

Chapter XC.

PETITIONS AND MEMORIALS.

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3312. History of the rule for the introduction of petitions and memorials, Rule XXII, sections 1, 2, and 3.

Petitions, memorials, and other papers addressed to the House may be presented by the Speaker as well as by a Member.

Joint resolutions of State legislatures, intended as communications to Congress, are treated as memorials.

The first rule² of the House in relation to the introduction of petitions, memorials, etc., was adopted April 7, 1789,³ and was as follows:

Petitions, memorials, and other papers addressed to the House shall be presented through the Speaker, or by a Member in his place, and shall not be debated or decided on the day of their being first read, unless where the House shall direct otherwise; but shall lie on the table to be taken up in the order they were read.

In the draft of January 7, 1802,⁴ the words “a brief statement of the contents thereof shall verbally be made by the introducer” appear before the provision relating to debate.

The Speakers under this rule exercised and still exercise, although the rule long ago disappeared, the right to present in their capacity as Speaker petitions and memorials sent to them or to the House. On January 5, 1826, a rule was proposed forbidding the Speaker to present memorials except on his responsibility as a Member. The presentation of a memorial relating to slavery was the occasion of the proposition. Mr. Speaker Taylor explained that he did not present all memorials, for some, while respectful, were trivial. But the rule seemed to make it his duty to present such as were proper. After debate the proposed rule was withdrawn.⁵ Manifestly there are certain petitions which Members might decline

¹ See also section 2030 of Vol. III.

² First session First Congress, Journal, p. 10.

³ First session Seventh Congress, Journal, p. 38. (Gales and Seaton ed.)

⁴ See section 3364 of next chapter for present form of this rule.

⁵ First session Nineteenth Congress, Journal, pp. 119, 120; Debates, pp. 880–883.

to present, but which, nevertheless, might be proper for the House to consider. Thus, on March 17, 1834,¹ Mr. Speaker Stevenson laid before the House a letter from eight citizens of Maine complaining of misrepresentation of themselves by the Congressman from their district. The resolutions were read, and the Congressman replied to them.

The reading of memorials and petitions caused great draft on the time of the House as early as 1803.² This difficulty increased, and finally, on March 29, 1842,³ Mr. John Quincy Adams, of Massachusetts, who had been unable for a long time to get an opportunity to present petitions, and had 150 in his desk, moved the following rule,⁴ which was adopted under suspension of the rules:

That Members having petitions and memorials to present be permitted to hand them to the Clerk, indorsing the same with their names, and the reference or disposition to be made thereof, and that such petitions and memorials be entered on the Journal, subject to the control and direction of the Speaker, and if any petition or memorial be so handed in which, in the judgment of the Speaker, is excluded by the rules, that the same be returned to the Member from whom it was received.

This was at about the time of Mr. Adams's contest over petitions relating to slavery, and the "twenty-first" rule was then in force:⁵

No petition, memorial, or resolution, or other paper praying the abolition of slavery in the District of Columbia, or any State or Territory, etc., * * * shall be received by this House or entertained in any way whatever.

As soon as Mr. Adams's rule was adopted a flood of petitions was presented, the titles of which occupy twenty-three pages of the Journal. Petitions relating to slavery were questioned by the Speaker and laid on the table. Thus was solved the problem of presenting petitions without consuming the time of the House.

On January 15, 1874,⁶ Mr. Samuel J. Randall, of Pennsylvania, from the Committee on Rules, reported a rule providing that the reporters of debates should furnish for publication a list of the memorials, petitions, and other papers, with their reference, each day presented under the rule. This rule was agreed to. There arose on this occasion an interesting debate as to whether or not the practice of receiving petitions by filing instead of by presenting them in open House was a violation of the constitutional right of petition.

In 1880 and 1890, when important consolidations and revisions of the rules were made, the rule as to petitions was consolidated with the rules as to bills.⁷

Under the present rules all petitions and memorials are introduced by laying them on the Clerk's table, whether presented by the Members or by the Speaker.

A class of papers not strictly in the form of petitions, yet classed as such,

¹ First session Twenty-third Congress, Debates, p. 3014.

² Second session Seventh Congress, Annals, pp. 293-295.

³ Second session Twenty-seventh Congress, Globe, pp. 367, 621.

⁴ On July 2, 1838, and April 20, 1840, the House adopted similar rules temporarily to relieve congestion existing at the time. (Second session Twenty-fifth Congress, Journal, p. 1201; Globe, p. 408; first session Twenty-sixth Congress, Journal, p. 809.)

⁵ See sections 3343-3358 of this work for discussion of the power of the House to reject petitions.

⁶ First session Forty-third Congress, Journal, p. 242; Record, pp. 678-681.

⁷ See sections 3364, 3365 for present form of rule.

has from the earliest, days of the House been presented as of that class. They were described on April 16, 1879,¹ by Mr. Speaker Randall:

State legislatures have a constant habit of asking by joint resolution (which is the ordinary mode of communication between State legislatures and Congress) for the construction of public buildings, light-houses, improvements of rivers and harbors, etc., and the committees of this House having charge, respectively, of those subjects have uniformly introduced legislation based upon such communications from State legislatures.²

3313. Origin of the order for the former call of States for petitions.—

The order in which the States should be called for petitions in the morning hour was a subject of considerable debate, and the order beginning with Maine, established March 13, 1822, was not established without considerable debate. Mr. John Randolph, of Virginia, preferred to begin with the extreme southern States; but it was shown to him that the northern colonies signed the Declaration of Independence first.³

This order has long since been abandoned, the States no longer being called for petitions. The States now are called only at the beginning of a session, when Members respond by States. The order of this call is alphabetical.

3314. The rule requiring petitions to be sent to the Clerk's desk is no invasion of the constitutional right of petition.—On May 13, 1880,⁴ Mr. Richard W. Townshend, of Illinois, rising in his place, proposed to present a petition of sundry citizens praying for the repeal of the duty on salt.

Mr. Thomas B. Reed, of Maine, objected that the petition should go to the petition box under the rule.

Mr. Townshend claimed that, notwithstanding the rule, under the Constitution the people could not be deprived of the right to petition the Government for a redress of their grievances.

The Speaker⁵ said:

The people are not deprived of their right of petition. On the contrary, there is a clause in the Constitution which provides that each House shall determine the rules of its proceedings, and one of the rules of this House is in regard to the manner of presenting petitions. * * * The House, in the opinion of the Chair, has not attempted to abridge that right. On the contrary, it has adopted a rule by which the presentation of petitions may be facilitated.

