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RUSSELL, JOSEPH J., of Missouri, Chairman.

Decisions of questions of order relating to—

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Appropriations. Volume **VII**, section **1184**.

Calendar Wednesday. Volume **VII**, section **951**. Volume **VIII**, section **2372**.

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RYAN.

The Louisiana election case of *Newsham v. Ryan* in the Forty-first Congress. Volume **I**, sections **328-336**.

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SABATH.

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SAGE.

The New York election case of Guyon, jr., v. Sage in the Sixteenth Congress. Volume **I**, section **649**.

SAILORS.

The right of soldiers, sailors, and marines to exercise the privilege of suffrage is not abridged by Federal law. Volume **I**, section **300**.

Legislation authorizing hospital facilities for soldiers, sailors, and marines is within the jurisdiction of the Committee on World War Veterans' Legislation. Volume **VII**, section **2079**.

Legislation authorizing hospital facilities for soldiers, sailors, and marines has been reported by the Committee on Public Buildings and Grounds, although jurisdiction over that subject is now exercised by the Committee on World War Veterans' Legislation. Volume **VII**, section **1969**.

ST. LAWRENCE RIVER

The Committee on Interstate and Foreign Commerce's former jurisdiction over legislation relating to the navigation, commerce, shipping facilities, and pollution of the Great Lakes, and the survey and improvement of navigation therefrom to the Sea via the St. Lawrence River has been transferred to the Committee on Merchant Marine and Fisheries. Volume **VII**, section **1809**.

ST. MARTIN.

The Louisiana election case of Sypher v. St. Martin in the Forty-first Congress. Volume **I**, sections **328-336**.

SALARIES.

(1) **Of Members and employees of the House.**

(2) **In relation to procedure of the House. See also "Appropriations."**

(1) Of Members and Employees of the House.

Rate and method of payment of compensation and mileage of Speaker and Members. Volume **II**, section **118**. Volume **VI**, section **201**.

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

Only one check monthly may be issued to Members in payment of salary, such check to correspond with the legal rate of pay due for the current month. Volume **VI**, section **203**.

Payment of salaries of Members at any other rate than that fixed by law is not authorized. Volume **VI**, section **203**.

Certificates of salary and mileage of Members may be signed for the Speaker by a designated employee. Volume **II**, section **1157**.

Instance wherein deductions were made from the salaries of Members because of absence (foot-note). Volume **IV**, section **3011**.

The House has by resolution revoked all leaves of absence and directed the Sergeant-at-Arms to deduct from the salary of Members compensation for days absent without leave. Volume **VI**, section **198**.

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

Since 1914 Members elected to fill vacancies occasioned by death of predecessor are paid salary from date of election only. Volume **VI**, section **202**.

The provision of the act of July 16, 1914, relating to payment of salary of Member of Congress for period elapsing between election and death of predecessor, is permanent law. Volume **VI**, section **202**.

A Member may remit back to the United States any portion of his salary, and amounts so remitted are covered into the general funds of the Treasury and are not subject to recovery. Volume **VI**, section **203**.

It is the custom to grant to the widow or other dependent of deceased Member one year's salary. Volume **VI**, section **204**.

SALARIES—Continued.**(1) Of Members and Employees of the House—Continued.**

The payment of a year's salary to widows of deceased Members is a gratuity, and in event of the death of the beneficiary prior to payment there is no authority to make payment to anyone else. Volume **VI**, section **204**.

Passage by the House of resolution authorizing payments of salaries of Members accepting commissions in the Army. Volume **VI**, section **61**.

A session clerk is entitled to compensation only from the date when he enters upon the discharge of his duties with the committee. Volume **IV**, section **4536**.

Reference to statutes fixing the pay of session clerks of committees (footnote). Volume **IV**, section **4535**.

In case of a month's extra pay an employee having an annual salary is entitled to one-twelfth of the sum of that salary. Volume **V**, section **7229**.

A clerk of a committee who ceased to hold office on December 21 was held not to be entitled to the salary for the remainder of the month, under the terms of a resolution directing the payment of salaries of employees for that month on the 20th. Volume **IV**, section **4537**.

The clerk of a committee being appointed a postmaster was held to be entitled to his salary as clerk until his successor was appointed, although his salary as postmaster had already begun. Volume **IV**, section **4538**.

One person may be designated as clerk to two Members if the aggregate compensation is within the limitation prescribed by law. Volume **VI**, section **210**.

Compensation of clerks may be paid on the third of each month. Volume **VI**, section **211**.

While customary to grant the widow of an employee of the House an amount equal to one-half of a year's salary, in exceptional instances the House has authorized payment of the full amount of the annual salary. Volume **VIII**, section **3600**.

The House having passed a resolution from the Committee on Accounts authorizing the employment of a person, a provision for the salary is in order on an appropriation bill, but such provision shall conform with the provisions of the resolution. Volume **VII**, section **1313**.

An appropriation to give employees of the House a month's pay in addition to the annual salary is not in order on an appropriation bill. Volume **VII**, section **1310**.

A resolution fixing salaries of House employees was held not privileged when reported by the Committee on Accounts. Volume **VIII**, section **2302**.

(2) In relation to Procedure of the House. See also "Appropriations."

A bill creating a new office requires consideration in Committee of the Whole. Volume **IV**, section **4824**.

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

The mere appropriation for a salary does not thereby create an office so as to justify appropriations in succeeding years. Volume **IV**, section **3590**.

Where the law fixes the amount of a salary a proposition to increase the amount is not in order on an appropriation bill. Volume **IV**, sections **3676–3679**.

It is not in order to provide on an appropriation bill for payments to employees of the House unless the House by prior action has authorized the same. Volume **IV**, sections **3654, 3655**.

A motion to strike from an appropriation bill a provision for a salary authorized and fixed by law is not subject to the objection that it proposes legislation. Volume **IV**, section **3699**.

The appropriation of a less sum than the amount fixed by law for a salary is not a change of law, even though a legislative provision in another portion of the bill may give it the practical effect of a reduction of the salary. Volume **IV**, sections **3681–3685**.

SALARIES—Continued.**(2) In Relation to Procedure of the House.**—Continued.

The provision of the current law of an appropriation does not fix a salary as against a provision of general law. Volume **IV**, section **3686**.

In the absence of a general law fixing a salary the amount appropriated in the last appropriation bill has been held to be the legal salary, although in violation of the general rule that the appropriation bill makes law only for the year. Volume **IV**, sections **3687–3696**.

While Congress may decline to appropriate for a salary fixed and conditioned by law, yet it is not in order on an appropriation bill to make the payment conditional on certain contingencies which would change the lawful mode of payment. Volume **IV**, sections **3989–3992**.

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

The law having established an office and fixed the salary, it is not in order on an appropriation bill to provide for an unauthorized office and salary in lieu of it. Volume **IV**, section **3680**.

SALE.

The sale of fraudulent stocks and bonds and other “blue sky” securities is a subject considered by the Committee on the Judiciary. Volume **VII**, section **1781**.

Bills relating to the fraudulent or unethical sale of securities were taken from the Committee on Interstate and Foreign Commerce and referred to the Committee on the Judiciary. Volume **VII**, section **1782**.

Bills for the stimulation of production, sale, and distribution of livestock and livestock products and the authorization of appropriations for international conferences on poultry and poultry products have been reported by the Committee on Agriculture. Volume **VII**, section **1867**.

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

The sale of Government property, even where proceeds of such sale are to be applied to maintenance of governmental activities, thereby reducing appropriations required for that purpose, was held not to effect a retrenchment of expenditures. Volume **VII**, section **1497**.

Bills providing for the appraisal, sale, lease, and conveyance of public lands and for the disposition of such lands when abandoned are within jurisdiction of the Committee on the Public Lands. Volume **VII**, section **1930**.

SALMON FISHERIES.

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

SALTS.

The Missouri election case of Salts v. Major in the Sixty-sixth Congress. Volume **VI**, section **151**.

SANDERS.

The Senate election case of Sanders, Power, Clark, and Maginnis, from Montana, in the Fifty-first Congress. Volume **I**, section **358**.

SANDERS, EVERETT, of Indiana, Chairman.

Decisions on questions of order relating to—

Amendment. Volume **VIII**, sections **2362, 2897**.

Amendment, germaneness of. Volume **VIII**, sections **3048, 3050**.

Amendment, substitute. Volume **VIII**, section **2903**.

Appropriations. Volume **VII**, sections **1131, 1227, 1474, 1500, 1593, 1594, 1640, 1642, 1660, 1661, 1666, 1993**.

SANDERS, EVERETT, of Indiana, Chairman—Continued.

Decisions on questions of order relating to—Continued.

Debate. Volume **VIII**, section **2560**.

Holman Rule. Volume **VII**, section **1509**.

Question of personal privilege. Volume **VIII**, section **2459**.

Reading. Volume **VIII**, section **2912**.

Recommit, motion to. Volume **VIII**, section **2327**.

Voting. Volume **VIII**, section **3102**.

SANFORD, ROLLIN B., of New York, Chairman.

Decisions on questions of order relating to—

Appropriations. Volume **VII**, sections **1272, 1369**.

SANITARY REGULATIONS.

Subjects relating to the health of the District, sanitary and quarantine regulations, etc. have been within the jurisdiction of the Committee on the District of Columbia. Volume **IV**, section **4284**. Volume **VII**, section **2008**.

SANITY.

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

The court of impeachment declined to postpone judgment until Judge Pickering could be brought personally before it for inspection as to sanity. Volume **VIII**, section **2337**.

SAPP.

The Iowa election case of Holmes, Wilson, Sapp, and Carpenter, in the Forty-sixth Congress. Volume **I**, section **525**.

SATURDAY.

The rule providing for consideration of the Private Calendar on Saturday divides the time for debate between the Member objecting and the chairman of the committee reporting the bill and neither may yield time to another. Volume **VII**, section **847**.

The objection by three Members when a bill is first called on Private Calendar Saturday precludes debates thereon and the bill is referred to the deferred list forthwith. Volume **VII**, section **849**.

If three Members object the bill is entered on the deferred list from which bills have first call in their order for consideration under the 5 minute rule on the last Saturdays of each month. Volume **VII**, section **846**.

A bill indirectly conferring a pensionable status is in order on a day set apart under the rule for the consideration of private pension bills. Volume **VII**, section **850**.

On Saturday of each week it is in order to move to resolve into the Committee of the Whole House to consider business on the Private Calendar. Volume **VII**, section **846**.

Form of special order providing for consideration of a bill with reservation as to days set apart by the rules for classes of business. Volume **VII**, section **808**.

A Member may not yield time allotted under the rule providing for the consideration of the Private Calendar. Volume **VII**, section **848**.

SAUNDERS.

The Virginia election case of Parsons v. Saunders, in the Sixty-first Congress. Volume **VI**, section **53**.

SAUNDERS, EDWARD W., of Virginia, Chairman.

Decisions on questions of order relating to—

Amendment. Volume **VI**, section **254**. Volume **VIII**, sections **2353, 2860**.

Amendment, germaneness of. Volume **VIII**, section **2979**.

Appropriations. Volume **VII**, sections **1139, 1150, 1208, 1273, 1276, 1323, 1333, 1395, 1397, 1401, 1426, 1427, 1432, 1492, 1532, 1533, 1540, 1557, 1558, 1560, 1568, 1597, 1612, 1675, 1678, 1679, 1712, 1713, 1714**.

Committees, jurisdiction of. Volume **VII** section **2102**.

SAUNDERS, EDWARD W., of Virginia, Chairman—Continued.

Decisions on questions of order relating to—Continued.

Debate. Volume **VIII**, sections **2455, 2512, 2591**.

Holman rule. Volume **VII**, sections **1490, 1491, 1505, 1538, 1551, 1627**.

Question of order. Volume **VIII**, section **3429, 3443**.

Voting. Volume **VIII**, section **3168**.

SAVINGS BANKS.

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

SAYLER, MILTON, of Ohio, Speaker Pro Tempore.

Decisions on questions of order relating to—

Appeals. Volume **IV**, section **3036**.

Call of the House. Volume **IV**, sections **3036, 3037**. Volume **V**, section **5631**.

Committee of the Whole. Volume **IV**, section **4810**.

Congressional Record. Volume **V**, section **6976**.

Jurisdiction of committees. Volume **IV**, section **4356**.

Previous question. Volume **V**, section **5469**.

Reading of papers. Volume **V**, section **5282**.

Reconsider, motion to. Volume **V**, sections **5660, 5680**.

Reports. Volume **IV**, section **4905**.

Rules. Volume **V**, section **6776**.

SCHALL.

The Senate election case of Johnson v. Schall, of Minnesota, in the Sixty-ninth Congress. Volume **VI**, section **171**.

SCHEDULE.

The House has sworn in on a prima facie showing Members-elect chosen at an election the day, etc., of which was fixed by the schedule of a constitution adopted on that election day. Volume **I**, section **520**.

Discussion as to the retroactive effect of the schedule of a new State constitution whereby a date for election of Congressmen was fixed. Volume **I**, section **522**.

SCHENCK.

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

SCHOOLS.

The Committee on Mines and Mining has reported bills for establishing schools of mines and mining at experiment stations. Volume **IV**, section **4226**.

The Committee on Public Lands has exercised a general but not exclusive jurisdiction over public lands in relation to the minerals contained therein, and has reported bills to establish schools of mines. Volume **IV**, section **4202**.

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

In an inconclusive case the House reversed the decision of its committee that residence while attending a school was not such residence as entitled one to the suffrage. Volume **I**, section **54**.

An appropriation for support and education of Indian pupils at Government schools was held to be in order on an appropriation bill. Volume **VII**, sections **1207, 1213**.

An appropriation for care and operation for Government schools was held in order as an appropriation for continuance of a public work in progress. Volume **VII**, section **1349**.

While appropriations for erection of new school buildings in the District of Columbia are not in order on appropriation bills, propositions for continuing the erection of additions to existing school buildings are admitted as in continuation of public work in progress. Volume **VII**, section **1358**.

SCHOOLS—Continued.

An appropriation for supplying free schoolbooks for the use of pupils in the District of Columbia was held not to be in continuation of a work in progress. Volume **VII**, section **1377**.

Authorization of law for use of public-school buildings as social and recreational centers does not warrant appropriations for such purposes. Volume **VII**, section **1188**.

While an appropriation for the purchase of a new site for a school building in the District of Columbia is not in order on an appropriation bill, a proposition for the purchase of land adjacent to school property was admitted as in continuation of a public work in progress. Volume **VII**, section **1363**.

An appropriation for acquisition of ground adjacent to a school in the District of Columbia was held to be in order as a continuation of a public work. Volume **VII**, section **1361**.

SCHUMAKER.

The case of King and Schumaker in the Forty-fourth Congress. Volume **II**, section **1283**.

SCOTT, ELECTION CASES OF.

The election of Easton v. Scott, from the Territory of Missouri, in the Fourteenth Congress. Volume **I**, sections **772, 773**.

The Missouri election case of Lindsay v. Scott in the Thirty-eighth Congress. Volume **II**, section **854**.

The Iowa election case of Steele v. Scott in the Sixty-fifth Congress. Volume **VI**, section **146**.

SCOTT, FRANK D., of Michigan, Chairman.

Decisions on questions of order relating to—

Enacting clause, strike out. Volume **VIII**, section **2631**.

SCOTT, NATHAN B.

A Senator who at the time of his election was actually residing in the District of Columbia as an officeholder, but who voted in his old home and had no intention of making the District his domicile, was held to be qualified. Volume **I**, section **439**.

SCULL.

The Pennsylvania election case of Greevy v. Scull in the Fifty-second Congress. Volume **II**, section **1044**.

SEAL.

The present seal of the House was provided in 1830. Volume **VI**, section **28**.

The seal of the House is in control of the House rather than of the Speaker. Volume **I**, section **256**.

The custody and use of the seal is with the Clerk, under direction of the House. Volume **I**, sections **254, 255**.

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

The statutes provide that the fact of a witness's contumacy shall be certified by the Speaker, under seal of the House, to the district attorney of the District of Columbia. Volume **III**, section **1769**.

No law requiring the seal of the Territory to be affixed to the credentials of the Delegate, the absence of the seal did not invalidate the credentials. Volume **I**, section **619**.

The House overruled the action of State officers who had rejected a county return because of a writing on the seal of the clerk's certificate. Volume **I**, section **537**.

Records of returns, duly authenticated by seal, are received as evidence in election cases after the time for taking testimony is closed. Volume **I**, section **472**.

A statement signed by the Secretary of the Treasury, but not under seal, summarizing the contents of official documents, was objected to as evidence in the Swayne trial. Volume **III**, section **2277**.

In 1791 the House declined to admit as evidence in an election case official State papers under seal. Volume **I**, section **709**.

SEAL—Continued.

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

SEALS.

The enforcement of treaty regulations as to the protection of the fur seals has been considered by the Committee on Foreign Affairs. Volume **IV**, section **4170**.

The Committee on Ways and Means has exercised jurisdiction as to the seal herds and other revenue-producing animals of Alaska. Volume **IV**, section **4025**.

The Committee on Ways and Means no longer exercises jurisdiction as to the seal herds and other revenue producing animals of Alaska. Volume **VII**, section **1725**.

Jurisdiction over bills relating to the protection of seals and other fur-bearing animals of Alaska, formerly exercised by the Committee on Ways and Means, has now been transferred to the Committee on the Merchant Marine and Fisheries. Volume **VII**, section **1851**.

SEAMEN.

The shipping, wages, treatment, and protection of seamen are subjects within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4140**.

Conditions relating to the health of seamen are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4141**.

SEAT OF GOVERNMENT.

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

SEATS.

(1) **Drawing of.**

(2) **Contests, vacancies, etc.**

(3) **At the counting of the electoral vote.**

(4) **During an impeachment trial.**

(1) Drawing of.

Form and history of the rule for the drawing of seats by Members (Rule XXXII, secs. 1 and 2). Volume **I**, section **119**.

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

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

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

(2) Contests, Vacancies, etc.

The Speaker's seat being contested, he requested that the House relieve him of the appointment of the Committee on Elections and the request was granted. Volume **II**, section **1360**.

A Member having informed the House of his acceptance of an incompatible office, the House has assumed or declared the seat vacant. Volume **I**, sections **501**, **502**.

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

It was long the practice to notify the executive of the State when a vacancy was caused by the death of a Member during a session. Volume **II**, sections **1198–1202**.

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

The House having declared a seat vacant, directs the executive of the State to be informed. Volume **I**, section **502**.

SEATS—Continued.**(2) Contests, Vacancies, etc.—Continued.**

A resolution notifying the governor of a State of a vacancy in the representation of a district is presented as a question of privilege. Volume **III**, section **2589**.

A resolution proposing the exclusion of a Delegate from his seat presents a question of privilege. Volume **III**, section **2594**.

(3) At the Counting of the Electoral Vote.

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

The rule for the seating of officers and Members at a joint session of the two Houses for counting the electoral vote. Volume **III**, section **1920**.

(4) During an Impeachment Trial.

The Senators occupied their usual seats during the Johnson trial. Volume **III**, section **2110**.

SECESSION.

The House seated a loyal claimant voted for at an election called on the legal day, but by the governor of a State in secession. Volume **I**, section **365**.

Instance of an election proven by testimony of participants, the returning officers serving a secession government and making no return. Volume **I**, section **365**.

The House seated a claimant who had received a third of the votes of a district, the remainder being cast for candidates for a secessionist Congress. Volume **I**, section **365**.

SECOND.

(1) Not required for ordinary motions.

(2) For the motion to suspend the rules.—General requirements. See also “Rules, Suspension of.”

(3) For the motion to suspend the rules.—Demanding of. See also “Rules, Suspension of.”

(4) Of motion to adjourn during call of House.

(5) Of the old motion to discharge committees.

(1) Not Required for Ordinary Motions.

The rules of the House do not require that an ordinary motion be seconded. Volume **V**, section **5304**.

(2) For the Motion to Suspend the Rules.—General Requirements. See also “Rules, Suspension of.”

A motion to suspend the rules is not submitted to the House until seconded by a majority on a vote by tellers. Volume **V**, section **6797**.

Reference to a discussion of the nature of the demand for a second. Volume **V**, section **6798**.

The constitutional right to demand the yeas and nays does not exist as to the vote to second the motion when such second is required by the rules. Volume **V**, sections **6032–6036**.

The vote whereby a second is ordered may be reconsidered. Volume **V**, section **5642**.

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

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

After a motion to suspend the rules has been seconded and debate has begun it is too late to make the point of order that the motion has not been authorized by a committee. Volume **V**, section **6808**.

A Member may modify his motion to suspend the rules at any time before the House has ordered a second. Volume **V**, section **6840**.

A motion to suspend the rules may be withdrawn at any time before a second is ordered. Volume **V**, section **6844**.

A motion to suspend the rules on which a second fails to be ordered does not come up as unfinished business on the next legislative day. Volume **V**, section **6818**.

SECOND—Continued.**(2) For the Motion to Suspend the Rules.—General Requirements—Continued.**

A motion to suspend the rules, made on one suspension day but not seconded, comes up as unfinished business on the next suspension day. Volume **V**, section **6817**.

(3) For the Motion to Suspend the Rules.—Demanding of. See also “Rules, Suspension of.”

When a motion to suspend the rules is entertained the Speaker is accustomed to ask at once “Is a second demanded?” Volume **V**, section **6800**.

On a motion to suspend the rules the right to demand a second is not necessarily precluded by preliminary debate. Volume **V**, section **6800**.

On a motion to suspend the rules a Member of the committee which reported the bill is entitled to priority over other opponents of the bill in demanding a second. Volume **V**, sections **6802–6804**.

On a motion to suspend the rules the Member demanding a second divides with the mover the forty minutes of debate. Volume **V**, sections **6823, 6824**.

(4) Of Motion to Adjourn During Call of House.

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

(5) Of the Old Motion to Discharge Committees.

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

SECOND READING.

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

SECONDARY EVIDENCE.

The original primary returns being inaccessible because of the contention of rival returning boards, the House gave credit to secondary evidence as to what they showed. Volume **I**, section **625**.

The failure of an officer to certify properly a return does not prevent the admission of secondary evidence to prove the actual state of the vote. Volume **I**, section **640**.

SECONDARY MOTIONS.

With some exceptions an amendment may attach itself to secondary and privileged motions. Volume **V**, section **5754**.

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

The motions to postpone, refer, amend, for a recess, and to fix the day to which the House shall adjourn may be amended. Volume **V**, section **5754**.

SECRECY.

(1) Of sessions of the House and Senate.

(2) Of portions of the Journal.

(3) Officers of the House sworn to.

(4) Of communications between the Houses.

(5) Of committee procedure.

(6) Of meetings of managers of conferences.

(7) Of an election of President of the United States by the House.

(1) Of Sessions of the House and Senate.

A rule not invoked for many years provides for secret sessions of the House whenever the President may send a confidential message or the Speaker or any Member may announce that he has a confidential communication to present. Volume **V**, sections **7247, 7248**.

SECRECY—Continued.**(1) Of Sessions of the House and Senate.—Continued.**

While a rule of the House provides for secret sessions, it is long obsolete, and the convening of the House in secret session is a procedure unprecedented for more than a century. Volume **VI**, section **434**.

A motion to go into executive session is in order when any Member shall inform the House that he has communications which he believes should be considered in confidence, and takes precedence of a motion to resolve into the Committee of the Whole for the consideration of an appropriation bill. Volume **VIII**, section **3630**.

When messages of a confidential nature were received from the President or Senate the House went into secret session. Volume **V**, sections **7251**, **7252**.

As late as 1843 the President transmitted a message in part confidential. Volume **V**, section **7255**. In 1853 the House declined to go into secret sessions. Volume **V**, section **7253**.

Each House has a right to hold secret sessions whenever in its judgment the proceedings should require secrecy. Volume **II**, section **1640**.

The House has declined to be bound to secrecy by act of the Senate. Volume **V**, section **7249**.

An illustration of legislation by the two Houses, each acting in secret session. Volume **V**, section **7250**.

An early instance wherein a Member in secret session informed the House of a breach of privilege occurring on the floor between two other Members. Volume **II**, section **1642**.

The motion to remove the injunction of secrecy must be made with closed doors. Volume **V**, section **7254**.

Following revision of the rule relating to secrecy, the Senate practice of considering executive business in closed session has been largely discontinued. Volume **VIII**, section **3631**.

(2) Of Portions of the Journal.

The Constitution requires the House to keep and publish a Journal, excepting from publication such parts as require secrecy. Volume **IV**, section **2726**.

(3) Officers of the House Sworn to.

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

(4) Of Communications Between the Houses.

Instance wherein two Members of the House were directed to take a confidential message to the Senate. Volume **II**, section **1538**.

When legislation is enacted in secret session messages are delivered confidentially by committees of Members. Volume **V**, section **7250**.

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

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

(5) Of Committee Procedure.

The proceedings of a committee, having no force until confirmed by the House, are not to be published, according to the parliamentary law. Volume **IV**, section **4557**.

It is entirely within rule and usage for a committee to conduct its proceedings in secret. Volume **IV**, sections **4558—4564**.

The rules do not permit the House to abrogate the secrecy of a committee's proceedings, but it was done under suspension of the rules. Volume **IV**, section **4565**.

The House authorized the clerk of a committee to disclose, by deposition, the proceedings of the committee. Volume **III**, section **2604**.

SECRECY—Continued.**(5) Of Committee Procedure—Continued.**

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

Instance wherein a committee, in its discretion, kept testimony secret. Volume **III**, section **1694**. The committee appointed to investigate the Bank of the United States, in 1834, held that its proceedings should be confidential, not to be attended by any person not invited or required. Volume **III**, section **1732**.

(6) Of Meetings of Managers of Conferences.

Conferences are generally held in the Senate portion of the Capitol, and with closed doors, although in rare instances Members and others have been admitted to make arguments (footnote). Volume **V**, section **6254**.

(7) Of an Election of President of the United States by the House.

In the election of President by the House, in 1825, there was a strong but not prevailing sentiment that the galleries should not be closed. Volume **III**, section **1984**.

SECRETARIES.

(1) Certain ones entitled to privilege of the floor.

(2) Of the Senate.—In general.

(3) Of the Senate.—Duties in an impeachment trial.

(4) Of the President's Cabinet.—General relations to the House.

(5) Of the President's Cabinet.—Inquiries of. See also "Inquiry."

(6) Of the President's Cabinet.—Investigations as to.

(7) Of the President's Cabinet.—Duties of the Secretary of State.

(8) Of the President's Cabinet.—Duties of the Secretary of the Treasury.

(9) Of the President's Cabinet.—Directions to the Secretary of Commerce and Labor.

(1) Certain Ones Entitled to Privilege of the Floor.

The Secretary and Sergeant-at-Arms of the Senate, Superintendent of the Capitol, the Librarian of Congress and his assistant in the law library have the privilege of the floor. Volume **V**, section **7283**. Volume **VIII**, section **3634**.

The President and Vice-President of the United States and their secretaries have the privilege of the floor. Volume **V**, section **7283**. Volume **VIII**, section **3634**.

(2) Of the Senate.—In General.

The Secretary of the Senate and Clerk of the House have a discretionary power to order the reprinting of bills, resolutions, documents, etc. Volume **V**, section **7319**.

