of a treaty may not be controlled by subsequent explanations sanctioned by a majority vote only of the Senate. Volume **II**, section **1537**.

An instance of citizenship conferred by treaty stipulations. Volume **I**, section **422**.

Where provisions of a treaty are susceptible of conflicting interpretations, questions of doubt are to be resolved in favor of the more liberal construction. Volume **VII**, section **1139**.

In 1909 the House originated, and the Senate agreed to, a resolution requesting the President to negotiate by treaty or otherwise with a foreign government. Volume **VI**, section **323**.

The importation and interstate transportation of trees, shrubs, and other nursery stock, quarantine regulations against insect pests and plant diseases, and the establishment of a national arboretum are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1863**.

**TRIALS.** See also “**Impeachment.**”

**(1) At the bar of the House.—Methods of procedure.**

**(2) At the bar of the House.—Examination of witnesses in general.**

**(3) At the bar of the House.—Examination of Members.**

**(4) At the bar of the House.—Counsel admitted.**

**(5) Arraignment of contumacious witnesses.**

**(6) Investigations by committees.**

**(1) At the Bar of the House.—Methods of Procedure.**

A citizen having attempted to bribe a Member, the House arrested, tried, and punished him. Volume **II**, section **1606**.

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

Early election cases instituted by petition and tried before the House. Volume **II**, sections **758**, **760**.

In 1795 the House decided to hear the case of a person arrested for contempt at the bar rather than by a select committee. Volume **II**, section **1602**.

In proceedings for expulsion the House declined to give the Members a trial at the bar. Volume **II**, section **1275**.

In 1795 proceedings against persons in contempt were taken in accordance with recommendations by a select committee on privileges. Volume **II**, section **1600**.

The House appointed a committee of privileges to determine the procedure in the Anderson contempt case. Volume **II**, section **1606**.

For the trial of Samuel Houston for contempt a committee on privileges reported on a method of procedure. Volume **II**, section **1617**.

Form of arraignment of Randall and Whitney in 1795. Volume **II**, section **1600**.

Instance wherein the House amended its charges against a person already arraigned for contempt. Volume **II**, section **1600**.

**TRIALS**—Continued.**(1) At the Bar of the House.—Methods of Procedure**—Continued.

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

A Member against whom was pending a resolution of expulsion was permitted to address the House by unanimous consent. Volume **II**, section **1275**.

The House declined to release Samuel Houston on bail pending his trial by the House for contempt. Volume **II**, section **1618**.

The House declined to permit Samuel Houston, on trial at its bar for contempt, to challenge the right of a Member to sit in the trial. Volume **II**, section **1617**.

Form of proceedings at the trial of William Duane at the bar of the Senate. Volume **II**, section **1604**.

A person on trial at the bar of the Senate was to be present at the arraignment and examinations but to retire during deliberations. Volume **II**, section **1604**.

**(2) At the Bar of the House.—Examination of Witnesses in General.**

Method of examining witnesses through the Speaker in a contempt case tried at the bar of the House in 1795. Volume **II**, section **1602**.

In the case of John Anderson the accused and witnesses were examined at the bar of the House. Volume **II**, section **1606**.

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

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

In a trial at the bar of the House for contempt a committee was appointed to examine witnesses for the House. Volume **III**, section **1668**.

For the trial of Samuel Houston a committee was appointed to examine witnesses at the bar of the House. Volume **II**, section **1617**.

A person being under examination at the bar, the questions propounded to him were first approved by the House. Volume **II**, section **1635**.

In the examination of witnesses in the contempt case of Samuel Houston the House decline to permit a witness to state opinions. Volume **II**, section **1618**.

The parliamentary law as to the examination of witnesses. Volume **III**, section **1768**.

Rule for asking questions of a person under examination before a committee or at the bar of the House. Volume **III**, section **1768**.

In the trial of Samuel Houston for contempt the House permitted an affidavit to be read. Volume **II**, section **1618**.

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**.

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

Rule adopted in the Whitney case for disposing of objections to questions proposed to witnesses. Volume **III**, section **1668**.

The parliamentary law provides that the answers of witnesses before the House shall not be written down, but such is not the rule before committees. Volume **III**, section **1768**.

According to the parliamentary law, questions asked a witness are recorded in the Journal. Volume **III**, section **1768**.

In a trial at the bar of the House both questions to witnesses and their answers were reduced to writing and appear in the Journal. Volume **III**, section **1668**.

A person being under examination at the bar the questions and answers were recorded in the Journal. Volume **II**, section **1635**.

**(3) At the Bar of the House.—Examination of Members.**

When a case is on trial at the bar of the House Members are examined in their places. Volume **III**, section **1668**.