3315. A Member may present a petition from the people of a State other than his own.—On January 25, 1836,⁶ Mr. John Quincy Adams, of Massachusetts, offered to present a petition from citizens of western Pennsylvania,

¹ First session Forty-sixth Congress, Record, p. 486.

² For examples of memorials of States see memorial of Massachusetts legislature, offered June 29, 1813, relative to the existing war; also another from Maryland on the same subject. (First session Thirteenth Congress, Annals, pp. 334, 1204.) Also resolutions of Maryland legislature relative to the title of President Hayes, presented April 15, 1878 (second session Forty-fifth Congress, Journal, pp. 844, 845; Record, pp. 2522–2524), and admitted by Mr. Speaker Randall as a memorial from a State. Such memorials are treated as public in their nature.

³ First session Seventeenth Congress, Journal, p. 350; Annals, p. 952.

⁴ Second session Forty-sixth Congress, Record, pp. 3322, 3323.

⁵ Samuel J. Randall, of Pennsylvania, Speaker.

⁶ First session Twenty-fourth Congress, Journal, p. 235.

which, he stated, prayed the abolition of slavery and the slave trade within the District of Columbia, and moved that the said petition be received.

Mr. Benjamin Hardin, of Kentucky, rose and inquired of the Chair whether it was in order for a Member from one State to present petitions from citizens of another State.

The Speaker¹ decided that it was in order.²

3316. On February 6, 1836,³ Mr. John Quincy Adams, of Massachusetts, presented the petitions of a number of women in various towns in New Hampshire praying for the abolition of slavery and the slave trade in the District of Columbia.

Mr. Ratliff Boon, of Indiana, raised this question of order:

Is it in order for the Member from Massachusetts [Mr. Adams], when the Members from Massachusetts are called, under the sixteenth rule⁴ of the House, "for petitions," to present petitions from citizens of any State or Territory except the State of Massachusetts?

The Speaker¹ said that it had been the uniform practice of the House that a Member might present petitions from any State in the Union, provided those petitions were bona fide, sent to him for presentation by the citizens interested in them. If one Member were to transfer his petitions to another for presentation, the question would then come up in a different form.

An appeal having been taken, after debate the decision of the Speaker was sustained, yeas 139, nays 29.

3317. The Speaker explained to the House that he declined to present a paper in the nature of a memorial disrespectful to his office.—On February 6, 1840,⁵ the Speaker⁶ explained why he declined to present to the House resolutions passed by the council and general assembly of the State of New Jersey and transmitted to him by the governor of that State with the request that he would lay them before the Representatives of the Twenty-sixth Congress.

The Speaker had read to the House the letter which he had addressed to the governor. In this letter he calls attention to the fact that the legislature had ordered the copy of the resolutions to be transmitted to "the Hon. R. M. T. Hunter, a Representative from the State of Virginia, with the request that he will lay the same before the other Representatives from the several States now assembled at Washington."

(The resolutions related to the exclusion of five New Jersey Representatives from their seats at the organization of the House, and implied that the organization could not, therefore, be legal.)

¹James K. Polk, of Tennessee, Speaker.

²On the next day Mr. Hardin had entered on the Journal (p. 237) a correction to the effect that his real point of order was as to whether a Member had a right to present a petition from a State before that State was called, the method at that time being to call the States for petitions. But the Journal being made up under direction of the Speaker, the entry as originally made is expressive of Mr. Speaker Polk's opinion as to the right of a Member to present petitions from other States than his own.

³Second session Twenty-fourth Congress, Journal, p. 348; Debates, p. 1586.

⁴Petitions are no longer presented in open House.

⁵First session Twenty-sixth Congress, Journal, p. 311; Globe, p. 166.

⁶R. M. T. Hunter, of Virginia, Speaker.

The Speaker says that as there was already a sitting Member from New Jersey, and therefore no reason why that State should apply to a Virginia Member, he concluded that the resolutions were transmitted to him by virtue of the position which he held. "Under these circumstances," he says, "I beg leave most respectfully to decline to lay these resolutions before the House over which I have the honor to preside, as virtually they seem to deny my title to the office of Speaker and the right of those who have invested me with that trust."

Therefore he declines to present the resolutions, and inform the governor that he holds them until further advised as to what disposition he would have him make of them.

3318. The Speaker presents petitions from the country at large in the method prescribed by the rule.—On June 8, 1868,¹ Mr. Speaker Colfax said with regard to the presentation of petitions and papers by the Speaker:

The uniform usage of the Speakers has been, when petitions were sent to them, either to ask unanimous consent to present them, if they are of that character that they think the House would desire to have them presented, or to present them under the rule, as is the right of a Speaker as a Member from a Congressional district. The Chair has repeatedly presented petitions under the rule. * * * He has received hundreds of petitions from the States of the South, and has always submitted them under the rule to the Journal Clerk.

3319. The Speaker has considered it his duty to present the proper communication of a citizen, addressed through him to the House, on a public matter.—On December 27, 1822,² the Speaker presented to the House a letter addressed to himself from E. Lewis, of Mobile, Ala., and containing charges against Judge Tait.

A motion having been made to refer the letter to the Committee on the Judiciary, objection was made to the reference on the grounds that the author of the letter was not responsible, and that an investigation had been had heretofore at his instance. On the other hand, it was urged that it was the right of every citizen to petition the House, and that complaints against every department of the Government should be investigated.

The House refused to lay the motion to refer on the table, ayes 61, noes 62. Then the motion to refer was agreed to.

The Speaker³ then rose and said that, in regard to these papers, whatever might be his personal feelings, he did not think that he had a right to forbear laying them before the House.⁴ He had sometimes felt hesitation in laying before this House papers forwarded to him as Speaker; and in cases where the matter contained in them was obviously libelous, he had forbore. But a charge of the nature of this, though it might, as he trusted it would, turn out to be utterly libelous, might be otherwise, and the Speaker thought he had not the right to withhold the papers from the House.

¹ Second session Fortieth Congress, Globe, p. 2939.

² Second session Seventeenth Congress, Annals, pp. 463–469; Journal, p. 80.

³ Philip P. Barbour, of Virginia, Speaker.

⁴ Such papers are now laid on the Clerk's table by the Speaker under the rule and are referred by the Clerk.