Stationery, blank books, and other papers necessary to legislation are furnished to the House and Senate and their committees on requisition of the Clerk of the House and Secretary of the Senate, respectively. Volume **V**, section **7322**.

The Secretary of the Senate having omitted to sign certain engrossed Senate bills before they were sent to the House he was admitted to affix his signature. Volume **IV**, section **3427**.

The Senate having failed to transmit a proper message, the Speaker directed that the attention of the Secretary of the Senate be called to the omission. Volume **VIII**, section **3344**.

The Secretary of the Senate being subpoenaed to appear before a committee of the House with certain papers from the files of the Senate, after a discussion as to privilege, empowered him to attend with the papers in his custody. Volume **III**, section **2665**.

The Secretary of the Senate being subpoenaed to produce a paper from the files of the Senate, permission was given him to do so after a discussion as to whether or not he was exempted by privilege from the process. Volume **III**, section **2666**.

SECRETARIES—Continued.**(3) Of the Senate.—Duties in an Impeachment Trial.**

The Secretary of the Senate records proceedings in impeachments as he records legislative proceedings. Volume **III**, section **2090**.

At 12:30 p.m. of the day appointed for an impeachment trial the Senate suspends ordinary business and the Secretary notifies the House of Representatives that the Senate is ready to proceed. Volume **III**, section **2070**.

In impeachments the Presiding Officer of the Senate is empowered by rule to make and issue, by himself or by the Secretary, authorized orders, writs, precepts, and regulations. Volume **III**, section **2083**.

The oath administered by the Secretary to the President and by him to the Senators in the Pickering impeachment. Volume **III**, section **2325**.

The Senate decided in the Blount impeachment that the Secretary should administer the oath to the President and the President to the Senators. Volume **III**, section **2303**.

When informed that managers are to present articles of impeachment the Senate, by rule, requires its Secretary to inform the House of its readiness to receive the managers. Volume **III**, section **2078**.

At 12:30 p.m. on the day of the return of the summons against a person impeached the Senate suspends business and the Secretary administers an oath to the returning officer. Volume **III**, section **2128**.

The later pleadings in the Belknap trial were filed with the Secretary of the Senate during a recess of the Senate sitting for the trial. Volume **III**, section **2455**.

In the Blount impeachment the Secretary was directed to serve the summons sixty days before the return day. Volume **III**, section **2304**.

In the Blount impeachment the replication was presented by the House managers, but was read by the Secretary of the Senate. Volume **III**, section **2311**.

(4) Of the President's Cabinet.—General Relations to the House.

The House decided early in its history that the Secretaries of the President's Cabinet should not be called to give information personally on the floor of the House. Volume **III**, section **1880**.

Members of the President's Cabinet appear before committees of the House and give testimony. Volume **III**, sections **1881–1883**.

While the House in some cases has bestowed praise or censure on the President or a Member of his Cabinet, such action has at other times been held to be improper. Volume **II**, sections **1569–1572**.

(5) Of the President's Cabinet.—Inquiries of. See also "Inquiry."

It has been considered proper to use the word "request" in asking for information from the President and "direct" in addressing the heads of Departments. Volume **III**, section **1895**.

The House having asserted its right to direct the heads of the Executive Departments to furnish information, the Secretary of War returned an answer to a portion of the inquiry, declining to respond to the remainder. Volume **III**, section **1886**.

The Postmaster-General having responded to an inquiry in a manner considered disrespectful, the Senate referred the matter to the President, whereat an explanation was forthcoming. Volume **III**, section **1906**.

A letter from the head of an Executive Department, responding to a resolution of inquiry, is not printed in full in the Journal, but a brief summary of its contents is printed. Volume **IV**, section **2858**.

A communication from the General of the Army, transmitted directly instead of through the Secretary of War, was received and referred, although occasioning some criticism. Volume **V**, section **6653**.

SECRETARIES—Continued.**(6) Of the President's Cabinet.—Investigations as to.**

Members of the President's Cabinet whose reputations and conduct have been assailed on the floor of the House have sometimes asked for an investigation. Volume **III**, sections **1734, 1735**.

Vice-President Calhoun asked the House, as the grand inquest of the nation, to investigate certain charges made against his conduct as Secretary of War, and the House granted the request. Volume **III**, section **1736**.

The House in 1824 investigated, on application of the United States minister to Mexico, a controversy on a public matter between him and the Secretary of the Treasury. Volume **III**, section **1741**.

(7) Of the President's Cabinet.—Duties of the Secretary of State.

An enrolled bill when signed by the President is deposited in the Office of the Secretary of State. Volume **VI**, section **3429**.

A statute requires that bills signed by the President shall be received by the Secretary of State from the President. Volume **IV**, section **3485**.

A bill passed notwithstanding the objections of the President is sent by the President Officer in the House which last acts on it to the Secretary of State for preservation. Volume **IV**, section **3524**.

When a bill returned without the President's approval is passed by the two Houses the Secretary of State receives the bill from the Presiding Officer of the House in which it last was passed. Volume **IV**, section **3485**.

Since the enactment of the statute the House takes no special action in relation to transmitting to the Secretary of State bills passed over the President's veto. Volume **IV**, sections **3528, 3529**.

Before the enactment of the statute the House directed the Clerk to take to the Secretary of State its bills passed over the President's veto. Volume **IV**, sections **3525–3527**.

Joint resolutions proposing amendments to the Constitution are, when passed, filed with the Secretary of State by the Committee on Enrolled Bills. Volume **V**, section **7041**.

The executive of each State is charged with the duty of transmitting to the Secretary of State of the United States a certificate of the appointment of electors and the names and votes, and of delivering a similar certificate to the electors. Volume **III**, section **1915**.

The Secretary of State is required to transmit to Congress copies of certificates received from the State executives relating to the appointment of Presidential electors. Volume **III**, section **1915**.

A certified copy of the judgment in an impeachment case is deposited with the Secretary of State. Volume **III**, section **2098**.

The original notice of ratification of a constitutional amendment by a State is transmitted to the Secretary of State and a copy to the House, where it is laid before the House by the Speaker and filed in its archives. Volume **VIII**, section **3507**.

(8) Of the President's Cabinet.—Duties of the Secretary of the Treasury.

The Secretary of the Treasury alone of all the Cabinet transmits his report directly to Congress (footnote). Volume **V**, section **6652**.

Estimates of appropriations must be transmitted to Congress through the Secretary of the Treasury (footnote). Volume **IV**, section **3575**.

The annual estimates of the Secretary of the Treasury for the support of the Government are printed in advance of the assembling of Congress. Volume **IV**, sections **3574, 3575**.

The Secretary of the Treasury may recommend legislation to Congress, even when his views have not been requested by either House. Volume **V**, section **6652**.

(9) Of the President's Cabinet.—Directions to the Secretary of Commerce and Labor.

A law confers on either House of Congress the power to direct by simple resolution that the Secretary of Commerce and Labor make certain investigations. Volume **II**, section **1594**.

SECTIONS OF A BILL. See also "Amendments."

- As to the division of bills into sections and the numbering thereof. Volume **IV**, section **3367**.
- The amendment of the numbers of the sections of a bill is done by the Clerk. Volume **IV**, section **3394**. Volume **V**, section **5781**.
- After a vote to insert a new section in a bill it is too late to perfect the section by amendment. Volume **V**, sections **5761, 5762**. Volume **VIII**, section **2857**.
- An amendment inserting an additional section should be germane to the portion of the bill where it is offered. Volume **V**, section **5822**. Volume **VIII**, section **2930**.
- Under the later decisions the principle has been established that an amendment should be germane to the particular paragraph or section to which it is offered. Volume **V**, sections **5811–5820**.
- Appropriation and revenue bills are considered in Committee of the Whole by paragraphs, other bills by sections. Volume **IV**, sections **4739, 4740**.
- When, in considering a bill by paragraphs or sections, the Committee of the Whole has passed a particular paragraph or section, it is not in order to return thereto. Volume **IV**, sections **4742, 4743**.
- When a bill is considered by sections or paragraphs an amendment in the nature of a substitute is properly offered after the reading for amendment is concluded. Volume **V**, section **5788**.
- A substitute for an entire bill should be offered after the reading of the first section or at the conclusion of the reading of the bill, and it is not in order after an intermediate section is read. Volume **VIII**, section **2884**.
- When it is proposed to offer a single substitute for several paragraphs of a bill which is being considered by paragraphs, the substitute may be moved to the first paragraph, with notice that if it be agreed to motions will be made to strike out the remaining paragraphs. Volume **V**, section **5795**. Volume **VIII**, section **2901**.
- The Committee of the Whole may, after the five-minute debate has begun, close debate on the section, paragraph, or pending amendments, but this does not preclude further amendment. Volume **V**, section **5224**.
- An exceptional instance wherein the House closed the five-minute debate on a section of a bill in Committee of the Whole before all of the section had been read for amendment. Volume **V**, section **5230**.
- During consideration "in the House as in Committee of the Whole" the previous question may not be moved on a single section of a bill. Volume **IV**, section **4930**.
- Union Calendar bills considered in the House as in the Committee of the Whole are read for amendment under the five-minute rule by section and not by paragraphs. Volume **VIII**, section **2434**.
- In reading a bill under the five-minute rule, a section or paragraph is considered as having been passed for amendment or debate when an amendment in the form of a new section or paragraph is taken up for consideration. Volume **VIII**, section **2357**.
- In reading a bill for amendment under the five-minute rule a paragraph is passed when an amendment proposing the adoption of a new section is entertained, but if such amendment is ruled out on a point of order, the paragraph last read is still pending. Volume **VIII**, section **2867**.
- Bills are read for amendment in Committee of the Whole by sections or paragraphs and amendments are not in order until the reading of the section or paragraph has been completed. Volume **VIII**, section **2866**.
- Whether a bill shall be read by paragraphs, sections, or subsections when read for amendment in the Committee of the Whole is not governed by arbitrary rule but by practical considerations of convenience as determined by the Chairman. Volume **VIII**, section **2346**.

SECTIONS OF A BILL—Continued.

Whether a bill shall be read for amendment by sections or paragraphs is in recent practice a matter of convenience and rests largely within the discretion of the Chairman. Volume **VIII**, section **2341**.

The question as to whether bills shall be considered in the Committee of the Whole by paragraphs or sections is within the determination of the Chairman subject to the will of the committee on appeal. Volume **VIII**, section **2348**.

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

Instance wherein the Committee of the Whole, disregarding the suggestion of the Chairman, determined to read a revenue bill by paragraphs and not by sections. Volume **VIII**, section **2350**. Overruling the decision of the Chairman, the Committee of the Whole decided that the river and harbor bill should be read by sections. Volume **VIII**, section **2347**.

While under the practice of the House appropriation bills and revenue bills are read for amendment by paragraphs and other bills by sections, the Chairman has on occasion authorized the reading of such other bills by paragraphs where the text of the bill was such as to warrant it. Volume **VIII**, section **2340**.

When a bill is considered "in the House as in Committee of the Whole" it is read the first time by title only and immediately thereafter by sections for amendment under the five-minute rule. Volume **VIII**, section **2433**.

Amendments in the form of new sections or paragraphs are not considered until all amendments to the pending section or paragraph have been disposed of. Volume **VIII**, section **2358**.

When in considering a bill by paragraphs or sections the Committee of the Whole has passed a particular paragraph or section it is not in order to return thereto. Volume **VIII**, section **2354**.

As the motion to strike out the enacting clause is not in order until the first section of a bill has been read, or after reading for amendment has been concluded, where a bill contained but one paragraph the motion was entertained at the conclusion of the reading of the bill. Volume **VIII**, section **2618**.

SECURITIES.

The sale of fraudulent stocks and bonds and other "blue sky" securities is a subject considered by the Committee on the Judiciary. Volume **VII**, section **1781**.

Bills relating to the fraudulent or unethical sale of securities were taken from the Committee on Interstate and Foreign Commerce and referred to the Committee on the Judiciary. Volume **VII**, section **1782**.

The administration of the War Finance Corporation, the provision of credits for essential industries, and the supervision of the issuance of related securities are subjects within the jurisdiction of the Committee on Banking and Currency. Volume **VII**, section **1795**.

SEDGWICK, THEODORE, of Massachusetts, Speaker.

Decisions on questions of order relating to—

Disorder in debate. Volume **V**, section **5196**.

Disorder in galleries. Volume **II**, section **1605**.

Question or order. Volume **II**, section **1358**.

SEDITION.

Punishment of sedition, espionage, and seditious interference with foreign relations and commerce are subjects within the jurisdiction of the Committee on the Judiciary. Volume **VII**, section **1751**.

SEEDS.

References to statutes regulating the distribution of seeds by Members through the Agricultural Department. Volume **V**, section **7344**.

SEEDS—Continued.

The adulteration of seeds, insect pests, protection of birds and animals in forest reserves, grading of grain, etc., are subjects within the jurisdiction of the Committee on Agriculture. Volume **IV**, section **4157**.

Bills relating to the importation of narcotics, of adulterated or misbranded seeds, and of women for immoral purposes have been reported, but not exclusively, by the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1820**.

The law establishing the Department of Agriculture was held to authorize an appropriation for the purchase and distribution of free seeds. Volume **VII**, section **1166**.

A provision for the purchase and distribution of seeds was held to be legislation and not in order on an appropriation bill. Volume **VII**, section **1479**.

An appropriation for distribution of seeds was held to be in order in an appropriation bill. Volume **VII**, section **1165**.

The law authorizing the Secretary of Agriculture to sell seed for cash, a proposition authorizing him to sell for credit was held to be legislation. Volume **VII**, section **1439**.

SEGAR.

The Virginia election case of Joseph Segar in the Thirty-seventh Congress. Volume **I**, sections **363**, **364**.

The Virginia election case of Chandler and Segar in the Thirty-eighth Congress. Volume **I**, section **375**.

The Virginia election case of Joseph Segar in the Forty-first Congress. Volume **I**, section **318**.

The Senate election cases of Segar and Underwood, from Virginia, in the Thirty-eighth Congress. Volume **I**, section **384**.

SELECT COMMITTEES. See "Committees."**SELVIG.**

The Minnesota election case of Wefald v. Selvig in the Seventieth Congress. Volume **VI**, section **178**.

SENATE AMENDMENTS. See "Amendments," "Amendments Between the Houses" and "Conferences."**SENATE BILLS. See "Bills."****SENATE CHAMBER.**

Ceremonies of removing from the old to the new halls of the House and Senate. Volume **V**, section **7271**.

SENATE PRECEDENTS. See also "Contempts," "Elections of Senators," "Expulsion" and "Investigations."

- (1) Senate.—Representation in, etc.
- (2) Senate.—Questions of privilege in the House relating to.
- (3) Senate.—Testimony in the House affecting Senators.
- (4) Senate.—Testimony of Senators in House investigations.
- (5) Senate.—Officers of, summoned to give evidence in the House.
- (6) Senate.—Informed of the organization of the House.
- (7) Senate.—General messages to and from.
- (8) Senators.—Appointment of.
- (9) Senators.—Incompatible offices.
- (10) Senators.—Deaths of.
- (11) Senators.—References to, in debate.
- (12) Senators.—Testimony affecting.
- (13) Senators.—Required as witnesses by the House.
- (14) Senators.—Disorderly conduct of.

SENATE PRECEDENTS—Continued.

- (15) Senators.—Laws regulating conduct of.
- (16) Senators.—Charges against.
- (17) Senators.—Investigations of the conduct of.
- (18) Senators.—Expulsion and censure of. See also “Expulsion.”
- (19) Senators.—Not subject to impeachment.
- (20) Senators.—Questions of privilege relating to.
- (21) Senators.—In general.
- (22) Organization.—The Presiding Officer.—In general.
- (23) Organization.—The Presiding Officer.—By designation.
- (24) Organization.—The Presiding Officer.—Discussions as to powers of.
- (25) Organization.—Other officers.
- (26) Organization.—Proceedings in.
- (27) Organization.—Prima facie title.—Function of credentials.
- (28) Organization.—Prima facie title.—Form of credentials.
- (29) Organization.—Prima facie title.—Irregular credentials.
- (30) Organization.—Prima facie title.—Conflicting credentials.
- (31) Organization.—Prima facie title.—No credentials.
- (32) Organization.—Prima facie title.—Questions as to election or appointment.
- (33) Organization.—Prima facie title.—As affected by charges of bribery.
- (34) Organization.—Prima facie title.—As related to qualifications in general.
- (35) Organization.—Prima facie title.—As related to loyalty.
- (36) Organization.—Prima facie title.—As related to admission of the State.
- (37) Organization.—Prima facie title.—As related to status of legislature and State government.
- (38) Organization.—Prima facie title.—As related to a condition of civil war.
- (39) Organization.—Prima facie title.—In general.
- (40) Organization.—Terms of Senators.
- (41) Sessions and recesses.
- (42) Prerogatives and powers.—Senate a continuing body.
- (43) Prerogatives and powers.—Investigations.—In general.
- (44) Prerogatives and powers.—Investigations.—Arrest of witnesses, etc.
- (45) Prerogatives and powers.—Investigations.—Warrants and subpoenas.
- (46) Prerogatives and powers.—Investigations.—As related to the other House.
- (47) Prerogatives and powers.—Contempts.—In general.
- (48) Prerogatives and powers.—Contempts.—Involving a Member of the Other House.
- (49) Prerogatives and powers.—As to revenue and appropriate legislation.
- (50) Prerogatives and powers.—As to revenue treaties.
- (51) Prerogatives and powers.—As to treaties and foreign relations.
- (52) Prerogatives and powers.—As related to the Executive.—In general.
- (53) Prerogatives and powers.—As related to the Executive.—Inquiries.
- (54) Prerogatives and powers.—In general.
- (55) The Vice-President’s vote.
- (56) General procedure.—Adjournment.
- (57) General procedure.—Amendments.
- (58) General procedure.—Amendments between the Houses.
- (59) General procedure.—Bills.
- (60) General procedure.—Business.
- (61) General procedure.—Conferences.—Occasions for.
- (62) General procedure.—Conferences.—Asking of.
- (63) General procedure.—Conferences.—Disregard of request for.
- (64) General procedure.—Conferences.—Managers of.
- (65) General procedure.—Conferences.—Reports not within the disagreements.
- (66) General procedure.—Conferences.—Recommittal of reports.

SENATE—PRECEDENTS—Continued.

- (67) **General procedure.—Conferences.—Reports, action on, etc.**
 - (68) **General procedure.—Congressional Record. See also “Congressional Record.”**
 - (69) **General procedure.—Committees.—In general.**
 - (70) **General procedure.—Committees.—Joint.**
 - (71) **General procedure.—Constitutional amendments.**
 - (72) **General procedure.—Debate.**
 - (73) **General procedure.—Decorum.**
 - (74) **General procedure.—Files and papers.**
 - (75) **General procedure.—Journal.**
 - (76) **General procedure.—Messages.**
 - (77) **General procedure.—Motions.**
 - (78) **General procedure.—Order.**
 - (79) **General procedure.—Petitions, etc.**
 - (80) **General procedure.—Quorum.**
 - (81) **General procedure.—Rules.**
 - (82) **General procedure.—Sessions.—Extraordinary.**
 - (83) **General procedure.—Sessions.—Secret.**
 - (84) **General procedure.—Voting.—In general.**
 - (85) **General procedure.—Voting.—Division of the question.**
 - (86) **General procedure.—Voting.—Disqualifying personal interest.**
 - (87) **General procedure.—In general.**
- (1) **Senate.—Representation in, etc.**
 No amendment to the Constitution may deprive any State, without its consent, of its equal suffrage in the Senate. Volume **V**, section **7025**.
 Reference to discussion of the permanent and temporary conditions of Senate and House, respectively, as organized bodies (footnote). Volume **IV**, section **4445**.
 The Secretary and Sergeant-at-Arms of the Senate, Superintendent of the Capitol, the Librarian of Congress, and his assistant in the law library have the privilege of the floor. Volume **V**, section **7283**.
- (2) **Senate.—Questions of Privilege in the House Relating to.**
 A resolution relating to language reflecting on the Senate was entertained as a question of privilege. Volume **V**, section **5129**.
 Language used in the House and published in the Congressional Record reflecting upon the Senate and Senators presents a question of privilege. Volume **V**, section **6980**.
 After a speech reflecting on the character of the Senate had appeared in the Record a resolution proposing an apology to the Senate was treated as a matter of privilege. Volume **V**, section **5129**.
 A resolution declaring that the counting of the electoral vote of a certain State by direction of the Presiding Officer of the Senate was an invasion of the privileges of the House was held in order in the House. Volume **III**, section **2576**.
 Certain Members of the House having, in a published letter, sought to influence the vote of a Senator from their State in an impeachment case, it was held that no question of privilege arose thereby in the House. Volume **III**, section **2657**.
 A charge of general corruption in the Government made in the Senate does not so reflect on the House as to raise a question of privilege. Volume **III**, section **2658**.
 The House has investigated the constitutional right of a Senator to perform services for the Executive. Volume **I**, section **495**.
- (3) **Senate.—Testimony in the House Affecting Senators.**
 A committee of the House having reported that it had taken testimony which inculpated a Senator the House directed that it be transmitted to the Senate. Volume **III**, section **1830**.

SENATE PRECEDENTS—Continued.**(3) Senate.—Testimony in the House Affecting Senators**—Continued.

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

(4) Senate.—Testimony of Senators in House Investigations.

Either House may request, by message, but not command, the attendance of a Member of the other House. Volume **III**, section **1768**.

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

Where the House desires the testimony of Senators it is proper to ask and obtain leave for them to attend. Volume **III**, sections **1790**, **1791**.

A committee of the House having summoned certain Senators by subpoena, the summons was either disregarded or obeyed under protest. Volume **III**, sections **1792**, **1793**.

(5) Senate.—Officers of, Summoned to Give Evidence in the House.

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

The Secretary of the Senate obeyed a subpoena duces tecum of a House investigating committee. Volume **III**, section **1797**.

The Secretary of the Senate being subpoenaed to appear before a committee of the House with certain papers from the files, the Senate, after a discussion as to privilege, empowered him to attend with the papers in his custody. Volume **III**, section **2665**.

(6) Senate.—Informed of the Organization of the House.

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

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

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

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

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

When the House elects a Speaker pro tempore for any considerable time it is usual to notify the Senate, and sometimes the President of the United States also. Volume **II**, sections **1406–1412**.

The Speaker being elected to fill a vacancy caused by resignation, the Senate, but not the President, was notified of the fact. Volume **I**, section **231**.

The Congress is not assembled until both House and Senate are in session with a quorum present. Volume **VI**, section **5**.

(7) Senate.—General Messages To and From.

Messages constitute the sole source of official information as to action taken by the other House and may not be supplemented or questioned. Volume **VIII**, section **3342**.

The Senate having failed to transmit a proper message, the Speaker directed that the attention of the Secretary of the Senate be called to the omission. Volume **VIII**, section **3344**.

Where a special order provided for the consideration of a bill from day to day until disposed of it was held that conference reports and messages from the Senate might intervene. Volume **VII**, section **789**.

Whereas it was formerly the custom to transmit messages only when both Houses were sitting, the present practice permits the reception of messages regardless of whether the other House is in session. Volume **VIII**, section **3338**.

SENATE PRECEDENTS—Continued.**(7) Senate.—General Messages To and From—Continued.**

The reception of a message from the President or the other house is not the transaction of business and does not require the presence of a quorum. Volume **VIII**, section **3339**.

Messages between the Houses are received during debate, but are to be sent only when both Houses are sitting. Volume **V**, section **6601**.

Practices as to the reception in the House of messages from the Senate as founded on former joint rules. Volume **V**, section **6592**.

Messages from the Senate and President giving notice of bills passed or approved are entered in the Journal and published in the Record. Volume **V**, section **6593**.

Forms of messages in use by the Clerk of the House in transmitting business from the House to the Senate. Volume **V**, section **6596**.

Instance wherein two Members of the House were directed to take a confidential message to the Senate. Volume **II**, section **1538**.

The House directed the return of a Senate bill not attested by the Secretary. Volume **IV**, section **3426**.

Under the later practice, when a conference report is ruled out of order, the Senate is informed by message that the report has been rejected. Volume **V**, sections **6409–6413**.

The Senate having requested the return of a bill which had been enrolled, signed by the Speaker and transmitted to the Senate, a resolution was passed directing that the Senate be informed thereof. Volume **IV**, section **3480**.

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

(8) Senators.—Appointment of.

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

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

Reference to cases in the Senate relating to the authority of State executives to make appointments to fill vacancies in the United States Senate (footnote). Volume **I**, section **790**.

The sufficiency of authorization conferred by a State statute on the State executive to appoint a United States Senator under the provisions of the seventeenth amendment to the Constitution. Volume **VI**, section **173**.

(9) Senators.—Incompatible Offices.

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

The House has investigated the constitutional right of a Senator to perform services for the Executive. Volume **I**, section **495**.

No Senator or Representative or person holding an office of trust or profit under the United States may be appointed an elector. Volume **III**, sections **1911, 1912**.

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

Senators.—Deaths of.

Forms of action on death of a Senator and Member-elect who had died in the recess before the assembling of Congress. Volume **V**, section **7129**.

Ceremonies at the state funeral of a deceased Senator. Volume **V**, section **7155**. Volume **VIII**, section **3570**.

(11) Senators.—References to, in debate.

It has always been considered the particular duty of the Speaker to prevent expressions offensive to the Senate or Senators. Volume **V**, section **5130**.

A Member may not in the course of debate read a paper criticising a Member of the Senate. Volume **V**, section **5127**.

SENATE PRECEDENTS—Continued.**(11) Senators.—References to, in Debate**—Continued.

It is not in order in debate to refer to a Senator in terms of personal criticism. Volume **V**, sections **5121, 5122**.

A Member may not in debate in the House read the record of speeches and votes of Senators in such connection of comment or criticism as might be expected to lead to recriminations. Volume **V**, sections **5101–5105**.

The resignation of a Senator for a public reason was debated in the House without question. Volume **V**, section **5128**.

The quotation of personal views of a Senator not uttered in the Senate was held to be in order in the House. Volume **V**, section **5112**.

Consideration in the Senate of the extent to which the other House or its Members might be referred to in debate. Volume **V**, section **5122**.

(12) Senators.—Testimony Affecting.

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

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

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

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

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

(13) Senators.—Required as Witnesses by the House.

When the House desires the testimony of Senators it is proper to ask and obtain leave for them to attend. Volume **III**, sections **1790, 1791**.

A Senator having neglected to accept an invitation or respond to a subpoena requesting him to testify before a House committee, the House by message requested that the Senate give him leave to attend. Volume **III**, section **1794**.

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

A committee of the House having summoned certain Senators by subpoena, the summons was either disregarded or obeyed under protest. Volume **III**, sections **1792, 1793**.

(14) Senators.—Disorderly Conduct of.

Reference to an affray between two Senators on the floor of the Senate in 1850. Volume **II**, section **1664**.

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

(15) Senators.—Laws Regulating Conduct of.

Summary and discussion of laws regulating the conduct of Representatives and Senators. Volume **II**, section **1282**.

There is no necessary connection between the conviction of a Senator under section 1782, Revised Statutes, and the right of the Senate to punish one of its Members. Volume **II**, section **1282**.

Convictions under sections 1781 and 1782 of the Revised Statutes, and not merely accusation, is required to raise a question of qualification against a Senator-elect. Volume **II**, section **955**.