**TRIALS**—Continued.**(3) At the Bar of the House.—Examination of Members**—Continued.

Rule for examining Members as witnesses in a trial at the bar of the House for contempt. Volume **II**, section **1619**.

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

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

**(4) At the Bar of the House.—Counsel Admitted.**

The House permitted a person arraigned for contempt in 1795 to be represented before the House by counsel. Volume **II**, section **1601**.

Samuel Houston, arrested for a breach of privilege, was arraigned at the bar of the House, informed of the charge, and informed that he might summon witnesses and employ counsel. Volume **II**, section **1616**.

William Duane, on trial at the bar of the Senate for contempt, was allowed counsel under certain conditions. Volume **II**, section **1604**.

A committee having recommended the expulsion of a Senator the Senate allowed him to be heard by counsel at the bar of the Senate before action on the report. Volume **II**, section **1263**.

**(5) Arraignment of Contumacious Witnesses.**

In 1837, for refusing to obey the subpoena of a committee, Rueben M. Whitney was arrested and tried at the bar of the House. Volume **III**, section **1667**.

James W. Simonton, a witness before a House committee, was arrested and arraigned at the bar for declining to answer a material question. Volume **III**, section **1669**.

In 1857 the House arrested and arraigned at its bar Joseph L. Chester, a contumacious witness. Volume **III**, section **1670**.

It is for the House and not the Speaker to determine whether or not a person arraigned for contempt shall be heard before being ordered into custody. Volume **III**, section **1684**.

A person on trial at the bar of the House for contempt was given permission to examine witnesses. Volume **III**, section **1668**.

The House ordered that Whitney, under arrest for contempt, should be furnished with a copy of the report as to his alleged contempt, before arraignment. Volume **III**, section **1667**.

In the Whitney case a proposition to examine the respondent was ruled out of order while witnesses were being examined. Volume **III**, section **1668**.

In the resolution ordering the arrest and arraignment of Whitney the House at the same time gave him permission to have counsel. Volume **III**, section **1667**.

The respondent retired while the House deliberated on the mode of procedure in a case of contempt. Volume **III**, section **1668**.

**(6) Investigations by Committees.**

Early instance wherein testimony in a case of breach of privilege was heard before a select committee. Volume **II**, section **1643**.

Instance wherein testimony as to a difficulty between two Members was heard in Committee of the Whole. Volume **II**, section **1642**.

In 1870 the investigation of a breach of privilege was committed to a standing committee. Volume **II**, section **1627**.

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

The committee recommended and the House voted the impeachment of Judge Pickering on the strength of certain ex parte affidavits. Volume **III**, section **2319**.

Forms of subpoena and compulsory process issued by House committee to produce persons and papers for Blount impeachment. Volume **III**, sections **2038**, **2039**.

Form of discharge issued to a witness before the House committee which investigated the impeachment charges against William Blount. Volume **III**, section **2040**.

**TRIGG.**

The Virginia election case of Trigg v. Preston in the Third Congress. Volume **I**, section **760**.

**TRIMBLE.**

The Kentucky election case of Symmes v. Trimble in the Fortieth Congress. Volume **I**, section **452**.

**TRIMBLE, SOUTH, of Kentucky, Clerk.**

Decisions on questions of order relating to—  
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**TROWBRIDGE.**

The Michigan election case of Baldwin v. Trowbridge in the Thirty-ninth Congress. Volume **II**, section **856**.

**TRUMBULL, ELECTION CASE OF.**

The Illinois cases of Turney v. Marshall and Fouke v. Trumbull in the Thirty-fourth Congress. Volume **I**, section **415**.

**TRUMBULL, JONATHAN, of Connecticut, Speaker.**

Decisions on questions of order relating to—  
Instructions. Volume **V**, section **5523**.  
Voting. Volume **V**, section **5967**.

**TRUSTEES.**

The statutes require the Speaker to appoint certain visitors and trustees of public institutions. Volume **II**, section **1355**.

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

**TRUST FUNDS.**

A bill relating to money coming into the Treasury in trust for specifically indicated purposes was held not to require consideration in Committee of the Whole. Volume **IV**, section **4835**.

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**.

The appropriation of funds held in trust in the Federal treasury is legislation and is not in order on a general appropriation bill. Volume **VII**, section **1407**.

A bill authorizing payment of money held in the Treasury in trust for Indians is not such a charge against the Treasury as to require consideration in Committee of the Whole. Volume **VII**, section **870**.

A bill providing that Indian funds held in trust in the Treasury should draw interest was construed not to require consideration in Committee of the Whole. Volume **VIII**, section **2413**.

A reduction in the amount of money appropriated from trust funds held in the Federal Treasury is a retrenchment of expenditure and within the exceptions provided by the rule. Volume **VII**, section **1503**.