On February 19 a paper, signed by members of the bar of the district court of the Alabama district, was presented by Mr. Romulus Sanders, of North Carolina, who moved that it lie on the table, the report of the Judiciary Committee on Judge Tait's case having been made to the House. The paper certified that Edwin Lewis was a man of bad character, unworthy to be admitted to the bar.

Objection was made to the presentation of such a paper, it being urged that the records should not be made a repository for statements so harmful to the individual. But Mr. Sanders said he presented it by direction of the Committee on the Judiciary, as bearing on the question relating to Judge Tait.

So the motion to lay on the table was agreed to.

3320. Discussion of the duty of a Presiding Officer in relation to the presentation of communications.—On March 17, 1834,¹ the Vice-President² thus outlined to the Senate what he considered his duty in relation to the presentation of communications addressed to the Senate:

It [the Chair] has * * * considered it to be a portion of that duty to withhold such communications as, in the exercise of its best discretion, it considered to be so framed as to render their presentation inconsistent with the respect due to the Senate, as well as such as were, from other considerations, justly subject to the operation of the same rule. Scarcely a week passes in which communications are not received by the Chair, with a request to have them laid before the Senate, in respect to which it is apparent that their authors are suffering under mental aberrations. Communications of this sort, of which many are constantly in possession of the Chair, would, on the supposition referred to, be entitled to the disposition which is claimed for the paper under consideration. But the exercise of the discretion referred to has not been confined by the Chair to papers of this description, which might justly be regarded as extreme cases. It has, on the contrary, felt it to be within the line of its duty to withhold from the Senate communications which, however high and sound the source from which they emanated, contained reflections upon the Senate, plainly derogatory to its honor. It is but a few weeks since that the Chair received, with the request to lay them before the Senate, the proceedings of a public meeting held in the city of Philadelphia, which, it was obvious, had been a very large one, and which the Chair does not doubt to have been also very respectable, in which the severest censure was denounced against this body for an act in which the present incumbent of the Chair happened to have had a particular interest. Under the influence of the sense of duty which has been expressed, the Chair did not hesitate to deliver the paper to one of the Senators from that State, with a request that it should be respectfully returned to the source from which it had come, with the information that the Chair felt it to be inconsistent with his duty to lay a paper containing such matter before the Senate.

In the case to which the Vice-President referred, the Senate later refused to receive the paper, by a vote of 20 yeas to 24 nays.

3321. Papers in the nature of petitions or memorials should be addressed to the House, but may be received if addressed to the Representative when the subject is already before the House.—On February 16, 1827,³ Mr. James Clarke, of Kentucky, presented a resolution of the general assembly of the State of Kentucky, approbatory of "the American Colonization Society" and requesting the Representatives of that State in Congress to use their best efforts to facilitate the society's purposes.

Mr. George W. Owen, of Alabama, objected to the reception of these resolutions on the ground that they were not addressed to Congress, but to the Representatives

¹ First session Twenty-third Congress, Debates, pp. 970–978.

² Martin Van Buren, of New York, Vice-President.

³ Second session Nineteenth Congress, Debates, pp. 1214, 1215.

from the State of Kentucky. They were, in this respect, private papers, with which Congress had nothing to do.

The Speaker¹ said that had these resolutions referred to a subject not previously under the consideration of Congress the gentleman from Kentucky must have introduced them by a resolution of his own, but the subject was already before the House and had been referred to a committee. When this was the case it had been the settled practice of the House to admit such resolutions from public bodies to be received, and to submit them to committees.

The resolution was then referred.

3322. On July 16, 1850,¹ the Presiding Officer² of the Senate held that a Senator could not present resolutions or memorials addressed to himself or his colleague. They must be addressed to the Senate or to the Congress.

3323. The rule relating to the signing of petitions was formerly enforced strictly by the Senate.—On February 7, 1827,³ in the Senate, Mr. Ezekiel F. Chambers, of Maryland, presented a memorial of the Colonization society.

Mr. William R. King, of Alabama, raised the question that a Member must present a memorial or petition as his own, or it must be signed by the petitioner or memorialist.

The Chair⁴ decided that no petition could be acted upon unless signed or written in the presence of the Member, or unless the handwriting was owned by the Member presenting it. Such was the rule in Jefferson's Manual.

Mr. Chambers not taking it upon himself to aver the memorial, it was withdrawn.

3324. An early requirement of the House was that a claimant should present a petition signed by himself as the foundation for his claim.—On December 16, 1828,⁵ Mr. George McDuffie, of South Carolina, from the Committee on Ways and Means, made a report on the claim of James Scull, which contained the following statement of what was then the requirement of the House in regard to the presentation of claims:

They (the committee) believe that there is no one of the rules that have been established in relation to private claims founded on more obvious grounds of policy than that which forbids Congress to act on any private claim without an application in writing, signed by the petitioner or his authorized agent. However much, therefore, they feel disposed to show deference to the memorial of the legislative council of Arkansas, they can not consider it as dispensing with the necessity of a formal application by the individual in whose behalf the interposition of Congress is solicited.

3325. Papers general or descriptive in form may not be presented to the House as memorials.—On Monday, April 7, 1834,⁶ during the presentation of petitions and memorials, as provided by the rules,⁷ Mr. John Ewing, of Indiana,

¹John W. Taylor, of New York, Speaker.

²First session Thirty-first Congress, Globe, p. 1390.

³Second session Nineteenth Congress, Debates, p. 296.

⁴John C. Calhoun, Vice-President.

⁵Second session Twentieth Congress, H. Report No. 5.

⁶First session Twenty-third Congress, Debates, p. 3538.

⁷Rule 16 at that time provided that after the first thirty days of the session petitions showed be presented only on the first day of each week.

sent to the Clerk's table certain papers containing "programmes, drafts, and outlines for the establishment of a national currency."

The Speaker¹ having ascertained that these papers were not memorials, declared that they could not be presented except by unanimous consent.

3326. Resolutions of primary assemblies of the people and of State legislatures are received as memorials.—On April 22, 1842,² the Journal of the preceding day was read, when Mr. John M. Botts, of Virginia, moved to strike therefrom an entry stating that certain proceedings of citizens of Ashtabula County, in the State of Ohio, had been laid on the Clerk's table, under the order of the House which permitted Members to lay petitions on the Clerk's table.

The paper which was referred to embodied the proceedings of a meeting which had sustained the course of the Hon. Joshua R. Giddings, who had resigned his seat in the House after he had been censured. The point was made that the rule permitted the laying of petitions on the Clerk's table, but did not include resolutions of assemblies. Also it was urged that the paper in question was defamatory of the House.