SENATE PRECEDENTS—Continued.**(15) Senators.—Laws Regulating Conduct of—Continued.**

A decision by a court that the statute prohibiting a Senator from receiving compensation for procuring an office for another does not apply to a Senator-elect. Volume **III**, section **1839**.

A final judgment of conviction under section 1782, Revision Statutes, does not operate ipso facto to vacate the seat of a convicted Senator or compel the Senate to expel him. Volume **II**, section **1282**.

The Congress may by law impose certain restrictions on the conduct of Senators and Representatives without conflicting with the fundamental idea of the Constitution. Volume **II**, section **1282**.

(16) Senators.—Charges Against.

The Senate ordered a Senator to attend in his place when a report relating to charges against him was to be presented. Volume **II**, sections **1263**, **1264**.

A Senator impeached by the House of Representatives was arrested by order of the Senate and released only on surety. Volume **II**, section **1263**.

The Speaker laid before the House a letter of explanation from a Senator who was aggrieved by a reference to him personally in a House report. Volume **V**, section **6654**.

The President of the United States transmitted to the Senate a letter impeaching the conduct of a Senator. Volume **II**, section **1263**.

The written answer of a Senator to charges made against him was returned by the Senate because it contained irrelevant matter. Volume **II**, section **1264**.

The Senate having allowed a Member to be heard by counsel exercised the power of approving his selections. Volume **II**, section **1264**.

A Senator being indicted for fraud made a personal explanation and withdrew from the Senate pending the trial. Volume **II**, section **1278**.

Discussion of the decision of the Senate in the matter of charges against Humphrey Marshall, a Senator. Volume **II**, section **1264**.

A resolution providing for an investigation of charges that Members of the House and Senate had profited in the stock market by the use of official information was held to involve a question of privilege. Volume **VI**, section **394**.

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

The investigation of charges against Burton K. Wheeler, a Senator from Montana. Volume **VI**, section **399**.

A Senator having been indicted by a grand jury, asked and obtained an investigation by a committee of the Senate. Volume **VI**, section **399**.

A Senator having been indicted in the United States district court, the Senate, prior to the trial, investigated the charges and exonerated him. Volume **VI**, section **399**.

Form of resolution providing for investigation of charges against a Senator. Volume **VI**, section **399**.

(17) Senators.—Investigations of the conduct of.

Stanley Matthews, a Senator from Ohio, was sworn and examined before a Senate committee appointed to investigate his conduct. Volume **III**, section **1837**.

An attempt of the House to investigate alleged corruption in connection with the votes of Senators during the Johnson trial was the subject of discussion and investigation in the Senate. Volume **III**, section **2064**.

An inquiry as to the integrity of the Senators was held to be within the power of the Senate, and questions relating thereto were not unreasonable intrusions into the affairs of the citizen. Volume **II**, section **1614**.

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

SENATE PRECEDENTS—Continued.**(18) Senators.—Expulsion and Censure of. See also “Expulsion.”**

Argument that expulsion applies only to acts of a Senator or Member done by him while in such office or in relation to his functions as such officer. Volume **I**, section **481**.

Impeachment proceedings against a Senator were continued after his expulsion. Volume **II**, section **1263**.

A discussion as to whether or not the principles of the procedure of the courts should be followed in action for expulsion. Volume **II**, section **1264**.

A committee having recommended the expulsion of a Senator, the Senate allowed him to be heard by counsel at the bar of the Senate before action on the report. Volume **II**, section **1263**.

The Senate allowed a Member threatened with expulsion to be heard by counsel, but did not grant his request for a specific statement of charges or compulsory process for witnesses. Volume **II**, section **1264**.

The Senate, having allowed a Member to be heard by counsel, exercised the power of approving his selections. Volume **II**, section **1264**.

William Blount for a high misdemeanor inconsistent with his public trust and duty was expelled from the Senate. Volume **II**, section **1263**.

The Senate failed by 1 vote to expel John Smith, charged with participation in a treasonable conspiracy. Volume **II**, section **1264**.

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

Discussion of reason for requiring two-thirds vote rather than majority vote for expulsion from the Senate. Volume **VI**, section **106**.

Various instances of expulsion of Senators. Volume **II**, sections **1263**, **1266–1270**.

A proposition for the censure of a Senator was entertained as privileged. Volume **VI**, section **239**.

A Senator against whom a resolution of censure was pending addressed the Senate without permission being asked or given. Volume **VI**, section **239**.

A Senator who had employed an official of a manufacturing association as a clerk in the formulation of a tariff bill was censured by the Senate. Volume **VI**, section **239**.

(19) Senators.—Not Subject to Impeachment.

The impeachment of William Blount, a United States Senator, in 1797. Volume **III**, sections **2294–2318**.

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

Articles of impeachment being presented against a Senator he was sequestered from his seat and was ordered to and did recognize for his appearance. Volume **III**, sections **2118**.

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

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

(20) Senators.—Questions of Privilege Relating to.

Language used in the House and published in the Congressional Record reflecting upon the Senate and Senators presents a question of privilege. Volume **V**, section **6980**.

A Member of the House having assaulted a Senator for words spoken in debate, the Senate examined the breach of privilege and transmitted the report to the House for action. Volume **II**, section **1622**.

A proposition relating to an assault on a Senator by a Member was held in order as a question of privilege. Volume **II**, section **1621**.

Certain Members of the House having in a published letter sought to influence the vote of a Senator from their State in an impeachment case, it was held that no question of privilege arose thereby in the House. Volume **III**, section **2657**.

SENATE PRECEDENTS—Continued.**(20) Senators.—Questions of Privilege Relating to—Continued.**

A resolution declaring that the counting of the electoral vote of a certain State by direction of the Presiding Officer of the Senate was an invasion of the privileges of the House was held in order in the House. Volume **III**, section **2576**.

(21) Senators.—In General.

Members of Congress, Members-elect and, under certain conditions, ex-Members of the House, and contestants in election cases, have the privilege of the floor. Volume **V**, section **7283**.

The certificates of electoral votes are presented to the joint meeting in alphabetical order of States, and on being read are subject to objection in writing signed by at least one Member and one Senator. Volume **III**, section **1918**.

A Senator, member of a joint commission created by law and appointed by the Presiding Officers of the two Houses, respectively, tendered his resignation in the Senate. Volume **IV**, section **4446**.

Bills providing clerks for Members and Senators were reported by the Committee on Accounts. Volume **IV**, section **4334**.

Official precedence of Senators and other officials of the Government. Volume **VIII**, section **3675**. Rank and prerogatives of Senators and Representatives when moving with the Army. Volume **VIII**, section **3674**.

A Senator being subpoenaed to appear before the grand jury of the District of Columbia announced in the Senate that he would disregard it. Volume **VI**, section **588**.

A Senator declining to heed a summons to appear and testify before a Federal grand jury, the court held that if he failed to obey the subpoena voluntarily the court was without power to compel his attendance. Volume **VI**, section **588**.

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

Application of the statute prohibiting Members of Congress from serving in causes to which the United States is party. Volume **VI**, section **399**.

A committee of investigation expressed the opinion that the appearance as lobbyists of former Senators and former Members of the House should be discouraged. Volume **VI**, section **372**.

A decision by a court that the statute prohibiting a Senator from receiving compensation for procuring an office for another does not apply to a Senator-elect. Volume **III**, section **1839**.

(22) Organization.—The Presiding Officer.—In General.

The Senate having assembled and there being no Presiding Officer, by mutual consent one of the older Members took the chair. Volume **I**, section **118**.

The Senate, following the act of 1789, declined to administer the oath to Members-elect until it had chosen a President pro tempore, although a precedent for the proposed action was cited. Volume **II**, section **118**.

Nature of the office of President pro tempore of the Senate and its relation to the Vice-President. Volume **II**, section **1417**.

The Senate declined to investigate charges against the Vice-President, it being urged that he was subject to impeachment proceedings only. Volume **II**, section **1242**.

The President pro tempore of the Senate holds the office at the pleasure of that body. Volume **II**, section **1417**.

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

SENATE PRECEDENTS—Continued.**(22) Organization.—The Presiding Officer.—In General—Continued.**

The instance wherein the Senate elected a number of Presidents pro tempore to serve seriatim for stated terms. Volume **VI**, section **282**.

(23) Organization.—The Presiding Officer.—By Designation.

The President pro tempore of the Senate has general power to designate in writing a Senator to perform the duties of the Chair during his absence. Volume **II**, section **1413**.

In the Senate the process of designating a President pro tempore for the day's sitting has been the subject of much discussion. Volume **II**, sections **1414–1416**.

The Senate by rule empowers a Presiding Officer by designation to sign enrolled bills. Volume **II**, section **1403**.

The Senate by resolution empowered its Acting President pro tempore to sign enrolled bills. Volume **II**, section **1402**.

In the Senate a temporary President pro tempore sometimes designates another. Volume **II**, section **1385**.

The Vice President was authorized to name a Senator to preside in the absence of the President pro tempore. Volume **VI**, section **522**.

In the absence of the Vice President during the election of a President pro tempore of the Senate, a President pro tempore was designated to preside. Volume **VI**, section **281**.

(24) Organization.—The Presiding Officer.—Discussions as to Powers of.

Reference to discussions of the powers of the Vice-President as Presiding Officer of the Senate and as to calling to order. Volume **II**, section **1340**.

References to discussions of the power of the Vice-President to call to order (footnote). Volume **II**, section **1345**.

Discussion and ruling in the senate as to decisions of questions of order by the Presiding Officer. Volume **II**, section **1340**.

The President pro tempore of the Senate declined to take the responsibility of directing the Secretary to omit from the call of the yeas and nays the names of two Senators who had been declared in contempt. Volume **II**, section **1665**.

(25) Organization.—Other Officers.

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

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

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

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

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

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

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

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

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

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

SENATE PRECEDENTS—Continued.

Organization.—Proceedings in.

Senators and Representatives are bound by oath or affirmation to support the Constitution. Volume I, section 127.

The Presiding Officer of the Senate being present, the oath of office was administered to Senators-elect, although no quorum was present. Volume I, sections 181, 182.

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

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

(27) Organization.—Prima Facie Title.—Function of Credentials.

Discussion of the elements of a prima facie case as made out by the credentials of a Member-elect. Volume I, section 352.

A Senate committee's discussion of the functions of credentials in the organization of a legislature. Volume I, section 631.

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

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

There being a question as to a vacancy to be filled, the Senate examined the case before administering the oath to a bearer of regular credentials. Volume I, section 573.

(28) Organization.—Prima Facie Title.—Form of Credentials.

Federal law directs the issuance and prescribes the form of credentials of Senators-elect. Volume I, section 127.

Discussion as to the required form for Senate credentials under the law. Volume I, section 352.

A question in the Senate as to whether or not credentials should set forth at length the proceedings of the electing legislature. Volume I, section 573.

Credentials signed by a governor certifying to his own election as Senator were received by the Senate without question. Volume I, section 573.

(29) Organization.—Prima Facie Title.—Irregular Credentials.

Instance wherein the Senate gave immediate prima facie effect to informal credentials although other claimants presented credentials technically conforming to law. Volume I, section 389.

A Senator-elect was permitted to take the oath although his credentials were irregular in minor particulars. Volume I, section 595.

A Senator-elect, whose credentials were not in regular form, was seated, the irregular portions being considered as surplusage. Volume I, section 594.

In reconstruction days the Senate deemed valid credentials signed by a provisional military governor. Volume I, section 430.

Credentials unusual in form and signed by the Member-elect himself as "brevet major-general" and "provisional governor" of Mississippi were honored by the Senate. Volume I, section 438.

(30) Organization.—Prima Facie Title.—Conflicting Credentials.

Conflicting credentials, each regular in form, being presented in the Senate at different times, those first issued and first presented were honored after the circumstances had been examined. Volume I, section 627.

Conflicting credentials being presented and a question of law appearing, the Senate swore in neither contestant until after examination by a committee. Volume I, section 395.

SENATE PRECEDENTS—Continued.**(30) Organization.—Prima Facie Title.—Conflicting Credentials—Continued.**

There being conflicting credentials arising from a question as to the legality of election and an allegation of disqualification, the Senate determined final right before either claimant was seated. Volume I, section 632.

Before its committee had reported on conflicting credentials the Senate took one set of credentials from the committee and seated a claimant whose prima facie and final right and personal conduct were assailed. Volume I, section 628.

The Senate gave immediate prima facie effect to credentials regular in form, although a contestant presented irregular credentials. Volume I, section 633.

(31) Organization.—Prima Facie Title.—No Credentials.

In a case wherein a governor declined to sign the credentials of a Senator-elect the Senate admitted the claimant after examination of final right. Volume I, section 353.

(32) Organization.—Prima Facie Title.—Questions as to Election or Appointment.

The Senate decided that a person presenting credentials in due form should be sworn in, although a question had been raised as to his election. Volume I, section 545.

The Senate gave immediate prima facie effect to regular credentials, although a memorial impeached the regularity and legality of the election. Volume I, section 551.

In the Senate, in 1857, credentials regular in form were honored, although a memorial from the State legislature impeached the election of the bearer. Volume I, section 543.

In the Senate, when credentials have on their face raised a question as to the constitutionality of the appointment, the bearer has not been seated on prima facie showing. Volume I, section 611.

(33) Organization.—Prima Facie Title.—As Affected by Charges of Bribery.

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

The Senate seated a Senator-elect on prima facie showing of his election by a legislature, although his election for a prior term had been found by a committee invalid because of bribery. Volume I, section 695.

A Senator having resigned apparently to escape being unseated for bribery was not readmitted on credentials showing appointment by an acting governor. Volume I, section 694.

(34) Organization.—Prima Facie Title.—As Related to Qualifications in General.

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

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

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

Contention that a Senator may be excluded for disqualification by majority vote, even though he may have been sworn in. Volume I, section 481.

A Senator was unseated for disqualification after he had been seated on his prima facie right. Volume I, section 429.

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

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

(35) Organization.—Prima Facie Title.—As Related to Loyalty.

In 1867 the Senate, upon the statement by a Member that there were rumors affecting the loyalty of a Member-elect, referred the credentials before permitting the oath to be taken. Volume I, sections 457, 458.

SENATE PRECEDENTS—Continued.**(35) Organization.—Prima Facie Title.—As Related to Loyalty—Continued.**

In 1866 a Senator having stated in his place that the loyalty of a Senator-elect was doubtful, the credentials were referred to a committee before the oath was taken. Volume **I**, section **453**.
 A Senator-elect whose loyalty satisfactorily withstood inquiry, but who seemed unable truthfully to take the oath of July 2, 1862, was finally permitted to take the oath. Volume **I**, section **453**.

The credentials of a Senator-elect being regular and unimpeached and the election having been by the one legally organized legislature, the Senate seated the bearer at once, although charges were filed against him personally. Volume **I**, section **552**.

The Senate declined to give immediate prima facie effect to regular credentials, impeached by a memorial alleging irregularities in constitution of the State legislature and suggesting personal disqualification of the bearer. Volume **I**, section **393**.

(36) Organization.—Prima Facie Title.—As Related to Admission of the State.

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

The Senate declined to admit a Senator-elect from Minnesota until a formal act of admission had been passed by Congress. Volume **I**, section **399**.

(37) Organization.—Prima Facie Title.—As Related to Status of Legislature and State Government.

Discussion in the Senate as to whether or not the competency of the electing body is a question of determining importance in considering the prima facie effect of credentials. Volume **I**, section **348**.

The question of the competency of the electing legislature as an inherent part of a prima facie showing discussed by the Senate. Volume **I**, section **342**.

The Senate gave immediate prima facie effect to credentials regular in form, but impeached by a memorial and historical facts relating to rival legislatures. Volume **I**, section **342**.

There being rival claimants bearing credentials from rival executives and chosen by rival legislatures, the Senate did not give prima facie effect to either credentials. Volume **I**, section **345**.

There being conflicting credentials resulting from elections by rival legislative bodies, the Senate declined to give prima facie effect to the papers and examined the final right. Volume **I**, section **358**.

The Senate gave immediate prima facie effect to perfect credentials certifying election by a legally organized legislature, although it was objected that popular will had been subverted in electing the legislators. Volume **I**, section **359**.

The Senate failed to follow its committee in giving prima facie effect to regular credentials impeached by allegations that the legislature had been elected in violation of the provisions of Federal law. Volume **I**, section **394**.

The Senate declined to give immediate prima facie effect to credentials regular in form, but from a State where there were rival claimants to the governorship and rival legislatures. Volume **I**, section **354**.

The Senate declined to seat the bearer of credentials signed by a person exercising the authority of governor, it being objected that the signer was an usurper and that there was not election by a valid legislature. Volume **I**, section **352**.

A person ascertained by a majority of the committee to be legally elected and certified was seated by the Senate, although both executive and legislature were displaced by force before the Senate acted. Volume **I**, section **356**.

There being two conflicting credentials, the Senate declined to give immediate prima facie effect to either, although the electing and certifying government behind one had been swept away by force. Volume **I**, section **355**.

SENATE PRECEDENTS—Continued.**(37) Organization.—Prima Facie Title.—As Related to Status of Legislature and State Government—Continued.**

There being conflicting credentials from rival claimants to the office of governor, the Senate referred the papers before considering the question of swearing in either claimant to the seat. Volume **I**, section **347**.

Discussion of the status of a governor de facto as distinguished from an usurper. Volume **I**, section **350**.

(38) Organization.—Prima Facie Title.—As Related to a Condition of Civil War.

The Senate declined to give prima facie effect to credentials regular in form but from a State known to be kept from the duress of an armed foe only by a partial military protection. Volume **I**, section **382**.

Instance wherein the Senate gave immediate prima facie effect to credentials from a de facto government in a State disturbed by civil war. Volume **I**, section **383**.

From a State distracted by civil war the Senate admitted Senators chosen by a legislature representing no more than a third or fourth of the people. Volume **I**, section **383**.

The Senate declined to admit persons elected under the auspices of a State government representing a portion only of the people in a State menaced by hostile armies. Volume **I**, section **382**.

The Senate declined to admit to a seat a person bearing uncontested credentials of election by a legislature representing a small fraction of the people in a seceding State. Volume **I**, section **384**.

A State having been in secession, the Senate admitted as Senator the person chosen after the State had conformed to conditions prescribed by law and refused to admit one chosen prior to such conformity. Volume **I**, section **389**.

Instance wherein immediate prima facie effect was given to credentials of a Senator-elect from a reconstructed State. Volume **I**, section **390**.

(39) Organization.—Prima Facie Title.—In General.

Instance wherein a Senator participated in debate on credentials of a claimant for his seat. Volume **I**, section **491**.

In 1862 a Senator who challenged the right of a Senator-elect to be sworn substantiated his objection with ex parte affidavits. Volume **I**, section **443**.

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

(40) Organization.—Terms of Senators.

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

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

Discussion as to the term of service of a Senator appointed by a State executive to fill a vacancy. Volume **VI**, section **156**.

Ruling by the Vice President on tenure of office of Senators holding temporary appointment in the Senate. Volume **VI**, section **145**.

(41) Sessions and Recesses.

The legislative day of March 3 of the final session of a Congress is held to terminate at 12 m. on March 4 unless a motion is made and carried for an adjournment previous to that hour. Volume **V**, section **6696**.

Discussion in Senate of propriety of transacting legislative business at a called session, the House not being in session. Volume **I**, section **88**.

A recess of Congress is a real, not imaginary, time when it is not sitting in regular or extraordinary session. Volume **V**, section **6687**.

SENATE PRECEDENTS—Continued.**(41) Sessions and Recesses—Continued.**

Discussion of the term “recess of the Senate” as related to the President’s power of appointment. Volume **V**, section **6687**.

Reference to questions arising in the Senate as to recess appointments in a case wherein one session followed its predecessor immediately. Volume **V**, section **6693**.

The first instance in which one House adjourned for more than three days with the consent of the other. Volume **VIII**, section **3363**.

Adoption of a resolution requesting consent of the Senate to adjournment for more than three days was held not to confer privilege on a motion to adjourn to a certain day. Volume **VIII**, section **3366**.

(42) Prerogatives and Powers.—Senate a Continuing Body.

Reference to discussion of the permanent and temporary conditions of Senate and House, respectively, as organized bodies (footnote). Volume **IV**, section **4445**.

The Senate as a continuing body may continue its committees through the recess following the expiration of a Congress. Volume **VI**, section **343**.

(43) Prerogatives and Powers.—Investigations.—In General.

Discussion of the extent of the Senate’s power of investigation. Volume **III**, section **1722**.

Instance wherein the Senate proceeded to an investigation of charges made in general terms against its membership by newspapers. Volume **II**, section **1612**.

It is not essential that a resolution authorizing an investigation of the conduct of Senators shall specify censure or expulsion in order that the Senate may constitutionally compel testimony. Volume **II**, section **1614**.

An inquiry as to the integrity of Senators was held to be within the power of the Senate, and questions relating thereto were not unreasonable intrusions into the affairs of the citizen. Volume **II**, section **1614**.

The right to coerce the attendance of witnesses in an inquiry for legislative purposes was discussed in the Hyatt case. Volume **III**, section **1722**.

The Senate has authorized the compulsory attendance of witnesses in legislative inquiries, Volume **III**, sections **1814**, **1815**.

In 1877 the Senate, after discussion, decided that certain telegrams relating to the Presidential election should be produced by a witness. Volume **III**, section **1723**.

The two Houses by concurrent resolution constituted a joint select committee of investigation with power to send for persons and papers and sit during the recess of Congress. Volume **III**, sections **1763**, **1764**.

In 1861 the two Houses, by concurrent action, assumed without question the right to investigate the conduct of the war. Volume **III**, section **1728**.

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

In 1860 the Senate looked to House precedents in dealing with a witness in contempt. Volume **III**, section **1724**.

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

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

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

SENATE PRECEDENTS—Continued.**(44) Prerogatives and Powers.—Investigations.—Arrest of Witnesses, etc.**

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

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

It is assumed that the Senate will deal with a witness in accordance with recognized rules and discharge him from custody upon proper assurance that he will appear to testify when required. Volume **VI**, section **349**.

The same presumption of regularity attaches to action by the Senate in directing the arrest of a recusant witness that applies to the proceedings of the courts. Volume **VI**, section **349**.

Various instances of arrest for contempt of the Senate. Volume **III**, sections **1703–1706**.

In 1860 the Senate imprisoned Thaddeus Hyatt in the common jail for contempt in refusing to appear as a witness. Volume **III**, section **1722**.

In 1880 three recusant witnesses were arraigned at the bar of the Senate, and having purged themselves of contempt, were discharged. Volume **III**, section **1702**.

Persons in contempt for declining to testify or obey a subpoena have frequently given their testimony and been discharged without arraignment before the House. Volume **III**, section **1681**.

The Senate case of Elverton R. Chapman, a contumacious witness, in 1894. Volume **II**, sections **1612–1614**.

In 1894 the certification of alleged cases of contempt before a Senate committee was made without action of the Senate declaring the witnesses in contempt. Volume **II**, section **1612**.

In 1894 Elverton R. Chapman was convicted by the court and committed for contempt of the United States in declining, as a witness, to answer a pertinent question. Volume **II**, section **1614**.

In the Chapman case the Supreme Court held that the power to punish for contempt remains with each House in cases to which its power properly extends. Volume **II**, section **1614**.

In 1894 the power of punishing for contempt was fully discussed in the District court of appeals. Volume **II**, section **1613**.

(45) Prerogatives and Powers.—Investigations.—Warrants and Subpoenas.

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

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

By concurrent resolution the two Houses empowered the Vice-President and Speaker to sign subpoenas during a recess of Congress. Volume **III**, section **1763**.

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

A discussion distinguishing between the serving of a warrant by deputy and the serving of a subpoena in the same way. Volume **III**, section **1702**.

In 1860 the Massachusetts court decided that a warrant directed only to the Sergeant-at-Arms of the United States Senate might not be served by deputy in that State. Volume **III**, section **1718**.

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

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

Deputies with authority to execute warrants may be appointed by the Sergeant-at-Arms under a standing order of the Senate. Volume **VI**, section **341**.

SENATE PRECEDENTS—Continued.**(45) Prerogatives and Powers.—Investigations.—Warrants and Subpoenas—Continued.**

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

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

(46) Prerogative and Powers.—Investigations.—As Related to the Other House.

Where the House desires the testimony of Senators it is proper to ask and obtain leave for them to attend. Volume **III**, sections **1790**, **1791**.

The Senate neglected to respond to a request of the House that a Senator be permitted to attend a House committee. Volume **III**, section **1794**.

A committee of the House having summoned certain Senators by subpoena, the summons was either disregarded or obeyed under protest. Volume **III**, sections **1792**, **1793**.

An attempt of the House to investigate alleged corruption in connection with the votes of Senators during the Johnson trial was the subject of discussion and investigation in the Senate. Volume **III**, section **2064**.

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

The Secretary of the Senate being subpoenaed to appear before a committee of the House with certain papers from the files, the Senate, after discussion as to privilege, empowered him to attend with the papers in his custody. Volume **III**, section **2665**.

The Secretary of the Senate being subpoenaed to produce a paper from the files of the Senate, permission was given him to do so after a discussion as to whether or not he was exempted by privilege from the process. Volume **III**, section **2666**.

(47) Prerogatives and Powers.—Contempts.—In General.

The Senate has power, when acting in a case within its jurisdiction, to punish all contempts of its authority. Volume **II**, section **1640**.

Each House possesses the inherent power of self protection. Volume **II**, section **1614**.

The Senate committed John Nugent for contempt in publishing a treaty pending in executive session. Volume **II**, section **1640**.

In the Nugent case, in 1848, the court held that the Senate and House were the sole judges of their own contempts. Volume **II**, section **1640**.

William Duane, for a publication tending to defame the Senate, was found guilty of contempt and imprisoned by order of that body. Volume **II**, section **1604**.

Form of warrant signed by the President of the Senate for taking William Duane into custody. Volume **II**, section **1604**.

Form of proceedings at the trial of William Duane at the bar of the Senate. Volume **II**, section **1604**.

William Duane, on trial at the bar of the Senate for contempt, was allowed counsel under certain conditions. Volume **II**, section **1604**.

A person on trial at the bar of the Senate was to be present at the arraignment and examinations, but to retire during deliberations. Volume **II**, section **1604**.

A warrant of commitment "need not set forth the particular facts which constitute the alleged contempt." Volume **II**, section **1640**.

The Senate requested the Executive to prosecute William Duane for defamation of the Senate. Volume **II**, section **1604**.

(48) Prerogatives and Powers.—Contempts.—Involving a Member of the Other House.

The Senate did not attempt to exercise any authority over a Member of the House who had committed a breach of the Senate's privilege. Volume **II**, section **1622**.

A Member of the House having assaulted a Senator for words spoken in debate, the Senate examined the breach of privilege and transmitted the report to the House for action. Volume **II**, section **1622**.

SENATE PRECEDENTS—Continued.**(48) Prerogatives and Powers.—Contempts.—Involving a Member of the House**—Continued.

A letter from a Member of the House disclaiming any intention of invading the privileges of the Senate in assaulting a Senator was, after some discussion, read to the Senate. Volume **II**, section **1623**.

(49) Prerogatives and Powers.—As to Revenue and Appropriation Legislation.