Legislative direction for disbursements from Indian trust funds was held to constitute an appropriation within the meaning of section 4 of Rule **XXI**. Volume **VII**, section **2149**.

**TRUSTS.**

Matters relating to the investigation and regulation of trusts and corporations are within the jurisdiction of the Judiciary Committee. Volume **IV**, section **4060**. Volume **VII**, section **1764**.

Bills relating to trusts and monopolies (except common carriers) come within the jurisdiction of the Committee on the Judiciary. Volume **VII**, section **1749**.

**TUCKER.**

The Virginia election case of Tucker v. Booker in the Forty-first Congress. Volume **I**, section **461**.  
The Virginia election case of Yost v. Tucker in the Fifty-fourth Congress. Volume **II**, section **1077-1080**.

**TUCKER ACT.**

The Bowman and Tucker acts, so called, for assisting Congress in the settlement of claims. Volume **IV**, section **3303**.  
Discussions of the Tucker and Bowman Acts. Volume **VII**, section **1752**.

**TURNER, ELECTION CASES OF.**

The Massachusetts election case of Turner v. Baylies in the Eleventh Congress. Volume **I**, section **646**.  
The Kentucky election case of Evans v. Turner in the Fifty-sixth Congress. Volume **II**, section **1114**.

**TURNER, GEORGE, JUDGE.**

The inquiry into the conduct of Judge George Turner, in 1796. Volume **III**, section **2486**.

**TURNEY.**

The Illinois cases of Turney v. Marshall and Fouke v. Trumbull in the Thirty-fourth Congress. Volume **I**, section **415**.

**TURPIE.**

The Senate election case of David Turpie in the Fiftieth Congress. Volume **I**, section **551**.

**TURPIN.**

The Alabama election case of McDuffie v. Turpin in the Fifty-first Congress. Volume **II**, sections **1030, 1031**.  
The Alabama election case of McDuffie v. Turpin in the Fifty-second Congress. Volume **II**, section **1043**.

**TWO-THIRDS VOTE.**

- (1) **For suspension of the rules.**
- (2) **For expulsion of a Member.**
- (3) **For removing political disabilities.**
- (4) **For passing a bill, notwithstanding the objectives of the President.**
- (5) **For proposing amendments to the Constitution.**
- (6) **For conviction on impeachment.**
- (7) **In relation to the motion to reconsider.**
- (8) **In general.**

**(1) For Suspension of the Rules.**

No rule may be suspended except by a two-thirds vote. Volume **V**, section **6790**.  
In the earlier years of the House special orders were made by a two-thirds vote on a motion to suspend the rules. Volume **IV**, sections **3161, 3162**.  
It has long been established that one of the standing rules of the House may be changed by a two-thirds vote on a motion to suspend the rules. Volume **V**, section **6862**.

**(2) For Expulsion of a Member.**

The power of the House to expel one of its Members is unlimited; a matter purely of discretion to be exercised by a two-thirds vote, from which there is no appeal. Volume **VI**, section **78**.  
Discussion of reason for requiring two-thirds vote rather than majority vote for expulsion from the Senate. Volume **VI**, section **106**.  
The Constitution provides that the House may punish its Members for disorderly behavior, and expel a Member by a two-thirds vote. Volume **II**, section **1236**.  
An amendment proposing expulsion of a Member was agreed to by a majority vote, but on the proposition as amended a two-thirds vote was required. Volume **II**, section **1274**.

**TWO-THIRDS VOTE**—Continued.**(2) For Expulsion of a Member—Continued.**

Discussion as to whether or not the expulsion of a Delegate should be effected by a majority or a two-thirds votes. Volume **I**, section **469**.

The Senate apparently held the view that Reed Smoot might be deprived of his seat only by the two-thirds vote specified by the Constitution for expulsion. Volume **I**, section **483**.

**(3) For Removing Political Disabilities.**

Congress may buy a two-thirds vote remove the disabilities of one who, after taking the oath as an officer of the Government, has engaged in insurrection or rebellion. Volume **I**, section **454**.

A bill removing the disabilities of a Member-elect and modifying the test oath for his benefit was passed by a two-thirds vote. Volume **I**, section **455**.

**(4) For Passing a Bill, Notwithstanding the Objections of the President.**

If two-thirds of the House to which a bill is returned with the President's objections agree to pass it, and then two-thirds of the other House, it becomes a law. Volume **IV**, section **3520**.

The two-thirds vote required to pass a bill, notwithstanding the objections of the President, is "two-thirds of the Members present" (footnote). Volume **IV**, sections **3537**, **3538**.

The two-thirds vote required to pass a bill notwithstanding the objections of the President is two-thirds of the Members voting and not two-thirds of those present. Volume **VII**, section **1111**.