The Speaker³ said that it had been the uniform practice of the House to receive, under the call for petitions, not only petitions but resolutions of legislatures and of primary assemblies of the people.

Under the operation of the previous question the motion of Mr. Botts was agreed to, yeas 98, nays 75.

So the entry was stricken from the Journal and does not appear therein, except in so far as it is described by the terms of the motion made by Mr. Botts.

3327. On January 24, 1822,⁴ Mr. Gabriel Moore, of Alabama, presented certain resolutions of the legislature of that State, instructing their Senators and Representatives in Congress to use their exertions to obtain the annexation of certain parts of West Florida to the State of Alabama, and moved their reference to a committee.

Mr. Samuel Smith, of Maryland, raised a question that it was improper to refer resolutions or other documents not directed to the House.

The Speaker expressed an opinion that the gentleman from Alabama was in order, and that the reference proposed was sanctioned by the practice of the House. He referred to various cases in which papers not directed either to the House or its officers had been referred as documents. Such were the resolutions passed by the legislature of Kentucky on the subject of the public lands; resolutions passed by the legislature of Ohio in respect to the United States Bank and internal improvements; and even private letters had been received and referred, as in the case of M. Franchlieu on the subject of a military establishment, and of M. Cazen on the cultivation of the vine.

Mr. Smith appealed, but after debate withdrew the appeal.

3328. A question has arisen in the Senate as to whether or not a telegraphic dispatch may be received as a memorial.

¹ Andrew Stevenson, of Virginia, Speaker.

² Second session Twenty-seventh Congress, Journal, p. 740; Globe, p. 439.

³ John White, of Kentucky, Speaker.

⁴ First session Seventeenth Congress, Journal, pp. 182, 183; Annals, pp. 790, 791.

Reference to Senate rule that no alien may offer a petition directly to the Senate.

On February 25, 1879,¹ the Vice-President² laid before the Senate a telegram directed to the Senate and House of Representatives, and signed "E. F. Smith, secretary constitutional convention" of the State of California, and transmitting the thanks of the convention for the passage of the bill restricting immigration of the Chinese.

Mr. George F. Hoar, of Massachusetts, objected to the reception of the paper.

This led to a discussion as to the treatment of a telegraphic dispatch as a petition within the meaning of the rule of the Senate:

Before any petition or memorial shall be received or read at the table it shall be signed by the petitioner or memorialist, and a brief statement of its contents shall be made by the Senator or Presiding Officer presenting it; but no petition or memorial or other paper signed by citizens or subjects of a foreign power, unless the same be transmitted to the Senate by the President, shall be received.

Mr. James G. Blaine, of Maine, argued that if a Senator or the presiding officer stood sponsor for it as an authentic memorial a telegraphic dispatch should be received, as it might be the only means by which a distant community could exercise the right of petition.

The Vice-President, who apparently did not undertake to vouch for the dispatch (although a Senator from California announced that he would vouch for it), held that the point of order was well taken.

3329. A Member may himself be a petitioner.—On September 21, 1868,³ Mr. Benjamin F. Butler, of Massachusetts, under the rule, presented his own memorial, submitting to the judgment of the House the matter of the service of process upon him in Baltimore while returning to his home in Massachusetts; which was referred to the Committee on the Judiciary.

3330. The House has usually refused to receive the petitions of the subjects of a foreign power not residing in the United States.—On March 11, 1818,⁴ the Speaker laid before the House⁵ the memorial of Vincente Pazos, representing himself as the "deputed agent of the authorities acting in the name of the Republics of Venezuela, New Grenada, and Mexico," representing the views with which the said authorities took possession of and occupied Amelia Island, in East Florida, complaining of the investment and capture thereof by the arms of the United States, the loss of property and other injuries sustained in consequence of the occupation of the island by the United States, and his application to the President of the United States for redress in the premises and his failure to obtain it, and praying relief from Congress.

Mr. John Forsyth, of Georgia, moved that the petition be not received. He stated that the petitioner was the agent of a foreign power, and applied to Congress as an appellate power over the Executive.

¹Third session Forty-fifth Congress, Record, pp. 1878–1880.

²William A. Wheeler, of New York, Vice-President.

³Second session Fortieth Congress, Journal, p. 1221.

⁴First session Fifteenth Congress, Journal, pp. 320, 321; Annals, pp. 1251–1268.

⁵Under the present system petitions are referred by the Clerk and not by the House.

Mr. Burwell Bassett, of Virginia, raised a question of order as to Mr. Forsyth's motion.

The Speaker believed that the motion might be entertained, although he did not think there was any precedent for it.

In favor of considering the petition it was urged that the right of petition was sacred, and that in this case, after all, it seemed to be a claim for damages suffered by individuals in territory under the jurisdiction of the United States. On the other hand, it was urged that the right of petition was for citizens only, although instances were cited where foreign immigrants had proffered prayers to Congress.

But the weight of opinion seemed to be that the petition was really from the representative of a foreign power, although the Republics mentioned had not yet been recognized by this Government. And in dealing with foreign powers the nation should always act as one power, through the Executive, and not allow one Department of the Government to be arrayed against the other by the intervention of a foreign agent.

The motion that the petition be not received was agreed to, yeas 127, nays 128.

3331. On May 17, 1824,¹ the Speaker presented, without question from the House, a memorial purporting to be from Louis Charles, Duc de Navarre, Dauphin of France, etc., representing himself to be the legitimate heir to the French throne, and praying the friendly interference of the Government of the United States in his behalf. The memorial was laid on the table.

3332. On April 2, 1832,² Mr. Charles F. Mercer, of Virginia, presented the memorial of sundry subjects of Great Britain, residing in England, praying Congress to aid the American Colonization Society, as an effectual means of ultimately suppressing the African slave trade, etc.

In regular course the memorial had been referred to the select committee to whom the general subject had been committed, when Mr. James K. Polk, of Tennessee, moved to reconsider the vote of reference, on the ground that the memorial came from citizens of a foreign country residing abroad, and was an uncalled for and impertinent interference in a great subject which the House was scrupulous about acting on, even upon the memorials of American citizens presented by their own citizens.

After debate, the vote of reference was reconsidered, and Mr. Mercer withdrew the memorial.