Revenue bills must originate in the House, but the Senate may occur with amendments. Volume **II**, section **1480**.

Various occasions wherein the Senate's participation in revenue legislation has been challenged. Volume **II**, sections **1482–1488, 1493–1495**.

Discussion by a committee of the House of the constitutional right of the Senate to originate bills appropriating money from the Treasury. Volume **II**, section **1500**.

In 1885 the Houses after learned debate declined to investigate the power of the Senate to originate bills appropriating money. Volume **II**, section **1501**.

Discussion of the privilege of the House and Senate, respectively, in relation to revenue bills. Volume **II**, section 1488.

Early instances of Senate and House participation in revenue legislation. Volume **II**, section **1484**.

In 1830 a bill affecting the revenue was presented in the Senate and withdrawn, after a discussion of the constitutional question. Volume **II**, section **1482**.

Instances wherein the Senate has acquiesced in the constitutional requirement as to revenue bills, while holding to a broad power of amendment. Volume **II**, sections **1497–1499**.

Arguments in the Senate as to the limits of the prerogatives of the House in relation to revenue legislation. Volume **II**, section **1494**.

In 1883 the House raised, but did not press, a question as to certain Senate amendments relating to the revenue. Volume **II**, section **1491**.

The Senate having insisted on its right to add a revenue amendment to an appropriate bill, the House declined to proceed further with the bill. Volume **II**, section **1485**.

The Senate having passed a bill with incidental provisions relating to revenue, the House returned the bill, holding it to be an invasion of prerogative. Volume **II**, section **1494**.

The Senate having passed a bill with incidental provisions relating to revenue, the House returned the bill, holding it to be an invasion of constitutional prerogative. Volume **VI**, section **317**.

In 1930 the House insisted on its exclusive right to originate revenue measures and returned to the Senate a Senate concurrent resolution characterized as an infringement on its constitutional prerogative. Volume **VI**, section **319**.

Instance wherein the Senate declined to consider a bill challenged as an infringement on the right of the House to originate revenue measures. Volume **VI**, section **320**.

A point of order that a Senate bill proposing an increase in postage rates contravened the prerogative of the House was not sustained by the Senate. Volume **VI**, section **317**.

Instance where in proposed Senate amendments to a revenue bill were questioned in the House as an invasion of the constitutional prerogatives in relation to revenue legislation. Volume **VI**, section **322**.

A question relating to the invasion of the constitutional prerogatives of the House by a Senate amendment comes too late after the bill has been sent to conference. Volume **VI**, section **314**.

Instance wherein a Senate amendment affecting the revenue was not objected to until the stage of conference. Volume **VI**, section **314**.

(59) Prerogatives and Powers.—As to Revenue Treaties.

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

SENATE PRECEDENTS—Continued.**(50) Prerogatives and Powers.—As to Revenue Treaties—Continued.**

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

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

Discussion by a Senate committee as to the jurisdiction of the Senate over revenue treaties. Volume **II**, section **1533**.

Reference to discussion in the Senate over right of the House to a voice in making treaties affecting the revenue (footnote). Volume **II**, section **1528**.

In 1880 the House declared that the negotiation of a treaty affecting the revenue was an invasion of its prerogative. Volume **II**, section **1524**.

After long and careful consideration the Judiciary Committee of the House decided in 1887 that the executive branch of the Government might not conclude a treaty affecting the revenue without the assent of the House. Volume **II**, sections **1528–1530**.

In 1884 and 1886 the Ways and Means Committee assumed that the right of the House to a voice in making treaties affecting the revenue had been conceded. Volume **II**, sections **1526, 1527**.

(51) Prerogatives and Powers.—As to Treaties and Foreign Relations.

In 1868, after discussion with the Senate, the House's assertion of right to a voice in carrying out the stipulations of certain treaties was conceded in a modified form. Volume **II**, section **1508**.

In 1816 the House, after discussion with the Senate, maintained its position that a treaty must depend on a law of Congress for its execution as to such stipulations as relate to subjects constitutionally intrusted to Congress. Volume **II**, section **1506**.

After long discussion the House, in 1871, successfully asserted its right to a voice in approving Indian treaties. Volume **II**, sections **1535, 1536**.

The meaning of a treaty may not be controlled by subsequent explanation sanctioned by a majority vote only of the Senate. Volume **II**, section **1537**.

Arguments in the Senate that the power of recognizing foreign governments is vested in the President. Volume **II**, section **1545**.

The Senate expressed its disapproval of the attempt to destroy the English Parliament House. Volume **II**, section **1559**.

In 1881 the House Committee on Foreign Affairs, discussing the treaty-making power, concluded that the House had no share in it. Volume **II**, section **1525**.

(52) Prerogatives and Powers.—As Related to the Executive.—In General.

President Jackson having sent to the Senate a protest against its censure of his acts, the Senate declared the protest a breach of privilege and refused it entry on the Journal. Volume **II**, section **1591**.

A letter from an executive officer of the Government, criticising the Senate, was condemned in debate as a breach of privilege and withdrawn. Volume **III**, section **2566**.

While the House in some cases has bestowed praise or censure on the President or a member of his Cabinet, such action has at other times been held to be improper. Volume **II**, sections **1569–1572**.

President Madison declined a conference with a committee of the Senate. Volume **V**, section **6630**.

Reference to principles governing recognition of a State government by the President of the United States. Volume **I**, section **349**.

(53) Prerogatives and Powers.—As Related to the Executive.—Inquiries.

A discussion in the Senate as to its powers in calling for papers from the President. Volume **III**, sections **1902, 1903**.

SENATE PRECEDENTS—Continued.**(53) Prerogatives and Powers.—As Related to the Executive.—Inquiries—Continued.**

Discussion in the Senate as to the practice of requiring information from the heads of Departments and requesting it of the President. Volume **III**, section **1904**.

The clause “if not, in his judgment, incompatible with the public interest” is generally used by the Senate in resolutions of inquiry directed to the President. Volume **III**, sections **1902**, **1903**.

Discussion of the status of the Department of State in relation to resolutions of inquiry. Volume **III**, section **1905**.

President Jackson declined to furnish to the Senate a copy of a paper purporting to have been read by him to the heads of the Executive Departments. Volume **III**, section **1887**.

In 1886 the refusal of the Attorney-General to transmit certain papers called for by the Senate led to a discussion of prerogatives and a declaration by the Senate. Volume **III**, section **1894**.

The Postmaster-General having responded to an inquiry in a manner considered disrespectful, the Senate referred the matter to the President, whereat an explanation was forthcoming. Volume **III**, section **1906**.

The Senate returned to the Secretary of the Navy an impertinent document transmitted in response to an inquiry. Volume **III**, section **1907**.

(54) Prerogatives and Powers.—In General.

The authority to administer oaths should be given by law rather than by rule of either House. Volume **III**, section **1823**.

As to the power of a State to recall its assent to a constitutional amendment. Volume **V**, section **7042**.

(55) The Vice-President’s Vote.

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

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

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

The Senate has declined to make a rule relating to the vote of the Vice-President. Volume **V**, section **5974**.

(56) General Procedure.—Adjournment.

As to what constitutes a sine die adjournment of a legislative body. Volume **V**, section **6689**.

(57) General Procedure.—Amendments.

Amendments reported by a committee are acted on before those offered from the floor. Volume **V**, section **5773**.

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

After discussion, the Senate decided out of order a motion to refer an amendment to a pending bill without the bill itself. Volume **V**, section **5557**.

Discussion of the Senate usage in considering bills for amendment (footnote). Volume **IV**, section **3410**.

A decision in the Senate that an amendment need not, under the parliamentary law, be germane. Volume **V**, section **5802**.

(58) General Procedure.—Amendments Between the Houses.

An amendment of one House being amended by the other, the first House may amend the last amendment, but further amendment is not permissible. Volume **V**, section **6176**.

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

SENATE PRECEDENTS—Continued.**(58) General Procedure.—Amendments Between the Houses—Continued.**

After the stage of disagreement had been reached on amendments between the Houses, the Senate decided that new matters might not be brought in by way of amendment. Volume **V**, section **6227**.

One House may not recede from its own amendment with an amendment. Volume **V**, sections **6217, 6218**.

One House having receded from certain of its amendments may not at a subsequent stage recall their action in order to form a new basis for a conference. Volume **V**, section **6251**.

One House having adhered may at the next stage vote to further adhere. Volume **V**, section **6251**.

On House having adhered may recede from its adherence and agree to a conference asked by the other. Volume **V**, section **6251**.

One House after an amendment or disagreement by the other may at once adhere, but this does not preclude the granting of the request of the other House for a conference. Volume **V**, section **6243**.

In many instances bills have been lost by the adherence of both Houses, sometimes in earlier days, when no effort at adjustment by conference had been made. Volume **V**, sections **6233–6240**.

In an exceptional instance wherein the House had disagreed to a Senate amendment to a House bill the Senate thereupon adhered at once to its amendment and then declined the request of the House for a conference. Volume **V**, section **6313**.

In 1898 a Senate committee reported against a proposition to add to a general appropriation bill legislation on an important public question, holding it not proper to attempt thus to coerce the House of Representatives. Volume **VI**, section **3904**.

The principle seems to be generally accepted that the House proposing legislation on general appropriation bill should recede if the other House persist in its objection. Volume **IV**, sections **3906–3908**.

(59) General Procedure.—Bills.

The Secretary of the Senate having omitted to sign certain engrossed Senate bills before they were sent to the House, he was admitted to affix his signature. Volume **IV**, section **3427**.

The method of presenting bills to the President of the United States has been considered but not settled by either law or rule. Volume **IV**, section **3494**.

Reasoning from the parliamentary law that a part of a bill may be committed to one committee and a part to another, it was held in order in the Senate to recommit a bill with instructions to report it as two bills. Volume **V**, section **5528**.

(60) General Procedure.—Business.

The mere asking of leave to introduce a bill was considered general legislative business in the Senate. Volume **I**, section **123**.

(61) General Procedure.—Conferences.—Occasions for.

A conference is sometimes asked on a subject when no legislative proposition relating to this is pending, and may be granted or declined. Volume **V**, sections **6255, 6256**.

An early instance wherein committees of the two Houses held a conference not over disagreements to amendments, but over proposed legislation. Volume **V**, section **6957**.

There being a difference between the two Houses as to the right of the Senate to originate a revenue bill, the subject was committed to a conference. Volume **II**, sections **1487, 1488**.

The two Houses being at variance over a question of constitutional prerogative, the differences were submitted to a committee of conference. Volume **II**, section **1495**.

Instance of a conference on a subject of procedure in an impeachment. Volume **III**, section **2304**.

SENATE PRECEDENTS—Continued.**(62) General Procedure.—Conferences.—Asked of.**

One House may pass a bill of the other with amendments and immediately, without waiting for the other House to disagree, may ask a conference. Volume **V**, sections **6295–6298**.

The Senate having disagreed to an amendment of the House and the House having insisted, the Senate adhered, whereupon the House for the first time asked a conference, which was granted. Volume **V**, section **6309**.

The Senate, after careful examination, thought it respectful to grant the House's request for a conference, although the Senate had already adhered. Volume **V**, section **6311**.

(63) General Procedure.—Conferences.—Disregard of Request for.

An instance wherein the Senate disregarded a request for a conference and voted to adhere. Volume **V**, section **6315**.

Sometimes one House disregards the request of the other for a conference and recedes from its disagreement, thereby rendering a conference unnecessary. Volume **V**, sections **6316–6318**.

In declining a conference the Senate by message communicated its reasons for so doing. Volume **V**, section **6313**.

Early instances where one House postponed to an indefinite time bills returned from the other with amendments disagreed to and requests for a conference. Volume **V**, section **6199**.

(64) General Procedure.—Conferences.—Managers of.

Senate discussion as to the rule governing the appointment of conferees. Volume **V**, section **6529**.

Instances wherein the Senate managers of a conference were appointed entirely from the majority party, members of the minority having declined to serve. Volume **V**, section **6337**.

On a conference relating to the prerogatives of the two Houses all the conferees were selected to represent the attitude of the majority of the House. Volume **V**, section **6338**.

The Senate, after full consideration, having decided that conferees may not be instructed. Volume **V**, section **6397**.

Only in rare instances has the Senate instructed managers of a conference. Volume **V**, section **6398**.

The House having instructed its managers for a second conference, the Senate declined the conference and asked a free conference. Volume **V**, sections **6403, 6404**.

The Senate having learned indirectly that the House had instructed its conferees, declared that the conference should be full and free, and instructed its own conferees to withdraw if they should find the freedom of the conference impaired. Volume **V**, section **6406**.

The House having requested a conference and instructed its conferees, the Senate ignored the request of the House, insisted on its amendment, and asked "a full and free conference." Volume **V**, section **6401**.

A difference arising between the House and Senate as to the instruction of conferees, a distinct conference was asked and granted on the subject of difference. Volume **V**, section **6401**.

The House having instructed its conferees in the first instance and having informed the Senate by message of the instructions, the latter body objected to the instructions and to the transmittal of them by message. Volume **V**, section **6401**.

The House having instructed its managers at first conference, the Senate declined to participate and asked a free conference, which was granted. Volume **V**, section **6402**.

The House having instructed its conferees at a second conference and having by message informed the Senate of the instructions that body agreed to the conference, although there was protest at the message. Volume **V**, section **6400**.

SENATE PRECEDENTS—Continued.**(65) General Procedure.—Conferences.—Reports Not Within the Disagreements.**

Both House and Senate have always been adverse to receiving reports in cases wherein the managers have exceeded their powers. Volume **V**, sections **6414–6416**.

In the Senate a conference report is not ruled out on a point of order that it contains matter not within the differences, but the question must be taken on agreeing to it. Volume **V**, sections **6426–6432**.

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

(66) General Procedure.—Conferences.—Recommittal of Reports.

It is in order for one body to recommit a conference report if the other body, by action on the report, have not discharged their managers. Volume **V**, sections **6545–6550**, **6609**.

(67) General Procedure.—Conferences.—Reports, Action on, etc.

The House may not act on a conference report when the bill and amendments are not in its possession. Volume **V**, sections **6521**, **6522**.

Where the conference was asked by the House, may the Senate by a motion to discharge its conferees get possession of the bill and papers? Volume **V**, section **6529**.

When a conference breaks up without reaching any agreement the managers of the House asking the conference do not necessarily surrender the papers to the managers of the other House, as in the case where a report is agreed to. Volume **V**, sections **6571–6584**.

Managers may report an agreement as to a portion of the amendments in disagreement, leaving the remainder to be disposed of by subsequent action. Volume **V**, section **6463**.

A final conference report providing that the House recede from the only disagreement was agreed to by the House, and then the Presiding Officers of the two Houses signed the bill, although the Senate had not acted on the report. Volume **V**, section **6587**.

Instance wherein the Senate receded from its amendment to a House bill, although it had insisted and asked a conference, to which the House had agreed. Volume **V**, section **6319**.

One House has, by message, reminded the other of its neglect to act on a conference report, but this was an occasion of criticism. Volume **V**, section **6309**.

Instances wherein the Senate expressed doubt of the right of conferees to withdraw a conference report after it had been presented and before action thereon. Volume **V**, section **6459**.

Conferees do not usually admit persons to make arguments before them. Volume **V**, section **6263**.

(68) General Procedure.—Congressional Record. See also “Congressional Record.”

A message of the President to the two Houses is printed in the proceedings of only one House. Volume **V**, section **6965**.

It is not considered courteous for one House to strike from the Record matter placed therein by permission of the other House. Volume **V**, section **6966**.

Instance wherein proceedings in the Senate were ordered excluded and expunged from the record. Volume **VIII**, section **3473**.

(69) General Procedure.—Committees.—In General.

The Senate, as a continuing body, may continue its committees through the recess following the expiration of a Congress. Volume **IV**, section **4544**.

A quorum of a committee may transact business, and a majority of that quorum, even though it be a minority of the whole committee, may authorize a report. Volume **IV**, section **4586**.

Discussion in the Senate on the presentation of minority views. Volume **IV**, sections **4617**, **4618**.

Minority views were not permitted previous to 1822, but the present practice began to develop soon after that date. Volume **IV**, sections **4608–4618**.

SENATE PRECEDENTS—Continued.**(69) General Procedure.—Committees.—In General—Continued.**

Instance wherein a committee, being equally divided, reported to the Senate its inability to present a proposition for action. Volume **I**, section **347**.

An instance where a Senate committee notified the Senate of its inability to report a bill. Volume **IV**, section **4666**.

Instance in the Senate wherein a Member of the minority portion of a committee was directed by major vote of the committee to report a bill. Volume **IV**, section **4673**.

In the Senate a motion to discharge a committee may be made and considered in the regular order (footnote). Volume **IV**, section **4693**.

The former practice of the Senate in relation to instructing committees. Volume **V**, section **5525**.

A Senate committee determined that a witness summoned to testify before it was not entitled to counsel. Volume **III**, section **1837**.

A Senator having resigned from all committee assignments, the Senate accepted his resignation and elected successors to the vacancies thus created. Volume **VIII**, section **2200**.

A rule adopted by a Senate committee providing that the presence of six Senators should constitute a quorum of the committee was held by the courts to be invalid because adopted at a meeting at which less than a quorum of the committee was present. Volume **VI**, section **345**.

(70) General Procedure.—Committees.—Joint.

A joint committee should be provided for by a concurrent and not a joint resolution, and the resolution should not prescribe rules for the proceedings of either House. Volume **IV**, section **4409**.

When a joint committee is authorized by simple resolution the resolution itself does not have the concurrent action of the two Houses. Volume **IV**, section **4411**.

Sometimes the two Houses, by concurrent action, join two of their standing committees and constitute them a joint committee. Volume **IV**, sections **4412–4416**.

The Senate has specially empowered its Committees on Printing, Enrolled Bills and Library to act in conjunction with similar House committees. Volume **IV**, section **4416**.

Instance wherein the Senate insisted on an equal representation on a joint committee. Volume **IV**, section **4410**.

Although a joint committee votes per capita, the membership from the House is usually larger than that from the Senate. Volume **IV**, sections **4426–4430**.

A joint committee may be instructed by the two Houses acting concurrently or by either House acting independently. Volume **IV**, sections **4421–4423**.

(71) General Procedure.—Constitutional Amendments.

It has been conclusively settled that a joint resolution proposing an amendment to the Constitution should not be presented to the President for his approval. Volume **V**, section **7040**.

One House having by a two-thirds vote passed, in amended form, a proposed constitutional amendment from the other House and then having by a majority vote receded from its amendment, the constitutional amendment was held not to be passed. Volume **V**, section **7035**.

The two-thirds vote required for the passage of an amendment to the Constitution is constructed to mean two-thirds of those present. Volume **V**, section **7028**.

By a majority vote the Senate has amended a joint resolution that required a two-thirds vote on its passage. Volume **V**, section **7032**.

A two-thirds vote is required to agree to amendments of the other House to joint resolutions proposing amendments to the Constitution. Volume **VIII**, section **3505**.

SENATE PRECEDENTS—Continued.**(72) General Procedure.—Debate.**

- Discussion of the rule for limiting debate in the Senate. Volume **VIII**, section **2671**.
- Instances wherein Members of the Senate have taken advantage of the privilege of unlimited debate. Volume **VIII**, section **2666**.
- Instances wherein Senators signed a “round robin” announcing they would have voted to close debate had the rules of the Senate permitted. Volume **VIII**, section **2663**.
- A Member having referred to the Senate in a public address, it was held in order to reply on floor of the Senate, avoiding personalities and criticism of the other House. Volume **VIII**, section **2510**.
- In the Senate a Senator may not take the floor and then yield periods of time to other Senators. Volume **V**, section **5041**.
- A Senator who had yielded the floor to a message from the House was held entitled to resume the floor, to the exclusion of other business. Volume **V**, section **5017**.
- It has been held in the Senate that when the reading of a paper is objected to it must be determined by vote of the Senate. Volume **V**, section **5299**.
- It is not in order in debate to refer to action of the House. Volume **V**, section **5102**.
- Interpretation of the rule prohibiting reference in debate to what has been said on the subject in the other House. Volume **V**, section **5098**.
- In the Senate a reference to methods of procedure in the House, made for the purpose of influencing the action of the Senate, was ruled out of order. Volume **V**, section **5100**.
- Instance wherein the Senate declined to have read the record of the proceedings of the House, even as the basis of a question of order relating to the rights of the Senate. Volume **V**, section **6406**.
- Persons not Members, and not claiming to be Members, have been permitted to address the House only in early and rare instances. Volume **V**, section **7301**.
- It is not in order in debate to indulge in personalities. Volume **V**, section **5151**.
- Where charges of bribery had been made against a Senator a question propounded to him by another Senator on the subject was held to be in order. Volume **V**, section **5155**.
- While in debate the assertion of one Member may be declared untrue by another, yet in so doing an accusation of intentional misrepresentation must not be implied. Volume **V**, section **5160**.
- Instance of personalities in debate in the Senate. Volume **V**, section **5156**.

(73) General Procedure.—Decorum.

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

(74) General Procedure.—Files and Papers.

- One House requiring papers from the files of the other asks for them by resolution. Volume **V**, sections **7263**, **7264**.

(75) General Procedure.—Journal.

- The Senate in 1867 discontinued the use of the Journal of the word “honorable” before the name of a Senator. Volume **IV**, section **2883**.
- The Senate Journal has shown the number of Senators answering to a call of the Senate, but not the names. Volume **IV**, section **2833**.
- It was held in the Senate that when a Senator, called to order for words spoken in debate, appealed to the Senate the Journal should record the words. Volume **IV**, section **2838**.
- An instance wherein the Senate, after discussion, declined so to amend the Journal as to state what was not the actual fact. Volume **IV**, section **2786**.
- Reference to the consideration of the resolution expunging from the Senate Journal the censure of President Jackson (footnote) Volume **IV**, section **2730**.

SENATE PRECEDENTS—Continued.**(76) General Procedure.—Messages.**

One of the first messages from the Senate was transmitted by letter from the Vice-President. Volume **V**, section **6257**.

Instance wherein the Senate received a message, although a quorum were not present. Volume **V**, section **6650**.

A veto message may not be returned to the President of the United States. Volume **IV**, section **3521**.

The Senate declines to receive communications from any executive department except through the President unless in response to a resolution of the Senate or in accordance with law. Volume **VIII**, section **3353**.

(77) General Procedure.—Motions.

It was held in the Senate that a pending motion might not be referred to a committee. Volume **V**, section **5556**.

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

A motion being made to reconsider the vote on a bill which had gone to the Senate, a motion to ask the recall of the bill is privileged. Volume **V**, section **5671**.

Where the yeas and nays on a vote have not been ordered recorded in the Journal any Member, irrespective of whether he voted with the majority or not, may make the motion to reconsider (footnote). Volume **V**, section **5611**.

In the Senate a motion to refer a vetoed bill has been held in order. Volume **IV**, section **3550**. The motion for the previous question is not admitted in the Senate. Volume **VIII**, section **2663**.

(78) General Procedure.—Order.

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

(79) General Procedure.—Petitions, etc.

Petitions from Indians within the limits of the United States have been received. Volume **IV**, section **3341**.

Reference to Senate rule that no alien may offer a petition directly to the Senate. Volume **IV**, section **3328**.

The House has usually refused to receive the petitions of the subjects of a foreign power not residing in the United States. Volume **IV**, sections **3334**, **3335**.

The rule relating to the signing of petitions was formerly enforced strictly by the Senate. Volume **IV**, section **3323**.

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

Discussion of the duty of a Presiding Officer in relation to the presentation of communications. Volume **IV**, section **3320**.

(80) General Procedure.—Quorum.

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

Reference to proceedings in the Senate to compel attendance of absentees (footnote). Volume **IV**, section **2980**.

Review of practice and proceedings in the Senate as to Senators present and not voting when a quorum fails. Volume **IV**, sections **2910–2915**.

While the practice in the Senate has varied, the weight of precedent seems to warrant the counting of those present and not voting in ascertaining the presence of a quorum. Volume **VI**, section **645**.

SENATE PRECEDENTS—Continued.**(80) General Procedure.—Quorum—Continued.**

An instance wherein the Senate indorsed the principle that a legislator, whose presence was forcibly obtained and who refused to vote, might be counted as part of a quorum. Volume **I**, section **356**.

In the Senate the presence of a quorum was held to be necessary during debate. Volume **VI**, section **643**.

While the precedents are not uniform, the practice of the Senate is to permit the withdrawal of suggestions that a quorum is not present prior to ascertainment and announcement by the Chair. Volume **VI**, section **644**.

(81) General Procedure.—Rules.

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

In 1876 the joint rules were abrogated, the action being accompanied by discussion in both Houses, and subsequent efforts to restore them have failed. Volume **V**, sections **6782–6787**. Jefferson's Manual is recognized, in as far as applicable, as a part of the rules of the Senate. Volume **VIII**, section **2501**.

Although not formally adopted as a part of the rules of the Senate, Jefferson's Manual has been cited as authoritative in Senate decisions on parliamentary procedure. Volume **VIII**, section **2517**.

In the Senate it was held that while Jefferson's Manual was not to be regarded as a direct authority, it was to be considered as exercising an influence in Senate procedure. Volume **VIII**, section **3382**.

The Senate no longer requires consideration of bills and joint resolutions in the Committee of the Whole. Volume **VIII**, section **2380**.

(82) General Procedure.—Sessions.—Extraordinary.

At an extraordinary session the Senate sometimes adopts a rule limiting the business to be considered. Volume **IV**, section **3068**.

(83) General Procedure.—Sessions.—Secret.

Each House has a right to hold secret sessions whenever in its judgment the proceedings should require secrecy. Volume **II**, section **1640**.

Following revision of the rule relating to secrecy, the Senate practice of considering executive business in closed session has been largely discontinued. Volume **VIII**, section **363**.

In 1929 a Senate committee recommended the denial of the privilege of the floor to a newspaper reporter charged with publication of proceedings of an executive session. Volume **VI**, section **334**.

(84) General Procedure.—Voting.—In General.

Reference to instances in the Senate wherein debate was had after the yeas and nays were ordered, but not after the calling of the roll had begun. Volume **V**, section **6100**.

It was held in the Senate that when the yeas and nays were ordered and taken and a quorum failed to respond, debate was not in order when a quorum appeared. Volume **V**, section **6100**.

It being ordered that a majority of the ballots cast shall elect, it is not in order at the conclusion of a ballot to move that the person having a plurality only shall be declared elected. Volume **V**, section **6006**.

The order of voting requiring a majority of all the Members to elect, a vote of 29 votes for one person and 29 blanks was held not conclusive. Volume **V**, section **6009**.

The two-thirds vote required to pass a bill, notwithstanding the objections of the President, is "two-thirds of the Members present." (footnote). Volume **V**, section **3538**.

An instance wherein a Senator refused to vote (footnote). Volume **V**, section **5945**.

The rules of the Senate do not recognize pairs. Volume **VIII**, section **3095**.

SENATE PRECEDENTS—Continued.**(84) General Procedure.—Voting.—In General—Continued.**

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

(85) General Procedure.—Voting.—Division of the Question.

A Senate decision that a resolution, on demand for a division, should be divided according to its verbal construction rather than according to its legislative propositions. Volume **V**, section **6119**.