**(5) For Proposing Amendments to the Constitution.**

The vote required on a joint resolution proposing an amendment to the Constitution is two-thirds of those voting, a quorum being present, and not two-thirds of the entire membership. Volume **V**, sections **7027**, **7028**. Volume **VIII**, section **3503**.

Proposed amendments to the Constitution may be amended by a majority vote. Volume **V**, sections **7031**, **7032**.

The requirement of a two-thirds vote for proposing constitutional amendments has been construed, in the later practice, to apply only to the vote on final passage. Volume **V**, sections **7029**, **7030**.

In considering amendments to the Constitution a two-thirds vote was not required in Committee of the Whole, but was required when the House voted on concurring in Senate amendments. Volume **V**, section **7033**.

A two-thirds vote is required to agree to a Senate amendment to a joint resolution proposing an amendment to the Constitution. Volume **V**, section **7034**.

One House having by a two-thirds vote passed in amended form a proposed constitutional amendment from the other House, and then having by a majority vote receded from its amendment, the constitutional amendment was held not to be passed. Volume **V**, section **7035**.

A two-thirds vote is required to agree to amendments of the other House to joint resolutions proposing amendments to the Constitution. Volume **VIII**, section **3505**.

A two-thirds vote is required to agree to a conference report on a joint resolution proposing an amendment to the Constitution. Volume **V**, section **7036**.

**(6) For Conviction on Impeachment.**

"Two-thirds of the Members present" are required by the Constitution for conviction on impeachment. Volume **III**, section **2055**.

If an impeachment is not sustained by a two-thirds vote on any article a judgment of acquittal shall be entered. Volume **III**, section **2098**.

The proposition that evidence in an impeachment trial may be admitted or excluded by a majority vote has been questioned seriously. Volume **III**, section **2167**.

The Senate, by majority vote, assumed jurisdiction to try the Belknap impeachment, although protest was made that a two-thirds vote was required. Volume **III**, section **2059**.

**TWO—THIRDS VOTE**—Continued.**(6) For Conviction on Impeachment**—Continued.

Two-thirds not having voted guilty on any article, the presiding officer declared Judge Louder-back acquitted. Volume **VI**, section **524**.

**(7) In Relation to the Motion to Reconsider.**

Where a two-thirds vote is required the motion to reconsider may be made by anyone who voted on the prevailing side. Volume **V**, sections **5617, 5618**. Volume **VIII**, section **2778**.

Where a two-thirds vote is required a Member voting on the prevailing side may move to reconsider, even though he be one of an actual minority. Volume **II**, section **1656**.

A majority is required to reconsider a vote taken under conditions requiring two-thirds for affirmative action. Volume **II**, section **1656**. Volume **VIII**, section **2795**.

Apparently a majority is required to reconsider a vote taken under the requirement that two-thirds shall be necessary to carry the question. Volume **V**, sections **5617, 5618**.

**(8) In General.**

In a State whereof the constitution required two-thirds for a quorum of each house of the legislature, a Senator was elected by a majority merely of the total membership of the two houses. Volume **I**, section **545**.

A two-thirds vote is required on motions disposing of Senate amendments to propositions requiring a two-thirds vote for passage. Volume **VIII**, section **3178**.

The House may be a two-thirds vote extend consideration of a bill to the next Calendar Wednesday. Volume **VIII**, section **2680**.

The Committee on Rules may report orders of procedure subject to two limitations only: it may not provide for abrogation of the calendar Wednesday rule except by two-thirds vote or for denial of the motion to recommit while the previous question is pending on final passage. Volume **VIII**, section **2262**.

No resolution shall be reported by the Committee on Rules to set aside calendar Wednesday by a vote of less than two-thirds of the Members voting. Volume **VIII**, section **2260**.

Unless agreed to by a two-thirds vote, a report from the Committee on Rules shall not be called upon the same day on which represented except on the last three days of the session. Volume **VIII**, sections **2260, 2261**.

On questions requiring a two-thirds majority Members are paired two in the affirmative against one in the negative. Volume **VIII**, sections **3082, 3088**.

Explanation of caucus procedure requiring two-thirds vote to bind members and exempting constitutional questions, matters of conscience, and pledges to constituents. Volume **VIII**, section **3605**.

**TYLER, JOHN, PRESIDENT.**

The act of President Tyler in filing with a bill an exposition of his reasons for signing it was examined and severely criticised by a committee of the House. Volume **IV**, section **3492**.

In 1842 the House vigorously asserted and President Tyler as vigorously denied the right of the House to all papers and information in possession of the Executive relating to subjects over which the jurisdiction of the House extended. Volume **III**, sections **1884, 1885**.

The House refused in 1843 to impeach John Tyler, President of the United States, on charges preferred by a Member. Volume **III**, section **2398**.

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