3333. On July 7, 1842,³ Mr. Edward D. White, of Louisiana, laid on the Clerk's table, under the order of the House of March 29, the memorial of Edmund J. Forstall, in behalf of Messrs. Hope & Co., of Amsterdam, and other bondholders of the Bank of Pensacola, in the Territory of Florida, representing that, on the 18th of November, 1841, he laid before the Hon. Daniel Webster, Secretary of State, a statement of facts, together with a correspondence with Governor R. K. Call, in relation to the claim of said bondholders; that the object of the memorialists in thus addressing the Secretary of State was to bring before Congress the claims of

¹ First session Eighteenth Congress, Journal, p. 526; Annals, p. 2629.

² First session Twenty-second Congress, Journal, pp. 557, 558; Debates, pp. 2332-2350.

³ Second session Twenty-seventh Congress, Journal, p. 1062.

the bondholders of the Bank of Pensacola upon the Federal Government, resulting from the failure of the Bank of Pensacola and of the Territory of Florida, to comply with the conditions of said bonds, etc.; that the Secretary of State in reply wrote that the matter was one with which the State Department had no concern, and that the bondholders had the power of applying directly to Congress; and that the memorialists were now following that course in asking for the examination of the case by the appropriate committee.

The memorial was referred to the Committee on Foreign Affairs.

3334. On February 17, 1847,¹ in the Senate, the Vice-President stated that he had in his possession a petition from a British subject asking certain legislation relating to the jurisdiction of the Supreme Court of the United States. The Vice-President said that he had not presented it because as to a doubt about the propriety of receiving a petition from an alien. Mr. Daniel Webster, of Massachusetts, said that there could not be the slightest doubt about the propriety of receiving it. On a former occasion it had been suggested that the British Parliament did not receive petitions from foreigners, and this precedent had been of weight in the decision. But that was an erroneous conclusion, as a study of Hatsell showed. An alien friend might present a petition to Parliament for any matter that a subject might present one for. Mr. John C. Calhoun, of South Carolina, contended that the proper channel of communication for a foreign subject was through the Executive. It seemed to him that the proper course was for the petitioner to present the matter first to his own government, and then it might be forwarded to this Government. In the case of an alien resident in this country, however, he thought the privilege of direct petition to Congress should be allowed. On February 23 a motion to receive the petition was laid on the table.

3335. In the Senate, on January 15, 1872,² a petition was presented from Chinese merchants of San Francisco in regard to the duty on rice. The Vice-President³ said:

The Chair desires to state that this may not be considered as a precedent; that by the usage of the Senate, repeatedly affirmed, it has been decided that petitions of foreigners can not be received, except through the State Department, the only medium by which we communicate with foreigners.

Further debate showed that there were American signatures on the petition, and also brought out from the Vice-President the statement that in the debate where the rule of the Senate was fixed Messrs. Webster, Calhoun, and others did make the distinction that foreigners, denizens of this country, might have the right to petition concerning their own personal privileges, as to whether they were suffering outrages or wrongs. The Senate decided to receive the petition.

3336. Petitions from foreigners are properly transmitted through the Executive.—Claims of foreign subjects against the United States Government—such, for instance, as the claim of the heirs of Baron de Beaumarchais—are trans-

¹ Second session Twenty-ninth Congress, Journal, pp. 434, 435, 480.

² Second session Forty-second Congress, Globe, pp. 378, 379.

³ Ex-Speaker Colfax.

mitted by the Secretary of State to the President, who sends a message to the House of Representatives.¹

3337. On May 26, 1834,² President Jackson transmitted to Congress a petition from the heirs of Baron de Kalb, praying remuneration for the services rendered by him during the war of the Revolution.

3338. On February 25, 1833,³ President Jackson, by message, transmitted a letter from General Lafayette, with petitions of the granddaughters of Marshal Count Rochambeau, praying compensation for services rendered by their grandfather in the Revolutionary war. The message and documents were referred to the Committee on Revolutionary Claims.

3339. On February 17, 1835,⁴ President Jackson, in a message transmitted to the House a petition from one of the surviving daughters of the Count de Grasse, and this petition was referred to the Committee on Revolutionary Claims.

3340. On February 27, 1901,⁵ the following message from the President of the United States was laid before the House:

To the Congress:

I transmit herewith, for the consideration of Congress, in connection with my message of January 29, 1901, relative to the lynching of certain Italian subjects at Tallulah, La., a report by the Secretary of State touching a claim for \$5,000 presented by the Italian ambassador at Washington on behalf of Guiseppe Defina on account of his being obliged to abandon his home and business.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,

Washington, February 26, 1901.

3341. Petitions from Indians within the limits of the United States have been received.—On March 9, 1880,⁶ the Senate, after some discussion but without dissent, received a petition from the delegates of certain Indian tribes in Indian Territory, the petitioners not being citizens of the United States.

3342. While slavery existed the House declared that slaves did not possess the right of petition.

A proposition to censure a Member for presenting a petition purporting to come from slaves failed after long discussion.

On February 6, 1837,⁷ Mr. John Quincy Adams, of Massachusetts, rising in his place during the presentation of petitions to the House,⁸ announced that he held in his hand a paper purporting to be a petition from slaves, signed by twenty-two persons, declaring themselves to be slaves, and addressed to the Speaker an inquiry as to the disposition of the petition under the rules.

At once a resolution was offered to censure Mr. Adams for his “gross disrespect” of the House in offering such a petition, and the subject was considered for several

¹ See case April 2, 1822, when President Monroe transmitted papers in the Beaumarchais claim? (first session Seventeenth Congress, Journal, p. 421.)

² First session Twenty-third Congress, Journal, p. 658.

³ Second session Twenty-second Congress, Journal, p. 406; Debates, p. 1763.

⁴ Second session Twenty-third Congress, Journal, p. 403.

⁵ Second session Fifty-sixth Congress.

⁶ Second session Forty-sixth Congress, Record, pp. 1399, 1340.

⁷ Second session Twenty-fourth Congress, Journal, pp. 350, 364, 365, 373, 374–377; Debates, pp. 1587–1685, 1707–1734.

⁸ Petitions are no longer presented in this way.

days. Various modifications and amendments of the original proposition of censure were proposed, and on February 9 the question came to an issue by a vote on these resolutions:

Resolved, That any Member who shall hereafter present any petition from the slaves of this Union, ought to be considered as regardless of the feelings of the House, the rights of the Southern States, and unfriendly to the Union.