A Senate ruling that the division of a question depends on grammatical structure rather than on the substance involved. Volume **I**, section **394**.

When it is proposed to amend by inserting or adding the matter is divisible if it contains more than one substantive proposition. Volume **V**, section **6133**.

A resolution need not necessarily be divided because it affects the titles of the seats of two Senators from different States with different questions involved. Volume **V**, section **6119**.

(86) General Procedure.—Voting.—Disqualifying Personal Interest.

A Senator having voted on a question affecting directly his title to his seat, the Senate ordered that the vote be not received in determining the question. Volume **V**, section **5959**.

On a resolution in the Senate censuring two Senators the names of both were called, but neither voted. Volume **II**, section **1665**.

A member of a State legislature having cast for himself a decisive vote for United States Senator, the Senate declined to hold the election illegal. Volume **V**, section **5963**.

(87) In General.

Reference to inquiry as to existence of a republican form of government in a State. Volume **I**, section **346**.

Ceremonies of removing from the old to the new Halls of the House and Senate. Volume **V**, section **7271**.

Reference to debate in the Senate on freedom of the press (footnote). Volume **III**, section **2640**.

A Senator, member of a joint commission created by law and appointed by the Presiding Officers of the two Houses, respectively, tendered his resignation in the Senate. Volume **IV**, section **4446**.

The House has declined to be bound to secrecy by act of the Senate. Volume **V**, section **7249**.

In the Senate it was held that an appeal from a decision of the Chair should be presented at the time the decision is announced and before the intervention of further business. Volume **VIII**, section **3280**.

In a rare instance the Senate recessed on the occasion of the death of a former Senator. Volume **VIII**, section **3562**.

SENATE REPORTS.

In determining final right to a seat the House has considered as evidence testimony embodied in a Senate report of the preceding Congress relating generally to the election in question. Volume **I**, section **624**.

SENIORITY.

A discussion of the unwritten rule of seniority of service. Volume **VI**, section **233**.

In filling vacancies in chairmanships of committees the House has usually, but not invariably, followed the rule of seniority and elected the next ranking member of the committee. Volume **VIII**, section **2202**.

Suites in the new building were assigned according to seniority in continuous service and Members were required to file for assignment on a designated day in person or by proxy. Volume **VIII**, section **3650**.

SENIORITY—Continued.

The term “continous service” governing seniority in the assignment of rooms in the House Office Building is held to refer to uninterrupted service, and seniority of a Member dates from the beginning of his last uninterrupted service regardless of previous terms of memship in the House. Volume **VIII**, section **3651**.

Where two or more Members file requests for the same room, preference shall be given to the Member of the longest continuous service in the House. Volume **VIII**, section **3648**.

SERGEANT.

The Pennsylvania election case of John Sergeant in the Nineteenth Congress. Volume **I**, section **555**.

SERGEANT-AT-ARMS.

- (1) **Of the House.—One of the elected officers.**
- (2) **Of the House.—The mace the symbol of the office.**
- (3) **Of the House.—Preserves order and the peace.**
- (4) **Of the House.—Arrests members on call of the House, etc.**
- (5) **Of the House.—Serves warrants and subpoenas.**
- (6) **Of the House.—Disburses pay and mileage of Members.**
- (7) **Of the House.—Duty as to the roll of Members-elect.**
- (8) **Of the House.—Has the privilege of the floor of the House.**
- (9) **In general.**

(1) Of the House.—One of the Elected Officers.

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

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

The Sergeant-at-Arms receives no fees, and the Clerk receives them only for certified extracts of the Journal. Volume **I**, section **259**.

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

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

(2) Of the House.—The Mace the Symbol of the Office.

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

Instance wherein the Sergeant-at-Arms carried the mace to the floor. Volume **VIII**, section **2530**.

The Deputy Sergeant-at-Arms having attempted without the mace to enforce an order of the Speaker on a member, a question of privilege arose therefrom. Volume **II**, section **1347**.

When the House attends in the Senate the Sergeant-at-Arms does not bear the mace. Volume **V**, section **7045**.

(3) Of the House.—Preserves Order and the Peace.

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

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

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

SERGEANT-AT-ARMS—Continued.**(3) Of the House.—Preserves Order and the Peace**—Continued.

The Sergeant-at-Arms and Doorkeeper are charged with the enforcement of certain rules relating to decorum. Volume **II**, section **1136**. Volume **VI**, section **190**.

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

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

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

A motion instructing the Sergeant-at-Arms to exclude all persons not entitled to the privileges of the floor was entertained as privileged. Volume **VIII**, section **3637**.

(4) Of the House.—Arrests Members on Call of the House, etc.

On a call of the House under the new rule the Sergeant-at-Arms is required to detain those Members who are present and bring in absentees. Volume **IV**, sections **3045–3048**.

Form of resolution for directing the Sergeant-at-Arms to arrest absent Members. Volume **IV**, section **3018**. Volume **VI**, section **684**.

A resolution authorizing the Sergeant-at-Arms to arrest absentees is not debatable. Volume **VI**, section **87**.

Under the new rule for a call of the House a resolution of the House is not required to empower the Sergeant-at-Arms to bring in absentees. Volume **IV**, section **3049**.

On a call of the House the Sergeant-at-Arms is required to execute an order of arrest wherever the members referred to may be found. Volume **IV**, section **3017**.

A question as to the constitutionality and propriety of a continuing order of arrest was held not to supersede a motion to discharge the Sergeant-at-Arms from further execution of the order. Volume **III**, section **2617**.

Instance wherein the Sergeant-at-Arms reported at the bar of the House his proceedings under a continuing order of arrest. Volume **IV**, section **3017**.

The Sergeant-at-Arms having made no report of his execution of an order of arrest, and no excessive delay appearing, a motion summoning him to report was held not to be of privilege. Volume **III**, section **2618**.

A motion to require the Sergeant-at-Arms to report at the bar of the House on progress in securing a quorum is in order during a call of the House. Volume **VI**, section **687**.

The House having agreed to a resolution of censure and the Member being brought to the bar by the Sergeant-at-Arms to be censured, it was held that he might not then be heard. Volume **II**, section **1259**.

(5) Of the House.—Serves Warrants and Subpoenas.

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

Arrests are made by the Sergeant-at-Arms on authority of a warrant duly signed, attested, and sealed, and on performing the duty that offer makes return on the warrant. Volume **II**, section **1599**.

By direction of the House, the Speaker issued and the Sergeant-at-Arms served a warrant for the arrest of a person charged with contempt of the House. Volume **VI**, section **532**.

Form of Speaker's warrant for commitment of a person in contempt and of Sergeant-at-Arms's return thereon. Volume **II**, section **1628**.

A writ of habeas corpus being served on the Sergeant-at-Arms, who held the witness Irwin in custody for contempt, the House, after consideration, prescribed the form and manner of return. Volume **III**, section **1691**.

A prisoner of the House was taken by its order and in custody of the Sergeant-at-Arms to testify in the court of a State. Volume **II**, section **1627**.

SERGEANT-AT-ARMS—Continued.**(5) Of the House.—Serves Warrants and Subpoenas—Continued.**

Form of warrant and return in case of arrest of a witness for contumacy. Volume **III**, section **1671**.
The Sergeant-at-Arms having arrested Williamson by order of the House made his return verbally. Volume **III**, section **1673**.

The order of arrest sometimes specifies that it shall be made either by the Sergeant-at-Arms or his special messenger. Volume **III**, section **1688**.

In the absence of the Sergeant-at-Arms his deputy, by special resolution of the House, was empowered to serve a warrant. Volume **III**, section **1669**.

In 1860 the Massachusetts court decided that a warrant directed only to the Sergeant-at-Arms of the United States Senate might not be served by deputy in that State. Volume **III**, section **1718**.

A discussion distinguishing between the serving of a warrant by deputy and the serving of a subpoena in the same way. Volume **III**, section **1702**.

A subpoena having been served by a deputy sergeant-at-arms, a certificate of his appointment should accompany a report requesting arrest of the witness for contempt. Volume **III**, section **1701**.

A subpoena served by a deputy did not contain certificate of the deputy's appointment. Volume **III**, section **1695**.

The Sergeant-at-Arms indorses on a subpoena his authorization of his deputy to act in his stead. Volume **III**, section **1673**.

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

The House sometimes directs the Sergeant-at-Arms to attend the sittings of a committee and serve the subpoenas. Volume **III**, section **1753**.

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

A Sergeant-At-Arms serving subpoenas for a committee makes his return and it is entered on the journal of the committee. Volume **III**, section **1800**.

(6) Of the House.—Disburses Pay and Mileage of Members.

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

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

The statutes provide for deductions by the Sergeant-at-Arms from the pay of a Member or Delegate who is absent from his seat without a sufficient excuse. Volume **II**, section **1150**.

The House has by resolution directed the enforcement of the statute providing for deductions by the Sergeant-at-Arms from the pay of Members and Delegates absenting themselves without leave. Volume **VI**, section **30**.

The House has by resolution revoked all leaves of absence and directed the Sergeant-at-Arms to deduct from the salary of Members compensation for days absent without leave. Volume **VI**, section **198**.

It was held in 1894 that the act of the Sergeant-at-Arms in pursuance of the law for deductions of Members' salaries for absence might not be reviewed on the floor as a question of privilege. Volume **III**, section **2690**.

(7) Of the House.—Duty as to the Roll of Members-elect.

The duty of making up the roll of Members-elect in event the Clerk can not act devolves on the Sergeant-at-Arms and next on the Doorkeeper. Volume **I**, section **15**.

SERGEANT-AT-ARMS—Continued.**(8) Of the Senate.—Has the Privilege of the Floor of the House.**

The Secretary and Sergeant-at-Arms of the Senate, Superintendent of the Capitol, the Librarian of Congress, and his assistant in the law library have the privilege of the floor. Volume **V**, section **7283**. Volume **VIII**, section **3634**.

(9) In General.

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

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

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

In the absence of the Sergeant-at-Arms, the duties of his office are discharged by sworn deputies, and the Speaker issues directions as if he were present in person. Volume **VI**, section **679**.

Instance wherein the House designated a minority employee as Assistant Sergeant-at-Arms. Volume **VI**, section **681**.

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

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

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

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

Instance in which the Sergeant-at-Arms was summoned to the bar of the House and required to report progress in the discharge of the duties of his office. Volume **VI**, section **687**.

In the absence of a Member against whom resolutions of expulsion were offered, consideration of the resolutions was postponed with notice that the Sergeant-at-Arms would be asked to deliver to the Member or his secretary a copy of the resolution with notice of its pending consideration. Volume **VI**, section **236**.

SERVICE.**(1) Of processes.—Warrants.****(2) The public.****(1) Of Processes.—Warrants.**

In the absence of the Sergeant-at-Arms his deputy, by special resolution of the House, was empowered to serve a warrant. Volume **VIII**, section **1669**.

By direction of the House, the Speaker issued and the Sergeant-at-Arms served a warrant for the arrest of a person charged with contempt of the House. Volume **VI**, section **532**.

Form of subpoena served on a Member of the House. Volume **VI**, section **537**.

(2) The public.

Bills relating to the efficiency and integrity of the public service have been considered by the several committees on expenditures. Volume **IV**, section **4320**.

A proposition to regulate the public service by transferring funds and activities from one department to another is not in order in an appropriation bill. Volume **VII**, section **1469**.

SERVICE OF THE HOUSE.**(1) The employees.—In general.****(2) The employees.—Clerks of committees. See also “Committees.”****(3) In general.****(4) Jurisdiction of committees in regard to.**

SERVICE OF THE HOUSE—Continued.**(1) The Employees.**—In General.

Resolutions authorizing the employment of persons by the House are reported by the Committee on Accounts. Volume **IV**, section **4333**.

A resolution relating to the dismissal of an employee was held not to involve a question of privilege. Volume **III**, section **2634**.

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

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

The House has at times laid down general principles to govern the selection of its employees. Volume **V**, sections **7239**, **7240**.

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

Employees of the House may not sublet their duties or divide their compensation with others. Volume **V**, section **7232**.

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

Decision of the Comptroller of the Treasury as to the employment of the index clerk. Volume **V**, section **7234**.

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

The Committee on Accounts are to inquire into the enforcement of the status relating to employees of the House and are empowered to send for persons and papers. Volume **V**, section **7233**.

An ordinary appropriation for session employees is not available at an extra session. Volume **V**, section **7231**.

Decision as to per diem employees in case of an appropriation for a longer time than their actual employment. Volume **V**, section **7230**.

In case of a month's extra pay an employee having an annual salary is entitled to one-twelfth of the sum of that salary. Volume **V**, section **7229**.

The representatives of an employee deceased before the passage of an act granting a month's extra pay are not entitled to what would be paid to the employee were he alive. Volume **V**, section **7228**.

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

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

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

While customary to grant the widow of an employee of the House an amount equal to one-half of a year's salary, in exceptional instances the house has authorized payment of the full amount of the annual salary. Volume **VIII**, section **3600**.

(2) The Employees.—Clerks of Committees. See also "Committees."

Clerks of committees are appointed by the chairman, with the approval of the committee, and are paid at the public expense. Volume **IV**, section **4533**.

An annual clerkship of a committee is authorized by a resolution reported by the Committee on Accounts and agreed to by the House. Volume **IV**, section **4534**.

Session clerks are assigned to committees by resolution reported from the Committee on Accounts and agreed to by the House. Volume **IV**, section **4535**.

SERVICE OF THE HOUSE.—Continued.**(2) The Employees.—Clerks of Committees**—Continued.

The assignment of committee clerks is within the jurisdiction of the Committee on Accounts. Volume **IV**, section **4332**.

Reference to statutes fixing the pay of session clerks of committees (footnote). Volume **IV**, section **4535**.

A session clerk is entitled to compensation only from the date when he enters upon the discharge of his duties with the committee. Volume **IV**, section **4536**.

A clerk of a committee who ceased to hold office on December 21 was held not to be entitled to the salary for the remainder of the month under the terms of a resolution directing the payment of salaries of employees for that month on the 20th. Volume **IV**, section **4537**.

(3) In General.

A resolution relating to the protection of the records of the House presents a question of privilege. Volume **III**, section **2659**.

References to the practice governing management of the House restaurant, especially as to the sale of intoxicating liquors. Volume **V**, section **7244**.

A resolution from the Committee on Ventilations and Acoustics relating to the comfort of Members in the Hall was received as a question of privilege. Volume **III**, section **2629**.

Resolutions from the Committee on Accounts authorizing expenditures from the contingent fund do not, according to the later rulings, require consideration in Committee of the Whole. Volume **IV**, sections **4862–4867**.

Discussion of various services of the House, including the House restaurant, House barber shops, and stationery and mileage allowances to Members. Volume **VI**, section **216**.

(4) Jurisdiction of Committees in Regard to.

Resolutions pertaining to the service of the House are reported by the Committee on Accounts. Volume **VII**, section **2053**.

The employment of persons in the service of the House having been authorized, resolutions designating individuals to fill such positions are not necessarily reported by the Committee on Accounts. Volume **VII**, section **2057**.

Authorization of publications in connection with the service of the House is a subject belonging to the jurisdiction of the Committee on Printing and not the Committee on Accounts. Volume **VIII**, section **2300**.

SESSINGHAUS.

The Missouri election case of *Sessinghaus v. Frost* in the Forty-seventh Congress. Volume **II**, sections **975, 976**.

SESSIONS.

- (1) **Of Congress.—Beginning and end of.**
- (2) **Of Congress.—Meeting on the day set by the Constitution.**
- (3) **Of Congress.—When convened by law.**
- (4) **Of Congress.—When called by the Executive authority.**
- (5) **Of Congress.—Continuation of functions after.**
- (6) **Of Congress.—Business in one House when the other is not convened.**
- (7) **Of Congress.—Limitation on business at a special session.**
- (8) **Of Congress.—In relation to the power of the House to imprison.**
- (9) **Of Congress.—As related to the continuation of impeachment proceedings.**
- (10) **Of Congress.—Continuation of business and committees after a recess.**
- (11) **Of Congress.—Adjournment sine die.**
- (12) **Of Congress.—Privilege of the Member going and returning.**
- (13) **Of Congress.—In general.**
- (14) **Of the House.—Hour of meeting.**
- (15) **Of the House.—The legislative day.**

SESSIONS—Continued.

- (16) **Of the House.—As to Sunday.**
 - (17) **Of the House.—Adjournment over.**
 - (18) **Of the House.—Secret.**
 - (19) **Of the House.—Joint.**
 - (20) **Of the House.—Committees not to sit during.**
 - (21) **Of the House.—In general.**
 - (22) **During the electoral count.**
- (1) **Of Congress.—Beginning and End of.**
- The term of a Congress begins on the 4th of March of the odd-numbered years and extends through two years. Volume **I**, section **3**.
- When the two Houses adjourn for more than three days, and not to or beyond a day fixed by Constitution or law for the next regular session to begin, the session is not thereby necessarily terminated. Volume **V**, sections **6676, 6677**.
- The legislative day of March 3 of the final session of a Congress is held to terminate at 12 m. on March 4 unless a motion is made and carried for an adjournment previous to that hour. Volume **V**, sections **6694–6697**.
- The two Houses may by concurrent resolution provide for an adjournment to a certain day with a provision that if there be no quorum present on that day the session shall terminate. Volume **V**, section **6686**.
- The process whereby the Fortieth Congress prolonged its first session by successive recesses with a provision for adjournment sine die in a certain contingency. Volume **V**, section **6686**.
- Form of concurrent resolutions of the two Houses terminating a session of Congress. Volume **V**, section **6722**.
- In the later view an existing session ends with the day appointed by the Constitution for the regular annual session. Volume **II**, section **1160**.
- In the later Congresses it has been established, both by declaration and practice, that a special session, whether convened by law or proclamation, ends with the constitutional day for annual meeting. Volume **V**, sections **6690–6693**.
- Instances wherein one session of Congress has followed another without appreciable interval. Volume **V**, sections **6690, 6692**. Volume **VIII**, section **3375**.
- A special session continuing until the constitutional day for annual meeting ends automatically on that date. Volume **VIII**, section **3375**.
- Reference to questions arising in the Senate as to recess appointments in a case wherein one session followed its predecessor immediately. Volume **V**, section **6693**.
- A recess of Congress is a real not imaginary time when it is not sitting in regular or extraordinary session. Volume **V**, section **6687**.
- Instance wherein the President of the United States was not notified of the expiration of a session of Congress. Volume **V**, section **6692**.
- The law relating to mileage of Members applies only to the regular sessions of Congress. Volume **II**, section **1159**.
- (2) **Of Congress.—Meeting on the Day Set by the Constitution.**
- In the later but not the earlier practice the fact that Congress has met once within the year does not make uncertain the constitutional mandate to meet on the first Monday of December. Volume **I**, sections **10, 11**.
- The First Congress having met once in each of its two years of existence, a doubt existed as to whether or not it would legally meet again on the day appointed by the Constitution. Volume **I**, section **5**.
- Instance wherein Congress in adjourning fixed by resolution the time of meeting of the next session on the constitutional day. Volume **I**, section **5**.
- The First Congress by law appointed for its second meeting a day later than the day fixed by the Constitution. Volume **I**, section **5**.

SESSIONS—Continued.**(2) Of Congress.—Meeting on the Day Set by the Constitution—Continued.**

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

Early Congresses, convened either by proclamation or law on a day earlier than the constitutional day, remained in continuous session to a time beyond that day. Volume **I**, sections **10, 11**. In 1797 the Congress assembled on the day constitutionally provided by law, although it had already held a session that year. Volume **I**, sections **6–9**.

(3) Of Congress.—When Convened by Law.

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

Early sessions of Congress convened by law (footnote). Volume **I**, section **12**.

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

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

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

In early days extra sessions were held on dates fixed by law rather than at the call of the President. Volume **VIII**, section **3371**.

(4) Of Congress.—When Called by the Executive Authority.

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

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

The statutes provide that in case of the removal, death, resignation, or inability of both President shall convene Congress in extraordinary session. Volume **I**, section **13**.

Discussion as to whether or not there is a distinction between a session called by the President and other sessions of Congress (footnote). Volume **I**, section **12**.

(5) Of Congress.—Continuation of Functions After.

The theory that a House might make its rules binding on the succeeding House was at one time much discussed and even followed. Volume **V**, sections **6744–6747**.

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

Discussion as to whether or not the rules of one House remain the rules of the next House until changed. Volume **I**, section **210**.

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

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

The House has made rules which have been followed through other Congresses by the Executive Departments, although the authority for the rules has been considered doubtful. Volume **V**, sections **6752–6754**.

Committees are created commissioners by law if their functions are to extend beyond the term of the Congress. Volume **IV**, section **4545**.

The Senate as a continuing body may continue its committees through the recess following the expiration of a Congress. Volume **IV**, section **4545**.

The Senate as a continuing body may continue its committees through the recess following the expiration of a Congress. Volume **VI**, section **343**.

While the Joint Committee on Printing is empowered by law to discharge certain executive duties when Congress is not in session, this committee may not be authorized to perform legislative functions prior to its election in an ensuing Congress. Volume **VII**, section **2098**.

SESSIONS—Continued.**(5) Of Congress.—Continuation of Functions After—Continued.**

The two Houses by concurrent resolution have assumed to extend the powers of a joint committee beyond the adjournment of Congress, but later action seems to recognize a law as to the proper instrumentality for such purpose. Volume **IV**, sections **4437–4444**.

Instance wherein a joint committee was authorized and appointed to attend a ceremony occurring after the final adjournment of a Congress. Volume **V**, section **7054**.

Instance wherein a joint rule provided a joint committee for the next Congress. Volume **IV**, section **4445**.

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

(6) Of Congress.—Business in One House When the Other is Not Convened.

Discussion in Senate of propriety of transacting legislative business at a called session, the House not being in session. Volume **I**, section **88**.

(7) Of Congress.—Limitation on Business at a Special Session.

At an extraordinary session the House sometimes adopts a rule limiting the business to be considered. Volume **IV**, sections **3064–3068**.

(8) Of Congress.—In Relation to the Power of the House to Imprison.

A discussion as to the power of the House to imprison for a period after the adjournment of the session. Volume **II**, section **1629**.

The implied power to punish for contempt is limited to imprisonment and such imprisonment may not extend beyond the session of the body in which the contempt occurred. Volume **VI**, section **534**.

(9) Of Congress.—As related to the Continuation of Impeachment Proceedings.

It was decided in 1876 that an impeachment trial could only proceed when Congress was in session. Volume **III**, section **2006**.

Under the parliamentary law an impeachment is not discontinued by the dissolution of Parliament. Volume **III**, section **2005**.

The Senate in its writ of summons in the Blount impeachment fixed respondent's appearance at the next session of Congress. Volume **III**, section **2304**.

The House decided to proceed in the Pickering impeachment, although the session and the Congress neared an end. Volume **III**, section **2319**.

The impeachment of Judge Pickering was presented in the Senate on the last day of the Seventh Congress. Volume **III**, section **2320**.

At the beginning of the Eighth Congress the House continued the Pickering impeachment by appointing a committee to prepare articles. Volume **III**, section **2321**.

The proceedings in the Chase impeachment were continued after a recess of Congress, but in deference to the practice at that time the articles were recommitted for a new report. Volume **III**, section **2344**.

The Thirty-ninth Congress have expired during investigation of President Johnson's conduct, the House in the next Congress directed the Judiciary Committee to resume the investigation. Volume **III**, section **2401**.

The articles of impeachment in the Chase case were reported just before the close of the first session of the Congress. Volume **III**, section **2343**.

The House voted the impeachment of Judge Delahay at the end of one Congress, intending to present articles in the next. Volume **III**, section **2505**.

The impeachment of Judge Swayne was postponed to the next session of Congress for further investigation. Volume **III**, section **2471**.

(10) Of Congress.—Continuation of Business and Committees After a Recess.

All business pending and unfinished in the House or in committee or awaiting concurrent action in the Senate at the end of a session is resumed at the next session of the same Congress. Volume **V**, section **6727**.

SESSIONS—Continued.**(10) Of Congress.—Continuation of Business and Committees After a Recess—Con.**

According to the later practice the powers of a conference committee which has not reported do not expire by reason of the termination of a session of Congress, unless it be the last session. Volume **V**, sections **6260–6262**.

One House having asked a conference at one session, the other House may agree to the conference at the next session of the same Congress. Volume **V**, section **6286**.

A motion to reconsider when once entered may remain pending indefinitely, even until a succeeding session of the same Congress. Volume **V**, section **5684**.

In the early practice an order of the House relating to disposition of business did not continue in the next session (footnote). Volume **IV**, section **3345**.

The reading of a message from the President having been presented in the closing hours of a session, it was read at the beginning of the next session of the same Congress. Volume **V**, section **6646**.

Enrolled bills pending at the close of a session were at the next session of the same Congress ordered to be treated as if no adjournment had taken place. Volume **IV**, sections **3487, 3488**.

It has been held that the Journal of the last day of a session may not be amended on the first day of the succeeding session, but this principle has not been followed uniformly. Volume **IV**, sections **2743, 2744**.

The House may empower a committee to sit during a recess which is within the constitutional session of the House. Volume **IV**, sections **4541–4543**.

Committees may by the House be empowered to sit during a recess that is within the term of the Congress, but not after the expiration of the term. Volume **IV**, section **4545**.

A select committee expires at the end of a session unless continued by order of the House or revived by the reference of a matter to it by the House. Volume **IV**, sections **4394–4399**.

A joint select committee expires with the session. Volume **IV**, section **4420**.

An investigating committee being empowered to sit during recess, the Speaker was authorized and directed to sign subpoenas as during a session. Volume **III**, section **1753**.

(11) Of Congress.—Adjournment Sine Die.

An instance where the failure of a quorum prevented action in the closing hours of a Congress. Volume **V**, section **6309**.

Reference to discussion of the constitutional power of the President to adjourn Congress in a certain contingency (footnote). Volume **I**, section **12**.

As to the result when the Congress expires leaving unacted on a motion to reconsider the vote whereby a resolution of the House is passed (footnote). Volume **V**, section **5704**.

At the time of final adjournment of a Congress the clerks of committees are required to deliver to the Clerk of the House the bills and other papers referred to the committees. Volume **V**, section **7260**.

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

The term “adjournment” as used in the constitutional provision does not refer exclusively to the final adjournment of the Congress, but includes the adjournment of an intermediate session as well. Volume **VII**, section **1115**.

(12) Of Congress.—Privilege of the Member Going and Returning.

Instance wherein the courts discussed and sustained the privilege of the Member in going to and returning from the sessions of the House. Volume **III**, section **2674**.

The constitutional privilege of Members in the matter of arrest has been construed to exempt from subpoena during sessions of Congress. Volume **VI**, section **588**.

SESSIONS—Continued.**(12) Of Congress.—Privilege of the Member Going and Returning—Continued.**

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

(13) Of Congress.—In General.

An ordinary appropriation for session employees is not available at an extra session. Volume **V**, section **7231**.

In computing the days of a session the period during which the Congress stands adjourned for more than three days is treated as dies non. Volume **VIII**, section **3368**.

The Congress is not assembled until both House and Senate are in session with a quorum present. Volume **VI**, section **5**.

First instance in which a Congress convened for four sessions. Volume **VIII**, section **3371**.