Resolved, That the Hon. John Q. Adams, having solemnly disclaimed all design of doing anything disrespectful to the House in the inquiry he made of the Speaker as to the petition purporting to be from slaves, and having avowed his intention not to offer to present the petition if the House was of opinion that it ought not to be presented; therefore all further proceedings in regard to his conduct do now cease.

Both resolutions were disagreed to, the first by 92 yeas, 105 nays; the second by 21 yeas, 137 nays.

On February 18 Mr. Amos Lane, of Indiana, moved to reconsider the vote whereby the former resolution had been disagreed to, and on this motion there were yeas 158, nays 45. So the vote was reconsidered, and the resolution was again before the House.

The reconsideration seems to have been prompted by a desire to obtain a less equivocal declaration of the House on the subject of the right of slaves to petition than was contained in the negative action on the former of the resolutions. After quite an extended debate on the right of petition, in the course of which it was argued that the slave might not petition, as he had no civil status, and might not appeal to the courts, the House substituted for the pending resolution the following resolutions:

Resolved, That an inquiry having been made by an honorable gentleman from Massachusetts, whether a paper which he held in his hand, purporting to be a petition from certain slaves, and declaring themselves to be slaves, came within the order of the House of the 18th of January; and the said paper not having been received by the Speaker, he stated that, in a case so extraordinary and novel, he would take the advice and counsel of the House. This House can not receive the said petition without disregarding its own dignity, the rights of a large class of citizens of the South and West, and the Constitution of the United States.

Resolved, That slaves do not possess the right of petition secured to the people of the United States by the Constitution.¹

The House agreed to the former resolution, yeas 160, nays 35; and to the second resolution, yeas 162, nays 18.

3343. References to discussion of the right of petition.—On December 12, 1838,² the House accompanied its order in relation to laying on the table petitions relating to slavery by a declaration of the character of the Government under the Constitution, the rights of Congress in relation to slavery, etc.

The right of petition was discussed in 1844³ by Henry A. Wise in a minority report from the Committee on Rules, on the subject of the rule excluding abolition petitions.

¹The first amendment of the Constitution, proposed to the States for ratification in 1789, provides "Congress shall make no law * * * abridging * * * the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

²Third session Twenty-fifth Congress, Journal, p. 71.

³House Report, No. 3, pp. 16, 17, of Mr. Wise's views, first session Twenty-eighth Congress.

On April 26, 1894,¹ the right of petition was discussed at some length in the Senate.

3344. 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.—On January 4, 1836,³ Mr. John Quincy Adams, of Massachusetts, presented a memorial from sundry inhabitants of the State of Massachusetts praying the abolition of slavery and the slave trade in the District of Columbia.

Mr. Thomas Glascock, of Georgia, made a motion that the petition be not received. He contended that this motion was a proper one which did not conflict with the right of petition. On January 25,³ the proceedings on the subject of this and similar petitions being prolonged, Mr. Glascock quoted Jefferson's Manual:

That regularly a motion for receiving a petition must be made and seconded, and a question put whether it shall be received.

He understood that this was the practice in both the House and Senate. Had Mr. Jefferson considered that a refusal to receive a petition was a denial of the right of petition intended to be guaranteed by the Constitution he would never have given his sanction to the rule given in his Manual.

On January 25, also, Mr. Adams declared "the foundation principle that the House had no right to take away or abridge the constitutional right of petition." The same day Mr. Caleb Cushing, of Massachusetts, spoke at length on the general subject, holding that the right of presenting a petition to the House and having it received was part of the great right of petition so jealously guarded in the Constitution of the nation and the several States. Precedents had been cited to show that the House had in the past refused to receive petitions. It was said that in 1790 a petition relating to the slave trade had been rejected by the House. Mr. Cushing showed by reference to the Journal that the petition in question had actually been referred to a committee. The report of the debates did, indeed, speak of it as rejected, but this was an error. The other case, that of the petition of Vincente Pazos, which the House refused to receive in 1818, did not involve the present question at all, since the petitioner was a foreign subject who presumed to apply to Congress as an appellate power over the Executive. "Upon the Constitution," continued Mr. Cushing, "upon the preexisting legal rights of the people, as understood in this country and in England, I have argued that this House is bound to receive the petition under debate. It is impossible, in my mind, to distinguish between the refusal to receive a petition or its summary rejection by some general order and the denial of the right of petition."

The continued presentation of petitions and the debates arising over each led to various propositions for the suppression of them. Finally, on February 4,⁴ Mr. Henry L. Pinckney, of South Carolina, proposed that the whole subject of petitions, methods of dealing with them, and the slave trade and slavery in the District of Columbia, be referred to a select committee. On February 8 this proposition was

¹ Second session Fifty-third Congress, Record, pp. 4107–4110.

² First session Twenty-fourth Congress, Journal, p. 128; Debates, p. 2128.

³ Debates, pp. 2318, 2321, 2329.

⁴ Journal, pp. 289–316; Debates, pp. 2482, 2491.

adopted by the House, and the following were appointed of the committee: Messrs. Pinckney, of South Carolina, Thomas L. Hamer, of Ohio; Franklin Pierce, of New Hampshire; Benjamin Hardin, of Kentucky; Leonard Jarvis, of Maine; George W. Owens, of Georgia; Henry A. Muhlenberg, of Pennsylvania; George C. Dromgoole, of Virginia, and Joel Turrill, of New York.

This committee reported¹ on May 18, and after a long debate involving largely the question of slavery, the House came to a vote on May 25,² on the following resolutions appended to the report:

Resolved, That Congress possesses no constitutional authority to interfere in any way with the institution of slavery in any of the States of this Confederacy.

Resolved, That Congress ought not to interfere, in any way, with slavery in the District of Columbia.

And whereas, it is extremely important and desirable that the agitation of this subject should be finally arrested, for the purpose of restoring tranquility to the public mind, your committee respectfully recommend the adoption of the following additional resolution:

Resolved, That all petitions, memorials, resolutions, propositions, or papers, relating in any way or to any extent whatever to the subject of slavery, or the abolition of slavery, shall, without being either printed or referred, be laid upon the table, and that no further action whatever shall be had thereon.

The first resolution was agreed to, yeas 182, nays 9; the second, yeas 132, nays 45; the third, yeas 117, nays 68.³

3345. On January 18, 1837,⁴ Mr. Albert G. Hawes, of Kentucky, in order to put an end to the discussions of the abolition of slavery, which were taking much of the time of the House, moved the following resolution:

¹ See Report No. 691, House Reports, first session Twenty-fourth Congress.