Instance wherein a concurrent resolution was passed on the last day of one session providing for a joint meeting of the two Houses on the second day of the next session of the same Congress. Volume **VIII**, section **3336**.

(14) Of the House.—Hour of meeting.

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

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

(15) Of the House.—The Legislative Day.

In contemplation of the rules and special orders of the House a day is the legislative day and not a calendar day, and the two are not always the same. Volume **IV**, section **3192**.

The legislative day continues until terminated by an adjournment, irrespective of the passage of calendar days. Volume **V**, sections **6738, 6739**.

There must be an adjournment before the legislative day will terminate, and an adjournment does not take place by reason of the arrival of the time for the regular daily meeting of the House. Volume **V**, sections **6738, 6739**.

When, through an erroneous announcement of the vote, the House is declared adjourned and, in fact, disperses, when actually it had voted not to adjourn, the session when it next meets is nevertheless a new legislative day. Volume **V**, section **6734**.

A session of the House extending by failure to adjourn through the succeeding calendar day, a special order for the legislative day expected to be held on that calendar day falls, as the session is of the legislative day. Volume **IV**, section **3192**.

When a special order requires a recess at a certain hour of a certain day the recess is not taken if the encroachment of a prior legislative day prevents the existence of the said certain day as a legislative day. Volume **IV**, section **3192**.

In a single instance at the close of a session the Journal was dated on the calendar day, rather than the legislative day, in order to conform to the Senate records. Volume **IV**, section **2746**.

In counting the three days required by the Consent Calendar rule holidays or days on which the House is not in session are not construed as legislative days and are not included. Volume **VII**, section **994**.

(16) Of the House.—As to Sunday.

For many years the House has continued its session of Saturday into Sunday when under stress of business. Volume **V**, section **6728**.

An adjournment does not necessarily take place at 12 o'clock (midnight) Saturday, the House having power to continue in session on Sunday if it be so pleased. Volume **V**, sections **6728, 6729**.

SESSIONS—Continued.**(16) Of the House.—As to Sunday—Continued.**

The propriety of continuing a session into Sunday does not constitute a question of order for the Speaker, who may not adjourn the House against its will. Volume **V**, section **6728**.

(17) Of the House.—Adjournment Over.

Neither House during a session of Congress may, without the consent of the other, adjourn for more than three days or to another place. Volume **V**, section **6672**.

While neither House may adjourn for more than three days during a session of congress without the consent of the other, either may adjourn ad libitum with the consent of the other House. Volume **VIII**, section **3363**.

The House has by standing order provided that it should meet on two days only of each week instead of daily. Volume **V**, section **6675**.

(18) Of the House.—Secret.

A rule not invoked for many years provides for secret sessions of the House whenever the President may send a confidential message or the Speaker or any Member may announce that he has a confidential communication to present. Volume **V**, sections **7247**, **7248**.

While a rule of the House provides for secret sessions, it is long obsolete, and the convening of the House in secret session is a procedure unprecedented for more than a century. Volume **VI**, section **434**.

A motion to go into executive session is in order when any Member shall inform the House that he has communications which he believes should be considered in confidence, and takes precedence of a motion to resolve into the Committee of the Whole for the consideration of an appropriation bill. Volume **VIII**, section **3630**.

At joint sessions of the two Houses the presiding officer of the House extending the invitation occupies the Chair. Volume **VIII**, section **3333**.

Each House has a right to hold secret sessions whenever in its judgment the proceedings should require secrecy. Volume **II**, section **1640**.

When messages of a confidential nature were received from the President or Senate the House went into secret session. Volume **V**, sections **7251**, **7252**.

In 1853 the House declined to go into secret session. Volume **V**, section **7253**.

As late as 1843 the President transmitted a message in part confidential. Volume **V**, section **7255**.

The House has declined to be bound to secrecy by act of the Senate. Volume **V**, section **7249**.

The motion to remove the injunction of secrecy must be made with closed doors. Volume **V**, section **7254**.

When legislation is enacted in secret session messages are delivered confidentially by committees of Members. Volume **V**, section **7250**.

An illustration of legislation by the two Houses each acting in secret session. Volume **V**, section **7250**.

In the election of President by the House in 1825 there was a strong but not prevailing sentiment that the galleries should not be closed. Volume **III**, section **1984**.

(19) Of the House.—Joint.

The rule for the seating of officers and Members at a joint session of the two Houses for counting the electoral vote. Volume **III**, section **1920**.

The centennial of the inauguration of George Washington was observed by exercises at a joint session of the two Houses. Volume **V**, section **7060**.

Washington's Farewell Address was read at a joint session of the two Houses in 1862. Volume **V**, section **7070**.

The House and Senate, in joint session, received the King of Hawaii. Volume **V**, section **7087**.

The time occupied by a joint meeting of the two Houses is not counted in the time of the House's legislative session. Volume **IV**, section **3069**.

SESSIONS—Continued.**(19) Of the House.—Joint—Continued.**

In 1913 President Wilson resumed the custom of delivering messages in the form of an address before the joint session of the two Houses. Volume **VIII**, section **3333**.

A member rising to interrogate the President during the delivery of a message before a joint session of the two Houses would address the President and not the speaker. Volume **VIII**, section **3337**.

A concurrent resolution providing for a joint session to receive the President's message was held to be of the highest privilege. Volume **VIII**, section **3335**.

By concurrent action an invitation was extended to the President of the United States to address a joint session of the two Houses on the subject of the birth of George Washington. Volume **VIII**, section **3532**.

Ceremonies at the joint session to receive General Pershing. Volume **VIII**, section **3535**.

(20) Of the House.—Committees Not to Sit During.

Committees may not sit during sessions of the House. Volume **IV**, section **4545**.

No committee, except the Committee on Rules, may, without leave, sit during the sitting of the House. Volume **IV**, section **4548**.

A subcommittee is sometimes authorized to sit during sessions of the House. Volume **IV**, section **4548**.

(21) Of the House.—In General.

In the latest practice the parliamentary rule that messages are to be sent only when both Houses are sitting has been observed. Volume **V**, sections **6603**, **6604**.

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

Form of a standing order under which the House met on two days only of each week until a specified date unless sooner convened by the Speaker. Volume **VI**, section **715**.

Instance in which the House by "gentleman's agreement," provided for nominal sessions during which no business should be transacted. Volume **VII**, section **760**.

The House having agreed to an order for formal sessions on two days only of each week over an extended period, authorized the Speaker to appoint speakers pro tempore at will during that time. Volume **VI**, section **267**.

In providing for merely formal sessions, the House has authorized the speaker to designate a date on which the regular routine of the House should be resumed. Volume **VIII**, section **3369**.

(22) During the Electoral Count.

The electoral count occurs in the Hall of the House at 1 p.m. on the second Wednesday of February succeeding every meeting of electors. Volume **III**, section **1918**.

The statutes prescribe directions as to recesses and adjournment of the joint meeting and the two Houses during the count of the electoral vote. Volume **III**, section **1919**.

During the prolonged proceedings of the electoral count of 1877 the House and Senate caused each calendar day to be journalized as a legislative day. Volume **III**, section **1927**.

Senators who had been candidates for the office of Vice President in the election did not attend the joint session for the count of the electoral vote. Volume **VI**, section **445**.

SETTLE.

The North Carolina election case of Williams v. Settle in the Fifty-third Congress. Volume **II**, sections **1048**, **1049**.

SEWARD, GEORGE F.

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

For declining to testify or to obey a subpoena duces tecum commanding him to produce certain papers to be used in impeachment proceedings against himself, George F. Seward was arraigned for contempt. Volume **III**, sections **1699**, **1700**.

SEYMOUR, ORIGEN S., of Connecticut, Chairman.

Decisions on questions of order relating to—

Authorization of appropriations. Volume **IV**, section **3621**.

Enacting clause, motion to strike out. Volume **V**, section **5329**.

SHAFROTH.

The Colorado election case of Bonyng v. Shafroth in the Fifty-eight Congress. Volume **I**, section **742**.

SHANKS.

The Indiana election case of Shanks v. Neff in the Forty-third Congress. Volume **I**, section **609**.

SHARP.

The New York election case of Colden v. Sharp in the Seventeenth Congress. Volume **I**, section **638**.

SHAW.

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

SHEAFE.

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

SHELDON.

The Louisiana election cases of Hunt v. Sheldon, Sypher v. St. Martin, Kennedy and Morey v. McCranie, Newsham v. Ryan, and Darrall v. Bailey, in the Forty-first Congress. Volume **I**, sections **328–336**.

SHELLEY.

The Alabama election case of Jones v. Shelley in the Forty-seventh Congress. Volume **I**, section **714**.

The Alabama election case of Smith v. Shelley in the Forty-seventh Congress. Volume **II**, section **965**.

The Alabama election case of Craig v. Shelley in the Forty-eighth Congress. Volume **II**, section **995**.

SHERIDAN.

The Louisiana election cases of Sheridan v. Pinchback and Lawrence v. Sypher in the Forty-third Congress. Volume **I**, sections **623–626**.

SHERLEY, SWAGAR, of Kentucky, speaker pro tempore.

Decisions on questions of order relating to—

Speaker pro tempore, authority to issue warrants. Volume **VI**, section **688**.

Voting. Volume **VIII**, section **3152**.

SHERMAN, CHARLES T.

The investigation into the conduct of Charles T. Sherman, district judge of the United States for the northern district of Ohio. Volume **III**, section **2511**.

SHERMAN, JOHN, of Ohio, President Pro Tempore.

Decision on question of order relating to—

Messages. Volume **V**, section **6650**.

SHERMAN, JAMES S., of New York, Vice President, Speaker Pro Tempore and Chairman.

Decisions on questions of order relating to—

Adjourn, motion to. Volume **V**, section **5366**.

Amendments. Volume **II**, section **1327**. Volume **V**, section **5783**.

Amendments germane. Volume **V**, sections **5812–5816**.

Amendments not germane. Volume **V**, sections **5856, 5867, 5896**.

SHERMAN, JAMES S., of New York, Vice President, Speaker Pro Tempore and Chairman—
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Decisions on questions of order relating to—Continued.

Appeals. Volume **V**, section **6949**.

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Appropriations for salaries. Volume **IV**, sections **3686, 3688–3690**.

Authorization of appropriations. Volume **IV**, sections **3634, 3636, 3673, 3761**. Volume **V**, section **5783**.

Committee of the Whole. Volume **IV**, section **4748**.

Congressional Record. Volume **V**, section **6985**.

Continuation of a public work. Volume **IV**, sections **3604, 3724, 3732, 3734, 3735, 3737, 3742, 3746, 3747, 3755, 3756, 3758, 3759, 3762, 3773, 3774, 3797**.

Debate. Volume **V**, section **5159**.

Dilatory motions. Volume **V**, section **5736**.

Disorder in Committee of the Whole. Volume **II**, section **1350**.

Five-minute debate. Volume **V**, sections **5246, 5249**.

Forty-minute debate. Volume **V**, section **5508**.

General debate. Volume **V**, section **5232**.

Legislation on appropriation bills. Volume **IV**, sections **3761, 3837, 3853, 3862, 3874, 3877, 3879, 3880, 3974**,

Limitations on appropriations. Volume **IV**, sections **3917, 3918, 3921, 3924, 3928, 3959, 3963, 3968–3970, 3978, 3982, 4000, 4001, 4002, 4007, 4009–4011**.

Points of order. Volume **IV**, sections **3968, 4748**.

Privilege. Volume **III**, sections **2543, 2544**.

Quorum. Volume **VI**, sections **645, 656**.

Reading of papers. Volume **V**, section **5290**.

Recognition. Volume **V**, sections **5004, 5005**.

Reports of committees. Volume **VIII**, section **2226**.

Special order. Volume **IV**, section **3215**.

Tellers. Volume **V**, section **5997**.

Voting. Volume **IV**, section **2971**.

Yielding Time. Volume **V**, section **5036**.

SHIEL.

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

SHIELDS.

The Senate election case of James Shields, of Minnesota, in the Thirty-fifth Congress. Volume **I**, section **399**.

The Missouri election case of Shields v. Van Horn in the Forty-first Congress. Volume **II**, section **883**.

SHIPBUILDING.

The general subjects of shipbuilding, admission of foreign-built ships, registering and licensing of vessels are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4134**.

SHIPPING.

The jurisdiction of subjects relating to the “merchant marine and fisheries” is given by the rule to the Committee on Merchant Mariner and Fisheries. Volume **IV**, section **4129**.

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

The inspection of steam vessels as to hulls and boilers is generally within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4133**.

SHIPPING—Continued.

- The naming and measuring of vessels are subjects within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4132**.
- The subjects of tonnage taxes and fines and penalties on vessels are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4131**.
- The subjects of navigation and the navigation laws and regulations of shipping in Hawaii and even in the Philippines have been considered by the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4130**.
- Collisions, coasting districts, marine schools, etc., are subjects of doubtful jurisdiction between the Committees on Merchant Marine and Fisheries and Interstate and Foreign Commerce. Volume **IV**, section **4146**.
- The regulation of small vessels propelled by naphtha, etc., and the transportation of inflammable substances on passenger vessels are generally but not exclusively reported by the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4142**.
- Conditions relating to the health of seamen are within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4141**.
- The shipping, wages, treatment, and protection of seamen are subjects within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4140**.
- Protection from fire on vessels is a subject which, under the later practice, has been considered by the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4141**.
- Bills relating to the titles, conduct, and licensing of officers of vessels, under the more recent practice, have been considered by the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4139**.
- Bills to extend and increase the merchant marine, even when including the subject of a naval reserve, have been reported by the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4138**.
- Bills of lading, liability of shipowners, and entering and clearing of vessels are subjects which have been within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4137**.
- The Committee on Interstate and Foreign Commerce's former jurisdiction over legislation relating to the navigation, commerce, shipping facilities, and pollution of the Great Lakes, and the survey and improvement of navigation therefrom to the Sea via the St. Lawrence River has been transferred⁶ to the Committee on Merchant Marine and Fisheries. Volume **VII**, section **1809**.
- The subject of rules to prevent collisions at sea and international arrangements therefor have been reported by the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4135**.
- Lights and signals on vessels are subjects that have been considered both by the Committees on Merchant Marine and Fisheries and Interstate and Foreign Commerce. Volume **IV**, section **4135**.
- The Privileges of foreign vessels in American ports, bills of lading, contracts in export trade and wrecks in international waters have been reported generally by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4144**.
- Bills of lading as evidence, bonds in admiralty cases, willful destruction of vessels, mutiny, etc., are subjects within the jurisdiction of the Committee on the Judiciary. Volume **IV**, section **4145**.

SHIPS.

- Bills establishing light-houses and fog signals and authorizing light-ships are reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4104**.

SHIVELY, BENJAMIN F., of Indiana, Chairman.

- Decision on question of order relating to continuation of a public work. Volume **IV**, section **3730**.

SHOBER.

The North Carolina election case of Boyden v. Shober in the Forty-first Congress. Volume **I**, section **456**.

SHONK.

The Pennsylvania election case of Reynolds v. Shonk in the Fifty-second Congress. Volume **I**, section **682**.

SHOOTING RANGES.

The protection of migratory birds, the establishment of refuges for that purpose, and the regulation of hunting and shooting grounds in that connection are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1870**.

An appropriation for the establishment of shooting ranges and the purchase of prizes and trophies was held not to be in order on an appropriation bill. Volume **VII**, section **1242**.

SHOUP.

The Senate election case of Shoup and McConnell, from Idaho, in the Fifty-first Congress. Volume **I**, section **573**.

SHRUBS.

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

SIBLEY.

The election case of Henry H. Sibley claiming a seat as a Delegate from Wisconsin in the Thirtieth Congress. Volume **I**, section **404**.

SICKLES.

The New York election case of Williamson v. Sickles in the Thirty-sixth Congress. Volume **I**, sections **597**, **598**.

SIEGEL.

The New York election case of Cantor V. Siegel in the Sixty-fourth Congress. Volume **VI**, section **102**.

SIGNALS.

Lights and signals on vessels are subjects that have been considered both by the Committees on Merchant Marine and Fisheries and Interstate and Foreign Commerce. Volume **IV**, section **4135**.

SIGNING. See also "Bills."

- (1) Of bills.—By the Speaker.—In general.
- (2) Of bills.—By the Speaker.—In case of error.
- (3) Of bills.—By a speaker pro tempore.
- (4) Of bills.—By other Officers of Congress.
- (5) Of bills.—By the President of the United States.—Constitutional requirement.
- (6) Of bills.—By the President of the United States.—Presentation of.
- (7) Of bills.—By the President of the United States.—In case of errors.
- (8) Of bills.—By the President of the United States.—Messages in relation to.
- (9) Of bills.—By the President of the United States.—Manner of.
- (10) Of bills.—By the President of the United States.—As related to adjournment.
- (11) Of bills.—By the President of the United States.—Veto.
- (12) Of bills.—By the President of the United States.—In general.
- (13) Of reports.—In general.
- (14) Of reports.—Of conferences.
- (15) Of election returns.
- (16) Of papers in an impeachment.

SIGNING—Continued.

(17) **Of objections during the electoral count.**

(18) **Of motions to discharge committees.**

(1) Of Bills.—By the Speaker.—In General.

The printing, enrolling, signing, and certification of bills on their passage between the two Houses are governed by usages founded on former joint rules. Volume **IV**, section **3430**.

The House may, by unanimous consent, authorize the Speaker to sign an enrolled bill that is not certified by report of the committee. Volume **IV**, section **3452**.

The House may by suspension of the rules waive the usual requirements as to the examination of enrolled bills. Volume **IV**, section **3441**.

Enrolled bills are signed first by the Speaker, then by the President of the Senate. Volume **IV**, section **3429**.

The Speaker may not sign an enrolled bill in the absence of a quorum. Volume **III**, section **3458**. The Speaker declines to sign an enrolled bill until a pending motion to reconsider has been disposed of. Volume **V**, section **5705**.

Instance wherein bills passed at one session were signed by the Speaker at the next session. Volume **VII**, section **1075**.

While the House was balloting for the election of a President of the United States in 1801 the Speaker signed enrolled bills, and messages were received but not acted on (footnote). Volume **III**, section **1983**.

Question as to the disposition of an enrolled bill in a case where the beneficiary had died before the bill was signed by the Speaker. Volume **IV**, sections **3468**, **3469**.

By unanimous consent the Speaker, on request of the Senate, was authorized to cancel his signature to an enrolled pension bill, the beneficiary of which was dead. Volume **IV**, sections **3455**, **3456**.

A request of the Senate that the House vacate the signature of the Speaker to an enrolled bill was denied by the House, unanimous consent being refused. Volume **IV**, section **3457**.

A final conference report providing that the House recede from the only disagreement was agreed to by the House, and then the presiding officers of the two Houses signed the bill, although the Senate has not acted on the report. Volume **V**, section **6587**.

(2) Of Bills.—By the Speaker.—In Case of Error.

Proceedings in correcting an error where the Speaker had signed the enrolled copy of a bill which had not passed. Volume **IV**, section **3459**.

Bills having been prematurely enrolled and signed by the presiding officers, the two Houses authorized the cancellation of the signatures. Volume **IV**, section **3454**.

An error having been discovered in an enrolled bill, the House authorized the Speaker to erase his signature and the error was corrected by a concurrent resolution. Volume **IV**, section **3453**.

The action of the Speaker in signing an enrolled bill was rescinded and the bill was amended by a concurrent resolution. Volume **VII**, section **1080**.

By concurrent resolution, the action of the Speaker and the Vice President in signing an enrolled bill was rescinded and the bill amended. Volume **VII**, section **1078**.

An error in the enacting clause of an enrolled bill was corrected by a second enrollment and a second signature by the Speaker. Volume **IV**, section **3451**.

A Senate bill having been lost in the House after enrollment and signature by the Speaker, a Senate resolution authorized the preparation and delivery of a duplicate copy, which was signed by the Speaker without further action by the House. Volume **VII**, section **1072**.

Under authorization of a concurrent resolution, the Speaker announced in the House the cancellation of his signature. Volume **VII**, section **1077**.

SIGNING—Continued.**(2) Of Bills.—By the Speaker.—In Case of Error—Continued.**

A request of the Senate that the House vacate the signature of the Speaker to an enrolled bill was denied by the House, unanimous consent being refused. Volume **VII**, section **1083**. Dicta to the effect that a request of the Senate for cancellation of the Speaker's signature and the return of an enrolled bill could be taken up for consideration under suspension of the rules. Volume **VII**, Section **1083**.

A concurrent resolution authorized the presiding officers of the two Houses to cancel their signatures to an enrolled bill failing to conform to recommendations of the Secretary of War. Volume **VII**, section **1077**.

(3) Of Bills.—By a Speaker Pro Tempore.

A Speaker pro tempore whose designation has received the approval of the House signs enrolled bills and appoints committees. Volume **VII**, section **1404**.

There being doubt about the signing of enrolled bills by a Speaker pro tempore designated by the Speaker, the House proceeded to elect. Volume **II**, section **1401**.

A Member called to the chair during the day's sitting does not sign enrolled bills. Volume **II**, sections **1399**, **1400**. Volume **VI**, section **276**.

The House approved the designation of a Speaker pro tempore as a prerequisite to his signing enrolled bills. Volume **VI**, section **278**.

Form of resolution approving designation of Speaker pro tempore and authorizing him to sign enrolled bills and appoint committees. Volume **VI**, section **272**.

A Speaker pro tempore whose designation had received the approval of the House signed enrolled bills. Volume **VI**, section **277**.

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

The Senate by rule empowers a Presiding Officer by designation to sign enrolled bills. Volume **II**, section **1403**.

The Senate by resolution empowered its Acting President pro tempore to sign enrolled bills. Volume **II**, section **1402**.

(4) Of Bills.—By Other Officers of Congress.

The Secretary of the Senate having omitted to sign certain engrossed Senate bills before they were sent to the House, he was admitted to affix his signature. Volume **IV**, section **3427**.

Instance in which the Vice President signed a bill passed and signed by the Speaker at the preceding session. Volume **VII**, section **1076**.

(5) Of Bills.—By the President of the United States.—Constitutional Requirement.

Every bill which has passed the two Houses is presented to the President for his signature if he approve. Volume **IV**, section **3482**.

In general orders, resolutions, and votes in which the concurrence of the two Houses is necessary must be presented to the President on the same condition as bills. Volume **IV**, section **3482**.

The question as to whether concurrent resolutions should be sent to the President for his signature. Volume **VII**, section **1084**.

Although the requirement of the Constitution seems specific, the practice of Congress has been to present to the President for approval only such concurrent resolution as are legislative in effect. Volume **IV**, section **3483**.

A bill not returned by the President within ten days (Sundays excepted) becomes a law as if signed, unless Congress by adjournment prevents its return. Volume **IV**, section **3520**.

There is much doubt as to whether a bill which remains with the President ten days without his signature, Congress having meanwhile adjourned for a recess, becomes a law. Volume **IV**, section **3493**.

SIGNING—Continued.**(6) Of Bills.—By the President of the United States.—Presentation of.**

The rule and practice as to the enrolling and signing of bills and their presentation to the President. Volume **IV**, section **3429**.

The certification and presentation of enrolled bills to the President is governed by usage founded on former joint rules. Volume **IV**, section **3430**.

Enrolled bills are presented to the President by the Committee of Enrollment. Volume **IV**, section **3429**.

It has long been the practice for the chairman of the Committee on Enrolled Bills to present bills to the President of the United States for his signature. Volume **IV**, section **3493**.

In early days a joint committee took enrolled bills to the President of the United States. Volume **IV**, section **3432**.

The Committee on Enrolled Bills reports, for entry on the Journal, the date of presentation of bills to the President. Volume **IV**, section **3430**.

The method of presenting bills to the President of the United States has been considered but not settled by either law or rule. Volume **IV**, section **3494**.

The old rule prohibiting the sending of bills from one House to the other and to the President in the last hours of a Congress did not operate well in practice (footnote). Volume **IV**, section **3487**.

Instance wherein a bill enrolled and signed by the Presiding Officers of the two Houses at one session was sent to the President and approved at the next session. Volume **IV**, section **3486**.

Enrolled bills pending at the close of session were at the next session of the same Congress ordered to be treated as if no adjournment had taken place. Volume **IV**, sections **3487**, **3488**.

(7) Of Bills.—By the President of the United States.—In Case of Errors.

A bill that had not actually passed, having been enrolled and signed by the President of the United States, was disregarded by the Executive, and Congress passed another bill. Volume **IV**, section **3498**.

A bill wrongly enrolled was recalled from the President, who erased his signature, and recommitted to the Committee on Enrolled Bills with instructions. Volume **IV**, section **3506**.

An instance where the President returned a bill already signed by him in order that the enrollment might be corrected. Volume **IV**, section **3505**.

(8) Of Bills.—By the President of the United States.—Messages in Relation to.

The President usually informs the House of his signature to a bill, but this is not necessary to the validity of the act. Volume **IV**, section **3495**.

Notice of the signature of a bill by the President is sent by message to the House in which it originated, and that House informs the other. Volume **IV**, section **3429**.

The President usually notifies the House of bills that have become laws without his approval. Volume **IV**, section **3503**.

An instance where the President communicated his omission to sign a bill through the committed appointed to notify him that Congress was about to adjourn. Volume **IV**, section **3504**.

The President sometimes, at the close of a Congress, informs the House as to both the bills he has signed and those he has allowed to fail. Volume **IV**, sections **3499–3502**.

A bill sent to the President but not yet signed by him was recalled by concurrent resolution. Volume **VII**, section **1091**.

(9) Of Bills.—By the President of the United States.—Manner of.

The approval of a bill by the President of the United States is valid only with his signature. Volume **IV**, section **3490**.

SIGNING—Continued.**(9) Of Bills.—By the President of the United States.—Manner of—Continued.**

In 1842 a committee of the House discussed the act of President Jackson in writing above his signature of approval a memorandum as to his construction of the bill. Volume **IV**, section **3492**.

The act of President Tyler in filing with a bill an exposition of his reasons for signing it was examined and severely criticized by a committee of the House. Volume **IV**, section **3492**.

An instance where the President, in announcing his approval of a bill, gave his reasons for so doing. Volume **IV**, section **3491**.

At the close of the Fifty-ninth Congress the President approved bills as of the house and minute of the calendar day instead as of the legislative day. Volume **IV**, section **3489**.

(10) Of Bills.—By the President of the United States.—As Related to Adjournment.

The Supreme Court affirmed the validity of an act presented to the President while Congress was sitting and signed by him within ten days, but after the Congress had adjourned for a recess. Volume **IV**, section **3495**.

President Johnson contended that he might not approve bills during a recess of Congress. Volume **IV**, sections **3493**, **3494**.

The President, in the opinion of the Attorney-General, may sign a bill at any time within ten days after Congress has adjourned for a recess. Volume **IV**, section **3496**.

It may be regarded as settled that the President of the United States may effectively approve a bill when Congress is in recess for a specified time. Volume **IV**, section **3493**.

An instance where the President signed bills after Congress had adjourned for a recess. Volume **VII**, section **1087**.

A bill passed by both Houses during an interim session and presented to the President less than 10 days before adjournment of the session, but neither signed by the President nor returned without his signature, does not become a law. Volume **VII**, section **1115**.

An instance wherein the President signed a bill after the adjournment of Congress. Volume **IV**, section **3497**.

(11) Of Bills.—By the President of the United States.—Veto.

A question as to the return of a vetoed bill, Congress being in recess beyond the limit of ten days. Volume **IV**, section **3496**.

A veto message may not be returned to the President of the United States. Volume **IV**, section **3521**.

Since the enactment of the statute the House takes no special action in relation to transmitting to the Secretary of State bills passed over the President's veto. Volume **IV**, sections **3528**, **3529**.

Before the enactment of the statute the House directed the Clerk to take to the Secretary of State its bills passed over the President's veto. Volume **IV**, sections **3525–3527**.

(12) Of Bills.—By the President of the United States.—In General.

An enrolled bill, when signed by the President, is deposited in the office of Secretary of State. Volume **IV**, section **3429**.

A statute requires that bills signed by the President shall be received by the Secretary of State from the President. Volume **IV**, section **3485**.

A resolution for the reenrollment and signing of a bill which the President had declined to sign for constitutional reasons was held to be privileged. Volume **IV**, section **3493**.

(13) Of Reports.—In General.

A report sustained by a vote of a majority of the committee is not impeached by the fact that a less number sign it. Volume **II**, section **1091**.

In a committee a majority vote, a quorum being present, is sufficient to authorize a report, even although later, by action of absentees, those signing minority views outnumber those who voted for the report. Volume **IV**, section **4585**.

SIGNING—Continued.**(13) Of Reports.—In General**—Continued.

While committee reports are ordinarily submitted without signature and minority views require signature by those subscribing thereto, there have been exceptional instances in which the former were signed and the latter submitted without signature. Volume **VIII**, section **2229**.

(14) Of Reports.—Of Conferences.

Conference reports must be signed by the managers. Volume **VIII**, section **3295**.

A conference report is valid if signed by two of the three managers of each House. Volume **V**, section **6323**.

A conference report is received if signed by a majority of the managers of each House. Volume **V**, sections **6497**, **6498**.

The signature of a majority of the managers of each House is sufficient for a conference report. Volume **V**, sections **6500–6502**.

Sometimes a manager indorses the report with a conditional approval or dissent. Volume **V**, sections **6489–6496**.

Instance wherein a House manager indorsed on a conference report his dissent and protest. Volume **V**, section **6538**.

The name of an absent manager may not be affixed to a conference report, but the House and Senate may authorize him to sign the report after it has been acted on. Volume **V**, section **6488**.

In the early practice of the House conference committees did not make identical reports to the two Houses and the reports were not signed. Volume **IV**, section **3905**.

In the early practice it was not essential that conference reports should be either signed or printed in the Journal. Volume **V**, sections **6472–6480**.

Since 1846 conference reports have generally been signed and appear in the Journal. Volume **V**, sections **6481–6487**.

Instance in 1848 wherein a conference report was signed by the managers of the two Houses. Volume **V**, section **6538**.

The statement accompanying a conference report should be in writing and signed by at least a majority of the House managers. Volume **V**, sections **6505**, **6506**.

(15) Of Election Returns.

Failure of election officers to subscribe their names in full to their affidavits and returns does not vitiate the returns. Volume **II**, section **1085**.

The House being of opinion that votes were cast as returned, declined to reject the return because not signed by the election judge, as required by law. Volume **II**, section **847**.

An election officer who was removed, but not notified of the fact, and whose successor failed to qualify, was a de facto officer, and returns signed by him were not properly rejected. Volume **I**, section **603**.

A return not signed by the election officers as required by law is properly rejected. Volume **II**, section **1055**.

Returns not being signed by the election officers, and not being sustained by evidence, they were rejected. Volume **II**, section **1032**.

County returns informally signed, and the accuracy of which was impeached by evidence, were rejected by the House. Volume **II**, section **1053**.

(16) Of Papers in an Impeachment.

The articles in the Blount impeachment were signed by the Speaker and attested by the Clerk. Volume **III**, section **2302**.

The articles impeaching Judge Pickering, with signature of the Speaker and attestation of the Clerk. Volume **III**, section **2328**.

The article of impeachment in the Peck case was signed by the Speaker and attested by the Clerk. Volume **III**, section **2370**.

SIGNING—Continued.**(16) Of Papers in an Impeachment**—Continued.

- The articles impeaching President Johnson were signed by the Speaker and attested by the Clerk. Volume **III**, section **2420**.
- The articles impeaching Judge Humphreys were signed by the Speaker and attested by the Clerk. Volume **III**, section **2390**.
- The articles impeaching Secretary Belknap were signed by the Speaker and attested by the Clerk. Volume **III**, section **2449**.
- The replication of the House to the plea in Blount's case was signed by the Speaker and attested by the Clerk. Volume **III**, section **2311**.
- The replication in the Chase impeachment was signed by the Speaker and attested by the Clerk. Volume **III**, section **2352**.
- The replication in the Johnson trial was signed by the Speaker and attested by the Clerk. Volume **III**, section **2432**.
- The surrejoinder of the House of Representatives in the Belknap trial was signed by the Speaker and attested by the Clerk. Volume **III**, section **2455**.

(17) Of Objections During the Electoral Count.

- The certificates of electoral votes are presented to the joint meeting in alphabetical order of States, and on being read are subject to objection in writed signing by at least one Member and one Senator. Volume **III**, section **1918**.

(18) Of Motions to Discharge Committee.

- Members sign motions to discharge committees at the Clerk's desk during the session of the House and not elsewhere. Volume **VII**, sections **1008, 1009**.
- The rule providing for motions to discharge committee does not authorize signature of such motions by proxy. Volume **VII**, section **1014**.
- When a majority of the membership of the House has signed a motion it is entered on the Journal and referred to the Calendar of Motions to discharge committees. Volume **VII**, section **1008**.
- Signatures to a motion to discharge committees are not made public until the requisite number have signed and the motion appears in the Journal and Record. Volume **VII**, section **1008**.
- After the motion has been on the calendar seven days any signer may call it up for consideration on second or fourth Mondays and the House proceeds to its consideration; if agreed to, any Member may move the immediate consideration of the bill which shall remain the unfinished business until disposed of. Volume **VII**, section **1007**.

SILVER.

- Subjects relating to the coinage of silver and purchase of bullion have been within the jurisdiction of the Committee on coinage, Weights, and Measures. Volume **IV**, section **4093**.

SILVER CERTIFICATES.

- The jurisdiction of the subject of the issue of silver certificates as currency was given to the Committee on Banking and Currency. Volume **IV**, sections **4087, 4088**.

SIMILITER.

- Forms of rejoinder, surrejoinder, and similitur filed in the Belknap trial. Volume **III**, section **2455**.

SIMMONS, ROBERT G., of Nebraska, Speaker pro tempore.

- Decisions on questions or order relating to—
Decision of order. Volume **VI**, section **715**.

SIMONTON.

- James W. Simonton, a witness before a House committee, was arrested and arraigned at the bar for declining to answer a material question. Volume **III**, section **1669**.

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Vice-President Hamlin's definition of free and simple conferences. Volume **V**, section **6403**.

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The Tennessee election case of Davis v. Sims in the Fifty-eighth Congress. Volume **II**, sections **1132, 1133**.

SIMS, THETUS W., of Tennessee, Chairman.

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As to what constitutes a sine die adjournment of a legislative body. Volume **V**, section **6689**.
 A resolution providing for a sine die adjournment is not debatable. Volume **VIII**, section **3372**.
 Instance wherein a concurrent resolution fixing the time of final adjournment was rescinded by action of the two Houses. Volume **V**, section **6700**.

SIROVICH.

The New York election case of Sirovich v. Perlman, in the Sixty-ninth Congress. Volume **VI**, section **169**.

SITTING MEMBER. See "Elections of Representatives."**SITTING OF A COMMITTEE.**

No committee, except the Committee on Rules, may, without leave, sit during the sitting of the House. Volume **IV**, section **4546**.

A subcommittee is sometimes authorized to sit during sessions of the House. Volume **IV**, section **4548**.

The House may empower a committee to sit during a recess which is within the constitutional session of the House. Volume **IV**, sections **4541–4543**.

In 1877 the House authorized its members of the Electoral Commission to sit during the session of the House. Volume **IV**, section **4549**.

A request that a committee have leave to sit during the sessions of the House has no privileged status in the order of business and may be prevented by a single objection. Volume **IV**, section **4547**.

Instance wherein a special committee of investigation was authorized to sit after adjournment of the current Congress and report to the succeeding Congress. Volume **VI** section **550**.

The House has by resolution authorized a committee of investigation to sit wherever it might deem necessary. Volume **VI**, section **373**.

The House has denied to subcommittees the right granted to the committee as a whole to sit at such places as it might deem necessary. Volume **VI**, section **374**.

The two Houses, by concurrent resolution, constituted a joint select committee of investigation, with power to send for persons and papers and sit during the recess of Congress. Volume **VI**, section **380**.

Pursuant to authorization to "meet at such places as said committee deems advisable," subcommittees of a select committee held hearings in various States of the Union and in Europe. Volume **VI**, section **376**.

SIX DAYS.

Motions to suspend the rules may be entertained by the Speaker on the first and third Mondays of each month and on the last six days of a session. Volume **V**, section **6790**.

A conference report and accompanying statement are required to be printed in the Congressional Record before being considered, except during the last six days of a session. Volume **V**, section **6516**.

SKINNER.

The North Carolina election case of Pool v. Skinner in the Forty-eighth Congress. Volume **I**, section **312**.

SLAVES.

While slavery existed the House declared that slaves did not possess the right of petition. Volume **IV**, section **3342**.

SLEEPER.

The Massachusetts election case of Sleeper v. Rice in the Thirty-eighth Congress. Volume **II**, section **849**.

SLEMONS.

The Arkansas election case of Bradley v. Slemmons in the Forty-sixth Congress. Volume **II**, sections **936–938**.

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The Georgia election case of Sloan v. Rawls in the Forty-third Congress. Volume **II**, sections **895–897**.

SMALLS.

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**, sections **968–970**.

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SMITH, CALEB B., of Indiana, Chairman.

Decision on question of order relating to—
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SMITH, ELECTION CASES OF.

The South Carolina election case of William Smith in the First Congress. Volume **I**, section **420**.

The Vermont election case of Lyon v. Smith in the Fourth Congress. Volume **I**, section **761**.

The New York election cases of Willoughby v. Smith in the Fourteenth Congress. Volume **I**, section **648**.

The Virginia election case of Smith v. Banks in the Twenty-seventh Congress. Volume **I**, section **805**.

The election cases of Hugh N. Smith and William S. Messervey, claiming seats as Delegates from New Mexico, in the Thirty-first Congress. Volume **I**, sections **405, 406**.

The Kentucky election case of Smith v. Brown in the Fortieth Congress. Volume **I**, sections **449, 450**.

The Louisiana election case of Smith v. Robertson in the Forty-seventh Congress. Volume **I**, section **750**.

The Alabama election case of Smith v. Shelley in the Forty-seventh Congress. Volume **II**, section **965**.

The West Virginia election case of Smith v. Jackson in the Fifty-first Congress. Volume **I**, sections **581–588**.

The Maryland election case of Jackson v. Smith in the Fifty-ninth Congress. Volume **I**, section **711**.

SMITH, ELECTION CASES OF—Continued.

- The Tennessee election case of Smith v. Massey in the Sixty-first Congress. Volume **VI**, section **101**.
- The North Carolina election case of Smith v. Webb in the Sixty-first Congress. Volume **VI**, section **97**.
- The Michigan election case of Carney v. Smith in the Sixty-third Congress. Volume **VI**, section **91**.
- The Senate election case of Frank L. Smith, of Illinois, in the Seventieth Congress. Volume **VI**, section **179**.
- The Senate election case of Cutler and Smith from Louisiana in the Thirty-eighth Congress. Volume **I**, section **385**.
- The Senate election cases of Smith, Winthrop, Phelps, and Cass. Volume **I**, sections **787–790**.
- The Senate case of John W. Smith, from Maryland, in the Sixtieth Congress. Volume **VI**, section **88**.

SMITH, JOHN.

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

SMITH, JOSEPH L.

- The investigations into the conduct of Judge Joseph L. Smith in 1825 and 1826. Volume **III**, section **2490**.

SMITH, SYLVESTER C., of California, Chairman.

- Decisions on questions of order relating to—
Appropriations. Volume **VII**, section **1402**.

SMITH, WILLIAM.

- The South Carolina case of William Smith, the first election case in the First Congress. Volume **I**, section **420**.

SMITH, WILLIAM A., of Michigan, Chairman.

- Decisions on questions of order relating to—
Committee on Rivers and Harbors. Volume **IV**, section **3903**.
River and harbor bill. Volume **IV**, section **4119**.

SMITHSONIAN INSTITUTION.

- Vacancies and appointments on the Board of Regents of the Smithsonian Institution. Volume **V**, sections **7338, 7339**.
- Resignation and expulsion from the Board of Regents of the Smithsonian Institution. Volume **V**, sections **7340, 7341**.
- The general affairs of the Smithsonian Institution, accepting appropriations therefor and the incorporation of similar institutions are within the jurisdiction of the House branch of the Joint Committee on the Library. Volume **IV**, section **4346**. Volume **VII**, section **2084**.
- Authorization for designs of Library and Museum buildings within the District of Columbia and the erection of buildings on the grounds of the Smithsonian Institution are within the jurisdiction of the Committee on Public Buildings and Grounds and not the Committee on the Library. Volume **VII**, section **1971**.
- The Smithsonian Institution though under the control of the United States is not Government property and an appropriation for its alternation or repair is not in order on an appropriation bill. Volume **III**, section **1339**.

SMOKING.

- By rule the Member is restricted as to his movements during business or debate and as to wearing his hat and smoking. Volume **II**, section **1136**. Volume **VI**, section **190**.
- Discussion of the importance of observing the rule against remaining at the desk during roll call, and smoking in the Hall of the House. Volume **VI**, section **193**.

SMOOT.

The Senate case relating to the qualifications of Reed Smoot, from Utah, in the Fifty-eighth Congress. Volume **I**, sections **481–483**.

The Senate declined to exclude Reed Smoot for alleged disqualifications other than those specified in the Constitution. Volume **I**, section **483**.

SMYTHE.

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

SNELL, BERTRAND H., of New York, Chairman.

Decisions on questions of order relating to—

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Amendment, germaneness of. Volume **VIII**, section **2952**.

Appropriations. Volume **VII**, sections **1261, 1443, 1444, 1450, 1607, 1697**. Volume **VIII**, section **3427**.

Bills. Volume **VII**, section **1052**.

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SNYDER.

The Arkansas election case of Bell v. Snyder in the Forty-third Congress. Volume **II**, section **900**.

SOCIAL PRECEDENCE.

Reference to the social precedence of the Speaker (footnote). Volume **II**, section **1309**.

SOCIETIES, INCORPORATION OF.

The Committee on the District of Columbia has reported bills for the incorporation of organizations and societies. Volume **VII**, section **2006**.

Bills providing for the incorporation of societies in the District of Columbia are within the jurisdiction of the Committee on the District of Columbia. Volume **VII**, section **2013**.

SOLDIERS.

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

Managers of the National Home for Disabled Volunteer Soldiers are elected by joint resolution of Congress. Volume **V**, section **7336**.

Instance of returns of an election made by military officers under authority of reconstruction acts. Volume **I**, section **326**.

Legislation authorizing hospital facilities for soldiers, sailors, and marines has been reported by the Committee on Public Buildings and Grounds, although jurisdiction over that subject is now exercised by the Committee on World War Veterans' Legislation. Volume **VII**, section **1969**.

Legislation authorizing hospital facilities for soldiers, sailors, and marines is within the jurisdiction of the Committee on World War Veterans' Legislation. Volume **VII**, section **2079**.

Discussion as to domicile and validity of votes cast by soldiers. Volume **VI**, section **114**.

The domicile of soldiers in the service of the United States is established by nativity or by residence with the requisite intention or derivative as that of family or dependents. Volume **VI**, section **148**.

The Committee on Invalid Pensions reports general and special bills authorizing payments of pensions to soldiers of the civil war, but actual appropriations therefor are reported by the Committee on Appropriations. Volume **VII**, section **1988**.

SOLDIERS' HOME.

A bill authorizing a new Soldiers' Home is reported by the Committee on Military Affairs, but the appropriation therefor comes from the Committee on Appropriations. Volume **IV**, section **4051**.

The appointment of managers for the National Home for Disabled Volunteer Soldiers being vested by law in Congress, a paragraph making such appointment was held in order on the sundry civil appropriation bill. Volume **IV**, section **4052**.

Legislation relating to the National Soldiers' Homes is within the jurisdiction of the Committee on Military Affairs. Volume **IV**, section **4185**.

SOLDIERS' ROLL.

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

SOUTH CAROLINA.

House election cases from:

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Fifteenth Congress.—Elias Earle. Volume **I**, section **498**.

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Forty-fourth Congress.—Buttz v. Mackey. Volume **II**, section **920**.

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Forty-fifth Congress.—Richardson v. Rainey. Volume **II**, section **925**.

Forty-fifth Congress.—Tillman v. Smalls. Volume **II**, section **926**.

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Forty-seventh Congress.—Smalls v. Tillman. Volume **II**, sections **968–970**.

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Fiftieth Congress.—Smalls v. Elliott. Volume **II**, sections **1013–1015**.

Fifty-first Congress.—Miller v. Elliott. Volume **II**, section **1034**.

Fifty-second Congress.—Miller v. Elliott. Volume **II**, section **1045**.

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Fifty-ninth Congress.—Jacobs v. Lever, Myers v. Patterson, and Prioleau v. Legare. Volume **II**, section **1135**.

Sixtieth Congress.—Dantzler v. Lever, Prioleau v. Legare, and Myers v. Patterson. Volume **VI**, section **122**.

Sixty-first Congress.—Richardson v. Lever, Prioleau v. Legare, and Myers v. Patterson. Volume **VI**, section **128**.

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Senate election case from:

Fourty-fifth Congress.—Corbin v. Butler. Volume **I**, sections **628–631**.

In 1877 objection was made to one of the conflicting electoral certificates from South Carolina on the grounds that the election was not legal for want of proper law, that there was no republican form of government in the State, etc., but the certificate was admitted. Volume **III**, section **1977**.

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Authorization for issuance of souvenir and commemorative coins is reported by the Committee on Coinage, Weights, and Measures. Volume VII, section 1801.

SPAULDING

The Georgia election case of Spaulding vs. Mead in the Ninth Congress. Volume I, section 637.

SPEAKER.

- (1) The office.—Dignity of.
- (2) The office.—Term of.
- (3) The office.—Compensation of.
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- (7) Election of.—Chosen by the House.
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- (10) Election of.—By majority vote.
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- (12) Election of.—Contests over.
- (13) Election of.—Taking the chair and the oath.
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- (16) Death of.
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- (19) Charges and complaints against.
- (20) Leaves the chair during consideration of a question relating to himself.
- (21) Appoints committees.—Direction of the former rule as to standing committees.
- (22) Appoints committees.—Rules as to select committees.
- (23) Appoints committees.—When the House appoints.
- (24) Appoints committees.—When a Speaker pro tempore appoints.
- (25) Appoints committees.—Ratio of majority and minority representation.
- (26) Appoints committees.—Status of Member as related to.
- (27) Appoints committees.—Filling vacancies, etc.
- (28) Appoints committees.—Chairmen of.
- (29) Appoints committees.—For impeachments.
- (30) Appoints committees.—In general.
- (31) Appoints managers of a conference.
- (32) Sometimes appoints managers of an impeachment.
- (33) Appoints tellers for the electoral count.
- (34) Appoints and removes official reporters of debates and committee stenographers.
- (35) Appoints visitors, trustees, regents, etc.
- (36) Administers the oath.—Source of the authority.
- (37) Administers the oath.—To the Members when they take their seats.
- (38) Administers the oath.—The power not arbitrary, but controlled by the House.
- (39) Administers the oath.—To witnesses.
- (40) Duty as to the quorum.—Counts when there is no record vote.
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- (42) Duty as to the quorum.—In general.
- (43) Preserves order.—On the floor, in the galleries, etc.
- (44) Preserves order.—Intervenes in Committee of the Whole.
- (45) Preserves order.—The “call to order” during debate.
- (46) Decides questions of order.—General principles.

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- (47) Decides questions of order.—Sometimes reserves decision.
 - (48) Decides questions of order.—Rarely submits them to the House itself.
 - (49) Decides questions of order.—As to questions of privilege.
 - (50) Decides questions of order.—Does not pass on the legislative effect of a proposition.
 - (51) Decides questions of order.—Does not pass on the constitutional powers of the House.
 - (52) Decides questions of order.—General matters not for his decision.
 - (53) Decides questions of order.—Authority as to reports of committees.
 - (54) Decides questions of order.—As to conference reports and statements.
 - (55) Decides questions of order.—Review of, on appeal.
 - (56) Decides questions of order.—Instances of decisions overruled and principles established thereby.
 - (57) Duty as to motions and votes.—Rarely submits a motion from the floor.
 - (58) Duty as to motions and votes.—Putting the question.
 - (59) Duty as to motions and votes.—May not entertain dilatory motions.
 - (60) Duty as to motions and votes.—The demand for a second.
 - (61) Duty as to motions and votes.—Voting via voce and by division.
 - (62) Duty as to motions and votes.—Voting by tellers.
 - (63) Duty as to motions and votes.—Voting by yeas and nays.
 - (64) Duty as to motions and votes.—Voting by ballot.
 - (65) Duty as to motions and votes.—As to right or duty of Members to vote.
 - (66) Vote of.
 - (67) Duties in relation to Committee of the Whole.
 - (68) Pronounces adjournments and recesses.
 - (69) Reception and reference of messages.
 - (70) Reception and reference of Executive communications.
 - (71) Disposition of other communications to the House.
 - (72) Presentation and reference of petitions and memorials.
 - (73) Duties as to reference etc., of bills and reports.
 - (74) Duty as to the Journal.
 - (75) Duty and power as to the Congressional Record.
 - (76) As to entry of addresses, etc., of, in the Journal.
 - (77) Signature of.—To enrolled bills. See also “Signing.”
 - (78) Signature of.—To certificates of salaries and mileage.
 - (79) Signature of.—To articles, replication, etc., in an impeachment.
 - (80) Signature of.—To subpoenas, writs, warrants, etc.
 - (81) Signature of.—In certifying cases of contumacious witnesses to the courts, etc.
 - (82) Administers censure by direction of the House.
 - (83) Duty as to vacancies in membership.
 - (84) Executive duties as to the Hall.—Control of corridors and rooms.
 - (85) Executive duties as to the Hall.—Use of the galleries.
 - (86) Executive duties as to the Hall.—Care of the House wing and grounds.
 - (87) Executive duties as to the Hall.—Enforcement of the rule as to privilege of the floor.
 - (88) Executive duties as the Hall.—Admission of representatives of the press.
 - (89) Status at joint meetings of the two Houses, etc.
 - (90) Thanks to.
 - (91) In general.
- (1) **The Office.—Dignity of.**
Dignity of the Speaker’s office and principles governing its administration. Volume II, sections 1307-1309.

Speaker—Continued.**(1) The Office.—Dignity of**—Continued.

Discussion of the power of the Speaker in relation to the rights of the House. Volume **V**, section **5706**.

As to the duty of the Speaker to carry out the will of the House. Volume **V**, section **5713**.

Mr. Speaker Reed in a ruling referred to the power of the Speaker in relation to the House itself. Volume **IV**, section **4452**.

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

A Member having used words insulting to the Speaker the House, on a subsequent day and after other business had intervened, censured the offender. Volume **II**, section **1248**. After abandoning a proposition to expel the House arrested and censured a Member for gross personalities aimed at another Member and for deception of the Speaker when the latter had proposed to prevent the utterances. Volume **II**, section **1251**.

Reference to the social precedence of the Speaker (footnote). Volume **II**, section **1309**.

The President pro tempore of the Senate holds the office at the pleasure of that body. Volume **II**, section **1417**.

(2) The Office.—Term of.

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

(3) The Office.—Compensation of.

Rate and method of payment of compensation and mileage of Speaker and Members. Volume **II**, section **1148**.

The compensation of Speaker and Members. Volume **VI**, section **201**.

(4) The Office.—Relations to Committee Service.

Origin of the practice whereby the Speaker has become a member of the Committee on Rules. Volume **IV**, section **4321**.

The election of a Member as Speaker is assumed to vacate any positions on committees held by him previously. Volume **IV**, section **4512**.

A Member being elected Speaker after the organization of the House, it is assumed that his committee places are thereby vacated. Volume **I**, section **230**.

(5) The Office.—In Relation to Participation in Debate.

The Speaker may of right speak from the chair on questions of order and be first heard. Volume **II**, section **1367**.

Except on questions of order the Speaker may speak from the chair only by leave of the House and on question of fact. Volume, **II**, section **1367**.

The Speaker asks consent to address the House, even on a question of order. Volume **IV**, section **3043**.

The Speaker sometimes makes a brief explanation from the chair without asking the assent of the House. Volume **II**, sections **1373**, **1374**.

The Speaker has spoken briefly from the chair on a question of privilege relating to himself, Volume **II**, section **1370**.

A Member having criticized the past conduct of the Speaker the House consented that the latter should explain from the chair. Volume **II**, section **1369**.

By leave of the House the Speaker was permitted to make a statement from the chair as to proceedings in the recent joint meeting to count the electoral vote. Volume **II**, section **1372**.

According to a former custom, now fallen into disuse, the Speakers participated freely in debate in Committee of the Whole (footnote). Volume **II**, section **1367**.

Speaker—Continued.**(5) The Office.—In Relation to Participation in Debate**—Continued.

On occasions comparatively rare Speakers have called Members to the chair and participated in debate, usually without asking consent of the House (footnote). Volume **II**, section **1367**.

Instance wherein the Speaker left the chair to reply to a speech reflecting on his conduct. Volume **II**, section **1371**.

The seat of the Speaker as a Member being contested, consent of the House was obtained to permit him to speak on the report, although he had called a Member to the chair. Volume **II**, section **1368**.

The Speaker, by unanimous consent, addressed the House on a subject relating to his election. Volume **II**, section **1360**.

Instance wherein the Speaker debated a point order while a Speaker pro tempore occupied the chair, and was about to rule. Volume **V**, section **6097**.

Mr. Speaker Colfax left the chair to participate in debate on a question arising out of the electoral count of 1869. Volume **III**, section **1950**.

(6) The Office.—The Right to Vote.

The rule as to the Speaker's vote. Volume **V**, sections **5964, 6081**.

The Speaker's name is not on the voting roll and is not ordinarily called. Volume **V**, section **5970**.

The Speaker's vote is recorded at the end of the roll, or after it. Volume **V**, section **5965**.

The Chair may be counted on a vote by tellers. Volume **V**, sections **5996, 5997**.

Under the early rule and practice the Speaker did not record his vote in cases where it would not be decisive, except by permission of the House. Volume **V**, section **5968**.

Mr. Speaker Macon, following the example of Mr. Speaker Trumbull, exercised his constitutional right to vote although the rule forbade. Volume **V**, sections **5966, 5967**.

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

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

The Speaker has voted when a correction on the day after the roll call has created a condition wherein his vote would be decisive. Volume **V**, section **5969**.

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

In case of error whereof the correction leaves decisive effect to the Speaker's vote he may exercise his right, even though the result has been announced. Volume **V**, section **5970**.