² Journal, pp. 876–885; Debates, pp. 4009–4054.

³ The action of the House in relation to resolutions of this character was in unfortunate assertion of a right which had been asserted in previous years both by the House and Senate. As early as November 28, 1792, a memorial on the subject of slavery had been returned by the Clerk on the order of the House. (Second session Second Congress, Annals, p. 730.) Again, on January 30, 1797, the House, after debate, refused to receive the memorial of certain manumitted slaves. (Second session Fourth Congress, Journal, p. 666; Annals, pp. 2015–2024.) On December 21, 1801, the petition of Peter Lee, a free negro, for consideration on account of wounds received in the Revolution, was denied reference to a committee. (First session Seventh Congress, Journal, p. 23.) By declining to refer petitions to a committee, the House expressed its intention not to entertain them. Thus in case of petitions of certain aliens in 1803. (Annals, second session Seventh Congress, pp. 465, 474.)

Thus, in 1813, the memorial of the Massachusetts legislature on the war was received, but not referred—simply postponed to the next session. (First session Thirteenth Congress, Annals, pp. 334, 404.) At the next session the memorial of Maryland house of delegates on the same subject was laid on the table, and the House refused to print it after an animated debate as to its contents. (Second session Thirteenth Congress, Annals, pp. 1204–1228.)

On April 18, 1826, the Committee on Claims reported back a petition not in the English language, and the House discharged the committee and tabled the resolution, so that the Delegate presenting the petition might have it translated. (First session Nineteenth Congress, Journal, p. 446.)

In the Senate, February 4, 1828 (first session Twentieth Congress, Debates, p. 234), the Chair (Vice-President John C. Calhoun) stated that the receiving of a memorial was a matter of course, but it was always in the power of the Senate not to receive one. In this case the Senate declined to receive the memorial.

⁴ Second session Twenty-fourth Congress, Journal, pp. 234–236; Debates, p. 1411.

Resolved, That all petitions, memorials, resolutions, propositions, or papers, relating in any way or to any extent whatever to the subject of slavery, or to the abolition of slavery, shall, without being printed or referred, be laid upon the table, and that no further action be had thereon.¹

Under the operation of the previous question, this resolution was agreed to, yeas 129, nays 69.

3346. On December 21, 1837,² the House agreed again to a resolution adopted in the previous Congress providing that petitions on the subject of the abolition of slavery be laid on the table without being debated, printed, read, or referred.

3347. For a time a rule was in force providing that no petition on a certain subject should “be received by this House or entertained in any way whatever.”—On January 28, 1840³ after a long debate, the House, by a vote of 114 yeas to 108 nays, agreed to the following rule:

No petition, memorial, resolution, or other paper praying the abolition of slavery in the District of Columbia, or any State or Territory, or the slave trade between the States or Territories of the United States in which it now exists, shall be received by this House, or entertained in anyway whatever.

Special orders for the same purpose had been adopted from session to session before this, but this is the first rule.

3348. On December 3, 1844,⁷ the House, by a vote of 108 yeas to 80 nays, rescinded the rule providing that petitions for the abolition of slavery should not be “received by the House or entertained in anyway whatever.”

3349. Am instance wherein a memorial was returned to the memorialists.—On April 21, 1806,⁵ Mr. Josiah Quincy, of Massachusetts, presented to the House memorials of Samuel G. Ogden and William S. Smith stating that they were the subjects of unjust prosecution on account of an alleged offense against the laws of the United States, into which, if in error, they had been led by the conduct of officers of the Government.

The memorial was read, and

After debate the House adopted a resolution declaring the allegations of the memorial unsupported by evidence, and directing the Clerk to return it to those from whom it came.⁶

3350. When petitions were presented in open House it was held that the question of reception was at once pending.—On January 13, 1840,⁷ Mr. Levi Lincoln, of Massachusetts, presented certain petitions praying that slavery be abolished in the District of Columbia. Mr. George C. Dromgoole, of Virginia, demanded that the question on the reception of the petitions⁸ be put. It was

¹ A similar resolution had been agreed to at the first session of this Congress; but, on December 26, 1936 (Debates, p. 1156), the Speaker said that, after referring to such authorities as he could find, he had come to the decision that the operation of that resolution ceased with the last session of Congress.

² Second session Twenty-fifth Congress, Journal, p. 127.

³ First session Twenty-sixth Congress, Journal, p. 244; Globe, p. 151.

⁴ Second session Twenty-eighth Congress, Journal, pp. 10, 11; Globe, p. 7.

⁵ First session Ninth Congress, Journal, pp. 414–418 (Gales and Seaton ed.); Annals, pp. 1085–1094.

⁶ On January 14, 1832 (Second session Twenty-second Congress, Debates, p. 98), Mr. Henry Clay, of Kentucky, in the Senate, presented petitions from persons who professed to have discovered the secret of endless life, and asked a grant of land.

⁷ First session Twenty-sixth Congress, Journal, p. 203; Globe, p. 119.

⁸ Petitions are no longer presented in open House.

objected that, as the Member who had presented them had not moved that they be received, the question of their reception was not before the House. Mr. Speaker Hunter decided that the presentation of the petition was, of itself, a motion that it should be received. On appeal this decision was sustained, yeas 145, nays 51.

3351. The question on reception being put, the House has frequently declined to receive petitions which did not meet its approval.—On January 22, 1844,¹ Mr. Joshua R. Giddings, of Ohio, offered to present a petition of citizens of Massachusetts, praying for the passage of an act making it an offense highly penal for any officer of or person employed by the United States to capture or detain or to aid or assist in capturing or detaining any person on the ground that such person was a slave.

The question, “Shall the petition be received?” being demanded, was put, and there were yeas 85, nays 86.

And so the petition was not received.

3352. On January 7, 1839,² Mr. John Quincy Adams, of Massachusetts, presented to the House a memorial asking the appointment of a “committee on color,” to whom should be referred all officeholders and Members of Congress for the examination of their respective pedigrees in order that all persons having the least degree of colored blood in their veins might be expelled from office, etc.

Mr. George C. Dromgoole, of Virginia, said he considered the memorial an evident attempt to cast ridicule on the House, and objected to its reception.

The question being taken “Shall the petition be received?” it was decided in the negative, yeas 25, nays 115.

3353. On January 30, 1833,³ Mr. John Quincy Adams, of Massachusetts, presented a protest of the legislature of Massachusetts against the pending tariff bill. This was referred and ordered printed. Later a Member raised a question as to this protest or memorial on the ground that it contained terms not respectful to the Committee on Ways and Means who framed the bill. The matter was debated at length, but on February 2 the subject was dropped without action.

3354. On February 28, 1842,⁴ Mr. Joshua R. Giddings, of Ohio, offered to present a petition from eighty-two inhabitants of the town of Austinburg, in the county of Ashtabula, in the State of Ohio, praying Congress “to take measures immediately to bring about an amicable division of these States by a line running between the free and the slave States,” for three reasons, which were set forth in the petition.

It was objected that the petition was not respectful to the House, and the question being taken “Shall the petition be received?” there were yeas 24, nays 117. So the House refused to receive the petition.

3355. On February 11, 1850,⁵ the Senate, at the conclusion of a long debate on the subject, refused, by a vote of yeas 3, nays 51, to receive a petition praying for the dissolution of the Union.

¹ First session Twenty-eighth Congress, Journal, pp. 268–270; Globe, p. 178.

² Third session Twenty-fifth Congress, Journal, p. 238; Globe, p. 99.

³ Second session Twenty-second Congress, Journal, pp. 254, 256, 262; Debates, pp. 1478, 1522, 1564.

⁴ Second session Twenty-seventh Congress, Journal, p. 461; Globe, p. 268.

⁵ First session Thirty-first Congress, Globe, p. 333.

3356. On February 25, 1850,¹ Mr. Joshua R. Giddings, of Ohio, presented the petition of Isaac Jefferis and others, citizens of Pennsylvania, and the petition of John J. Woodward and others, citizens of Pennsylvania and Delaware, asking Congress to adopt measures for the immediate and peaceful dissolution of the American Union.

Mr. Giddings moved that the petitions be referred to a select committee with instructions to inquire as to the extent of this dissatisfaction with the Union and the means of restoring satisfaction.

The reception of the petition being objected to, the question was put "Shall the petitions be received?" and decided in the negative, yeas 8, nays 162.

3357. If a portion of a petition be excluded by a rule, the entire paper must be excluded if the context be such as to be incapable of division.—On December 26, 1843,² Mr. John Quincy Adams, of Massachusetts, proposed to present a petition, a portion of which fell within the rule excluding petitions for the abolition of slavery, and a portion of which did not fall within the said rule. The Speakers³ decided that inasmuch as a large portion of the petition was excluded by the rule, and that the portion proposed to be referred was so connected with that which could not be received as to render it necessary to send the entire petition to the committee if any part should be received and referred, it was not in order to receive any part of it.

On appeal this decision was sustained, yeas 104, nays 41.

3358. A portion of a petition, being in contravention of a rule, was laid on the table, while the remainder was referred.—On February 4, 1839,⁴ the House had before it a memorial from the legislature of the State of Vermont protesting against the annexation of Texas, and also referring to the abolition of slavery within the United States. Under a standing order of the House petitions on the latter subject were to be at once laid on the table, without being debated, printed, or referred.

Therefore the portion of the resolution relating to the abolition of slavery within the United States was laid on the table by direction of the Speaker, while the remainder came before the House to be disposed of by vote, either to be referred or laid on the table, or otherwise disposed of.

3359. A portion of a petition may be referred to one committee and the remainder to another.—On November 25, 1811,⁵ on motion of Mr. George Poindexter, of Mississippi Territory:

Resolved, That so much of the petition of the inhabitants of West Florida as relates to the annexation of that province to the Mississippi Territory be referred to the committee appointed on the memorial of the legislative council and house of representatives of said Territory praying admission into the Union on an equal footing with the original States; and that so much of the said petition as relates to land claims be referred to the Committee on the Public Lands.⁶

¹ First session Thirty-first Congress, Journal, p. 605; Globe, p. 414.

² First session Twenty-eighth Congress, Journal, p. 119.

³ John W. Jones, of Virginia, Speaker.

⁴ Third session Twenty-fifth Congress, Journal, p. 447; Globe, p. 159.

⁵ First session Twelfth Congress, Journal, p. 38 (Gales and Seaton ed.); Annals, p. 366.

⁶ Petitions are no longer referred by the House, but the rule as to distribution would seem to hold good.

3360. On June 18, 1838,¹ the House referred a portion of the memorial of Francis P. Blair relating to his connection with the Government in the capacity of Public Printer to a select committee, and another portion of the memorial to the Committee on Post-Offices and Post-Roads.

3361. In the earlier practice the House endeavored to pass either favorably or unfavorably on all petitions presented.—It was a frequent practice in the earlier days, when a committee had before it a memorial on which action was not expedient, for the House to discharge the committee and give the memorialist leave to withdraw.²

3362. On December 11, 1837,³ the House

Ordered, That the several memorials and petitions presented to the House of Representatives at the last Congress, and upon which favorable reports were made, and on which the House did not act finally, be again referred to the committees to which the said memorials and petitions were heretofore severally referred.⁴

3363. A Member having presented a memorial for reference under a rule, and a ruling and appeal having been made as to that reference, it was held that the memorial might not be withdrawn.—On February 29, 1836,⁵ Mr. John M. Patton, of Virginia, presented to the House certain resolutions of the legislature of Virginia, and moved their reference to the Committee on the District of Columbia with certain instructions.

The Speaker⁶ decided that under the resolution of the House of the 8th of February instant, which declared “That all memorials which have been offered, or may hereafter be presented to this House, praying for the abolition of slavery in the District of Columbia, * * * together with every other paper or proposition that may be submitted in relation to this subject, be referred to a select committee,” the paper now presented would go, by virtue of the said resolution, to the select committee.

An appeal was taken from this decision of the Chair, and the Chair was sustained by a vote of the House.

Thereupon, the resolutions of the legislature of Virginia were referred, in accordance with the requirements of the resolution, to the select committee.

Then Mr. Patton proposed to withdraw the resolutions.

The Speaker decided that, as a matter of right, the resolutions could not be withdrawn, unless on leave granted by a vote of the House.

¹Second session Twenty-fifth Congress, Journal, pp. 1114–1116.

²See instance February 23, 1829. (Second session Twentieth Congress, Journal, p. 324.)

³Second session Twenty-fifth Congress, Journal, p. 36.

⁴In the great pressure of business now, no action is taken as to petitions or bills not acted on when a session ends.

⁵First session Twenty-fourth Congress, Journal, p. 420; Debates, pp. 2656–2660.

⁶James K. Folk, of Tennessee, Speaker.