(7) Election of.—Chosen by the House.

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

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

A new Speaker being elected at the beginning of a second session of Congress, Members-elect, present and unsworn, participated in that election. Volume **I**, section **224**.

A proposition to elect a Speaker is in order at any time and presents a question of the highest privilege. Volume **VIII**, section **3383**.

(8) Election of.—Proceedings Preliminary to.—Preservation of Order, etc.

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

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

SPEAKER—Continued.**(8) Election of.—Proceedings Preliminary to.—Preservation of Order, etc.—Continued.**

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

The Speaker having resigned, the chair remained vacant and the Clerk presided until a successor was elected. Volume I, section 231.

Before the election of a Speaker the Clerk recognizes Members. Volume I, section 74.

In 1869 the hold-over Clerk, basing his authority on the law of 1863, declined to entertain a question of order on an appeal pending the motion to proceed to election of Speaker. Volume I, section 79.

The Senate having assembled and there being no Presiding Officer, by mutual consent one of the older Members took the chair. Volume I, section 118.

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

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

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

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

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

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

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

(9) Election of.—Proceedings Preliminary to.—Motions, Debate, etc.

The House and not the hold-over Clerk decides by what method it shall proceed to elect a Speaker. Volume I, section 210.

A resolution to proceed to the election of a Speaker presents a question of privilege, and pending the decision another question of privilege may not be presented. Volume I, section 214.

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

At the organization of the House the motion to proceed to the election of a Speaker is of the highest privilege. Volume I, section 212.

The House has in one instance asked the candidates for Speaker to state their views before proceeding to election. Volume I, section 218.

In 1860 the election of a Speaker proceeded slowly, the voting being interspersed with debate, which the Clerk did not prevent. Volume I, section 223.

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

Memorandum of a program to be followed in the adoption of rules, agreed upon preliminary to the organization of the House. Volume VI, section 24.

(10) Election of.—By Majority Vote.

In 1879 it was held that a Speaker might be elected by a majority of those present, a quorum voting, a majority of all the Members not being required. Volume I, section 216.

In 1809 the House held that a Speaker should be elected by a majority of all present. Volume I, section 215.

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

The House by special rule chose a Speaker by a plurality of votes, but confirmed the choice by a majority vote. Volume I, section 222.

SPEAKER—Continued.**(10) Election of.—By Majority Vote—Continued.**

The House by special rule chose a Speaker by plurality of votes, but confirmed the choice by a majority vote on a resolution declarative of the result. Volume **I**, section **222**.

The House by special rule chose a Speaker by a plurality of votes, but confirmed the choice by a majority vote. Volume **I**, section **221**.

(11) Election of.—By Viva Voce Vote.

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

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

Procedure for electing the Speaker by viva voce vote. Volume **I**, section **211**.

Although always at liberty to choose its manner of electing a Speaker, the House has declined in later years to substitute balloting for viva voce choice. Volume **I**, sections **204–208**.

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

Early precedents as to blank ballots in elections of a Speaker and President of the United States. Volume **V**, section **6008**.

Tellers of the vote on the election of a Speaker are appointed by the Clerk. Volume **I**, section **217**.

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

(12) Election of.—Contests Over.

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

The contest over the organization of the House in 1855 and 1856. Volume **I**, section **222**.

The contests over election of a Speaker in 1855 and 1859. Volume **V**, sections **6647, 6649**.

(13) Election of.—Taking the Chair and the Oath.

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

The Clerk appoints the committee to escort the newly elected Speaker to the chair. Volume **I**, section **220**.

After the election of a Speaker and before he has been conducted to the chair no debate or business is in order. Volume **I**, section **219**.

The act of 1789 provides that at the organization of the House and previous to entering on any other business the oath shall be administered by any Member to the Speaker and by the Speaker to other Members and the Clerk. Volume **I**, section **130**.

It has long been the usage that the oldest Member in continuous service shall administer the oath to the Speaker. Volume **I**, section **220**.

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

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

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

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

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

(14) Election of.—Procedure After.

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

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

SPEAKER—Continued.**(14) Election of.—Procedure After—Continued.**

The Speaker being elected to fill a vacancy caused by resignation, the Senate, but not the President, was notified of the fact. Volume **I**, section **231**.

A Speaker being elected to fill a vacancy caused by resignation, the Senate, but not the President, was notified of the fact. Volume **I**, section **232**.

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

(15) Election of.—When Election as a Member is Contested.

The seat of the Speaker being contested, he vacated the chair on every question relating to the contest. Volume **I**, section **809**.

The Speaker's seat being contested, the House directed that the Elections Committee be appointed by the Speaker pro tempore. Volume **I**, section **809**.

The Speaker's seat being contested, he requested that the House relieve him of the appointment of the Committee on Elections, and the request was granted. Volume **II**, section **1360**.

The report on the contest for the seat occupied by Mr. Speaker Carlisle was presented and acted on in his absence from the House. Volume **II**, section **1361**.

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

(16) Death of.

The Speaker having died during the recess of Congress, the Clerk called the House to order, ascertained the presence of a quorum, and entertained a motion to proceed to election of a Speaker. Volume **I**, section **234**.

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

Form of resolution offered at the death of a former Speaker. Volume **VIII**, section **3564**.

The House passed resolutions and adjourned on being informed of a death of a former Speaker. Volume **VIII**, section **3565**.

The House has adjourned in honor of a former Speaker whose death occurred after he ceased to be a Member. Volume **VIII**, section **3566**.

(17) Absence of.

In the absence of the Speaker the Clerk calls the House to order. Volume **II**, sections **1386–1389**. Volume **VI**, section **272**.

An instance wherein the Clerk did not call the House to order in the absence of the Speaker. Volume **II**, section **1411**.

A Speaker about to be absent obtained the approval of the House of his designation of a Speaker pro tempore. Volume **VI**, sections **266, 277**.

Form of Speaker's designation of a Speaker pro tempore. Volume **VI**, sections 269, 272.

(18) Resignation of.

Rising in his place Mr. Speaker Clay addressed the House announcing his resignation. Volume **I**, section **231**.

Mr. Speaker Clay announced to the House his resignation of the Speakership, but his resignation as a Member appears only from the credentials of his successor. Volume **II**, section **1356**.

The Speaker having announced his resignation, made a farewell address and left the chair. Volume **I**, section **233**.

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

In 1834 the Speaker, intending to resign, arose in his place and informed the House, setting a future day for the act. Volume **I**, section **233**.

The Speaker called a Member to the chair and, taking the floor, tendered his resignation verbally. Volume **I**, section **225**.

SPEAKER—Continued.**(18) Resignation of—Continued.**

In 1820, at the beginning of a second session, the Clerk called the House to order and, after ascertaining the presence of a quorum, presented a letter of resignation from the Speaker. Volume **I**, section **232**.

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

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

(19) Charges and Complaints Against.

Complaint of the conduct of the Speaker should be presented directly for the action of the House and not by way of debate on other matters. Volume **V**, section **5188**.

For reflections on the Chair as well as on Members of the House, Mr. Speaker Jones called a Member to order. Volume **V**, section **5192**.

Charges being made by a Member against the official conduct of Mr. Speaker Clay, he appealed to the House for an investigation, which was granted. Volume **II**, section **1362**.

A newspaper having made certain charges against the official character of the Speaker, he called a Member to the Chair and moved an investigation, which was voted. Volume **II**, section **1364**.

A charge by a Member that the Journal of the House had been mutilated by the Speaker was made a question of privilege. Volume **II**, section **1363**.

The Speaker having appealed to the House for an investigation, the House order his address to be entered on the Journal. Volume **II**, section **1362**.

In 1825 the House ordered that the Select Committee to Investigate the Conduct of the Speaker should be chosen by ballot. Volume **II**, section **1362**.

The report of a Select Committee on the Conduct of the Speaker was voted on by the House, although it contained no order or resolution, and was spread on the Journal without direction of the House. Volume **II**, section **1364**.

A report on certain charges against the Speaker appears in the Journal in full without special order. Volume **IV**, section **4660**.

The report of a committee which investigated the charge that the Speaker had mutilated the Journal was, by order of the House, printed in full in the Journal. Volume **IV**, section **2836**.

(20) Leaves the Chair During Consideration of a Question Relating to Himself.

The Speaker called a Member to the chair during consideration of a resolution criticizing his official conduct. Volume **VI**, section **565**.

The Speaker leaves the chair during the transaction of any business concerning himself, even the reference of a paper. Volume **II**, section **1359**.

A matter concerning himself being before the House, the Speaker called a Member to the chair. Volume **II**, section **1360**.

Charges having been made against the Speaker, he called another Member to the chair and from the floor moved a committee of investigation. Volume **II**, section **1286**.

Charges being made against the Speaker, he called a member of the minority party to the chair during their consideration. Volume **II**, section **1363**.

A select committee being authorized to investigate the conduct of the Speaker, they were appointed by the Member called to the chair as Speaker pro tempore. Volume **II**, section **1364**.

The Speaker of the House, being the Vice-President-elect, called a Member to the chair during discussion of a question relating to the electoral count. Volume **II**, section **1365**.

In asking an investigation of his conduct Mr. Speaker Clay addressed the House from the chair, but immediately left it when the House was to act. Volume **II**, section **1362**.

SPEAKER—Continued.**(20) Leaves the Chair During Consideration of a Question Relating to Himself—Continued.**

When the House was considering a resolution censuring a Member for an alleged insult to the Speaker the Speaker called another Member to the chair. Volume **II**, section **1248**.

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

Resolution censuring the conduct of the Speaker being presented unexpectedly, he was excused from deciding a point of order in relation thereto. Volume **II**, section **1357**.

The Speaker remained in the chair and ruled as to the relevance of language criticising his conduct as Speaker. Volume **V**, section **5188**.

(21) Appoints Committees.—Direction of the Former Rule as to Standing Committees.

Unless otherwise specially ordered by the House the Speaker appoints the standing committees at the commencement of each Congress. Volume **IV**, section **4448**.

Although the rules permit the House to direct the appointment of the standing committees otherwise than by the Speaker, the House has always declined to exercise its power in this respect. Volume **IV**, sections **4450, 4451**.

The motion directing the Speaker to appoint the committees has been the subject of an amendment proposing their appointment by the House. Volume **IV**, section **4449**.

Before the adoption of rules the House sometimes authorizes the Speaker to appoint certain necessary committees. Volume **IV**, sections **4455, 4456**.

A question as to the privilege of resolutions directing the Speaker in regard to the appointment of committees in a certain way or for certain purposes. Volume **IV**, sections **4461, 4462**.

In the Fortieth Congress the Speaker did not appoint the committees, except a few, until the closing days of the first session. Volume **IV**, section **4454**.

Although the rules required the Speaker to appoint the standing committees, yet it was the invariable practice in former years for him not to appoint until directed by order of the House. Volume **IV**, section **4457**.

Under the modern practice the Speaker appoints the standing committees at his convenience without specific direction by the House. Volume **IV**, section **4448**.

The delay of the Speaker in appointing the standing committees having occasioned criticism, a resolution directing the appointment was offered, but was disagreed to by the House. Volume **IV**, sections **4452, 4453**.

(22) Appoints Committees.—Rules as to Select Committees.

Since 1880 the appointment of select committees has by rule rested solely with the Speaker. Volume **IV**, section **4470**. Volume **VIII**, section **2192**.

Instances wherein the House declined to take from the Speaker the appointment of select committees. Volume **IV**, sections **4475, 4476**.

In 1832 a motion that the Committee to Investigate the Bank of the United States be chosen by ballot was defeated by a tie vote. Volume **IV**, section **4474**.

In 1821 the House ordered that its Members of the Select Committee on the Admission of Missouri be elected by ballot. Volume **IV**, section **4471**.

When the Select Committee on the Admission of Missouri was chosen by ballot a committee of three was appointed to count the ballots. Volume **IV**, section **4471**.

In 1839 and 1840 committees of investigation were elected by ballot. Volume **IV**, sections **4472, 4473**.

(23) Appoints Committees.—When the House Appoints.

A law providing that a committee of the House be "chosen," the Speaker never appointed without special sanction of the House. Volume **IV**, sections **4465, 4466**.

An order providing for the appointment on a committee of two Members of the House "by that body," the Speaker declined to appoint unless specially directed by the House. Volume **IV**, section **4463**.

SPEAKER—Continued.**(23) Appoints Committees.—When the House Appoints—Continued.**

The seat of the Speaker being contested, the Committee on Elections were appointed by resolution of the House. Volume II, section 1361.

(24) Appoints Committees.—When a Speaker Pro Tempore Appoints.

The Speaker being implicated by certain charges, a Speaker pro tempore selected from the minority party was empowered to appoint a committee of investigation. Volume II, section 1286.

A Member called to the chair to preside temporarily was given special authority by the House to appoint a committee. Volume II, section 1365.

A Member called to the chair by the Speaker was permitted to appoint a committee by vote of the House. Volume II, section 1360.

(25) Appoints Committees.—Ratio of Majority and Minority Representation.

As to proper ratio of majority and minority representation on committees. Volume IV, section 4467.

The usage in relation to majority and minority representation on committees. Volume IV, section 4478.

The ratios of majority and minority representation on the committees is determined by the Speaker (footnote). Volume IV, section 4477.

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

(26) Appoints Committees.—Status of Member as Related to.

Instances wherein Members have not been appointed on committees. Volume IV, sections 4468, 4469.

The fact that a Member's seat is contested is not necessarily taken into account in appointing him to committees. Volume IV, section 4488.

A returned Member whose seat is contested is nevertheless eligible to appointment on any committee. Volume II, section 1018.

Delegates have sometimes been appointed on committees other than those mentioned in Rule XII. Volume II, section 1298.

Instance wherein Members-elect were appointed on committees before taking the oath. Volume IV, sections 4479–4482.

Instance wherein a Member-elect was appointed on a committee long before he took the oath. Volume IV, section 4483.

A Member-elect who had been appointed on a committee before taking the oath, not having appeared, the Speaker with the consent of the House, appointed another Member to the vacancy. Volume IV, section 4484.

Members-elect unofficially known to be under indictment or actually convicted after indictment (but pending appeal) were yet appointed on committees. Volume IV, section 4479.

By request of the House the Speaker has named himself as one of the members of a commission authorized by law. Volume II, section 1342.

(27) Appoints Committees.—Filling Vacancies, etc.

The Speaker may not relieve a Member from service on a committee to which he has appointed him. Volume IV, section 4511.

In the earlier but not in the later practice the Speaker filled vacancies on committees only by special direction of the House. Volume IV, sections 4458–4460.

Reasons why the Speaker should not appoint to a vacancy on a committee during a recess of Congress (footnote). Volume IV, section 4460.

The Speaker in filling vacancies on a committee sometimes designates the rank of the appointee on the committee list. Volume IV, section 4489.

SPEAKER—Continued.**(28) Appoints Committees.—Chairman of.**

The chairmanship of a committee is determined by seniority, by election by the committee, or, in case of the death of the chairman, by appointment by the Speaker. Volume **IV**, section **4513**.

The chairman of a committee having resigned his seat in the House the Speaker, by consent of the House, appointed a chairman. Volume **IV**, section **4530**.

It was the earlier usage of the House that the Member moving a select committee should be appointed its chairman. Volume **IV**, sections **4514–4516**.

The inconvenience of the usage that the proposer of a committee should be its chairman has caused it to be disregarded in modern practice. Volume **IV**, sections **4517–4519**.

In appointing committees of investigation it is evidently necessary to disregard the former usage that the proposer of the committee should be its chairman. Volume **IV**, sections **4520–4523**.

An illustration of the inconvenience of the former practice of making the Member proposing a select committee its chairman. Volume **IV**, section **4671**.

Instance wherein a Member who proposed an investigation was not made one of the committee (footnote). Volume **III**, section **2646**.

Instance wherein the appointment of the mover of an investigation as chairman of the committee caused debate. Volume **II**, section **1596**.

The Member proposing the committee to investigate the Bank of the United States in 1832 was appointed chairman of the committee. Volume **IV**, section **4474**.

Instance wherein the Member proposing a committee of investigation was appointed chairman. Volume **II**, section **1275**.

(29) Appoints Committees.—For Impeachments.

Two of the seven members of the committee for the Chase investigation were from the number opposing the investigation. Volume **III**, section **2342**.

The impeachment of Judge Humphreys was carried to the Senate by a committee of two, representing the two political parties. Volume **III**, section **2385**.

The Speaker appointed the committee to carry the impeachment of President Johnson to the Senate from those favoring impeachment and from the majority party. Volume **III**, section **2412**.

The Speaker gave the minority representation on the committee to carry the impeachment of Judge Delahay to the Senate. Volume **III**, section **2505**.

The minority party were represented on the committee to carry the impeachment of Secretary Belknap to the Senate. Volume **III**, section **2445**.

Constitution of the committee to carry the Swayne impeachment to the Senate. Volume **III**, section **2472**.

The committee appointed to prepare articles in the Chase case were all of those who had favored the impeachment. Volume **III**, section **2343**.

All of the committee who framed the article in the Peck case had voted for the impeachment (footnote). Volume **III**, section **2368**.

The committee to draw the articles in the Humphreys impeachment were appointed by the Speaker, and all but one were of the majority party. Volume **III**, section **2387**.

The Speaker appointed the committee to draw articles impeaching President Johnson from those favoring impeachment and from the majority party. Volume **III**, section **2412**.

The Speaker, in the committee to draw the articles in the Swayne case, gave minority representation to those opposed generally to the impeachment. Volume **III**, section **2472**.

(30) Appoints Committees.—In General.

The Speaker sometimes appoints the House's portion of a proposed joint committee before the Senate has concurred in constituting the committee. Volume **IV**, section **4426**.

SPEAKER—Continued.**(30) Appoints Committees.—In General—Continued.**

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

The investigation of a breach of the privilege of the House was committed to a select committee appointed by the Speaker. Volume **VI**, section **332**.

(31) Appoints Managers of a Conference.

In the House the managers of a conference are appointed by the Speaker. Volume **V**, section **5949**. Since 1890 the rules has provided that conference committees be appointed by the Speaker, although such has been the practice since the earliest days of the House. Volume **IV**, section **4470**. Volume **VIII**, section **2192**.

Managers of a conference are usually three in number, but the House or the Speaker sometimes varies the number. Volume **V**, section **6336**.

Under the later practice, the number of conferees to be appointed has been left to the discretion of the Speaker. Volume **VIII**, section **3219**.

The number of conferees to be appointed is within the discretion of the Speaker and may consist of three, five, seven or nine. Volume **VIII**, section **3221**.

A motion to instruct the Speaker as to the number of conferees to be appointed is not in order. Volume **VIII**, section **3221**.

The resignation of a member as conferee is properly addressed to the Speaker, but is acted on by the House, and, being accepted, the Speaker appoints a successor. Volume **VIII**, section **3224**.

The absence of a manager of a conference causes a vacancy, which the Speaker fills by appointment. Volume **VIII**, section **3228**.

In the earlier practice the managers were changed for a second conference, and the Speaker did not particularly consider the committee reporting the measure or the majority and minority divisions of the House. Volume **V**, sections **6345–6351**.

In the later practice managers have generally been selected from the committee that reported the measure, have been reappointed for later conferences, and have embodied majority and minority representation. Volume **V**, sections **6341–6344**.

On a conference relating to the prerogatives of the two Houses all the conferees were selected to represent the attitude of the majority of the House. Volume **V**, section **6338**.

In appointing managers of a conference the Speaker usually consults the Member in charge of the measure. Volume **V**, section **6327**.

The motion of the Member in charge of the bill as to the disposition of a Senate amendment being disagreed to and a conference being asked, the conferees were so selected as to represent the attitude of the House. Volume **V**, section **6369**.

A special order requiring the Speaker to appoint conferees immediately after the vote of disagreement, a motion to instruct was not admitted. Volume **V**, section **6385**.

Senate discussion as to the rule governing the appoint of conferees. Volume **V**, section **6529**.

Motions to instruct the Speaker in the appointment of conference committees have not been entertained. Volume **VIII**, section **2193**.

A resolution reported by the Committee on Rules authorizing the Speaker to appoint conferees “without intervening motion” was held to be in conflict with the limitation placed upon the Committee on Rules in section 56 of Rule XI. Volume **VIII**, section **2264**.

A resolution reported by the Committee on Rules providing that a House bill with Senate amendments be taken from the Speaker’s table, Senate amendments disagreed to, conference agreed to, and that Speaker “without intervening motion” appoint conferees, was held not to be in violation of the second paragraph of section 56 of Rule XI, since opportunity would be afforded to offer the motion to recommit on the conference report. Volume **VIII**, section **2266**.

SPEAKER—Continued.**(32) Sometimes Appoints Managers of an Impeachment.**

The managers of the Humphreys impeachment were appointed by the Speaker, and all but one belonged to the majority party. Volume **III**, section **2388**.

In the Pickering impeachment the House decided that the managers should not be appointed by the speaker or by viva voce vote, but by ballot. Volume **III**, section **2323**.

Constitution of the managers of the Swayne impeachment. Volume **III**, section **2475**.

All the managers in the Peck trial were of those who had voted for impeachment. Volume **III**, section **2368**.

(33) Appoints Tellers for the Electoral Count.

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

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

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

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

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

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

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

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

(34) Appoints and Removes Official Reporters of Debates and Committee Stenographers.

The speaker appoints the official reporters of debates and stenographers of committees Volume **V**, section **6958**.

Instances wherein the Speaker announced to the House his appointment of reporters (footnote). Volume **V**, section **6958**.

Questions have arisen as to the power of the Speaker in regard to the removal of stenographers to committees (footnote). Volume **V**, section **6958**.

(35) Appoints Visitors, Trustees, Regents, etc.

The statutes require the Speaker to appoint certain visitors and trustees of public institutions. Volume **II**, section **1355**.

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

Vacancies and appointments on the Board of Regents of the Smithsonian Institution. Volume **V**, sections **7338**, **7339**.

(36) Administers the Oath.—Source of the Authority.

The authority to administer oaths should be given by law rather than by rule of either House. Volume **III**, sections **1823**, **1824**, **2081**, **2162**, **2294**, **2303**.

In the Blount impeachment case the House seems to have distrusted its power to authorize the Speaker to administer oaths. Volume **III**, section **2294**.

(37) Administers the Oath.—To the Members When They Take Their Seats.

The act of 1789 provides that at the organization of the House and previous to entering on any other business the oath shall be administered by any Member to the Speaker and by the Speaker to the other Members and Clerk. Volume **I**, section **130**.

SPEAKER—Continued.**(37) Administers the Oath.—To the Members When They Take Their seats—**

The Senate, following the act of 1789, declined to administer the oath to Members-elect until it had chosen a President pro tempore, although a precedent for the proposed action was cited. Volume I, section 118.

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

In the absence of the Speaker a Member-elect has produced his credentials and taken his seat, but was not sworn until the oath could be administered by the Speaker. Volume I, section 179.

When the House votes to admit a Member and the motion to reconsider is disposed of, the right to be sworn is completed and not to be deferred, even by a motion to adjourn. Volume I, section 622.

The House being organized but a quorum having failed, the Speaker declined to administer the oath to a contestant who had been declared elected. Volume II, section 875.

Instance wherein the House authorized the Speaker to administer the oath to Members away from the House. Volume I, section 169.

It has been held that there is no roll of Delegates which the Speaker is obliged to recognize at the time of swearing in Members-elect at the organization of the House. Volume I, section 61.

When the right of a Member-elect to take the oath is challenged the Speaker has requested the Member to stand aside temporarily. Volume VI, section 9.

By authority of the House the oath may be administered to a Member away from the House and by another than the Speaker. Volume VI, section 14.

While the selection of a deputy to administer the oath is within the Speaker's discretion, he is constrained by custom to appoint a Member of the House and where that is inexpedient designates an official authorized to administer oaths. Volume VI, section 14.

Where the oath has been administered away from the House and by another than the Speaker, the House has by resolution received and accepted the oath. Volume VI, section 14.

(38) Administers the Oath.—The Power Not Arbitrary, but Controlled by the House.

The Speaker possesses no arbitrary power in the administration of the oath, and if there be objection the majority of the House must decide. Volume I, section 134.

If a Member object the Speaker does not administer the oath to a Member-elect without direction of the House, even though the credentials be regular in form. Volume I, sections 135–138.

Objection being made to the administration of the oath to a Member-elect, the Speaker held that the question should be decided by the House and not by the Chair. Volume I, sections 519, 520.

In 1866 the Speaker declined to administer the oath to persons whose credentials were regular but who came from States declared by the two Houses not entitled to representation at the time. Volume I, section 139.

In 1839 the House refused to direct the Speaker to administer the oath to certain persons bearing regular credentials as Members-elect, and as organ of the House he declined to administer the oath. Volume I, section 140.

The Members-elect having denied to certain of their number a right to participate in the organization, the Speaker declined, without instruction of the House, to administer the oath to those thus debarred, although they presented certificates in proper form. Volume I, section 140.

The Speaker asked the decision of the House when a Member-elect from a State not yet admitted to the Union presented himself to be sworn. Volume I, section 396.

It has been held, although not uniformly, that in cases where the right of a Member-elect to take the oath is challenged the Speaker may direct the Member to stand aside temporarily. Volume I, sections 143–146.

SPEAKER—Continued.**(38) Administers the Oath.—The Power Not Arbitrary, but Controlled by the House—**
Continued.

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

(39) Administers the Oath.—To Witnesses.

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

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

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

(40) Duty as to the Quorum.—Counts When There is No Record Vote.

Mr. Speaker Reed in 1890 revived the count by the Chair as a method of determining the presence of a quorum at times when no record vote is ordered. Volume **IV**, section **2909**.

Mr. Speaker Reed held in 1890 that it was the function of the Speaker to determine in such manner as he could deem accurate and suitable the presence of a quorum. Volume **IV**, section **2932**.

The Speaker's count of a quorum is not subject to verification by tellers. Volume **IV**, section **2916**. Volume **VI**, section **647**.

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

In counting to ascertain the presence of a quorum the Chair counts all Members in sight, whether in the cloakrooms or within the bar. Volume **IV**, section **2970**.

A call of the House is not in order after the previous question is ordered unless it appears on an actual count by the Speaker that a quorum is not present. Volume **V**, section **5447**.

In 1836 it seems to have been customary for the Chairman of the Committee of the Whole to count the committee to ascertain as to the presence of a quorum. Volume **II**, section **1653**.

The Presiding Officer of the Senate sitting in an impeachment trial directed the counting of the Senate to ascertain the presence of a quorum. Volume **III**, section **2107**.

It is not incumbent upon the Chair to announce the names of Members present and not voting but counted to make a quorum. Volume **VI**, section **642**.

(41) Duty as to the Quorum.—When the Yeas and Nays are Taken.

When a vote taken by yeas and nays shows that no quorum has voted, it is the duty of the Chair to take notice of that fact. Volume **IV**, sections **2953**, **2963**.

When a vote by yeas and nays shows no quorum the Chair takes cognizance of the fact, and, unless the House adjourns, orders a call under the rule without suggestion from the floor. Volume **VI**, section **679**.

When a quorum fails on a yea-and-nay vote the call of the House is automatic under the rule, and the Speaker directs the roll to be called without motion from the floor. Volume **VI**, section **678**.

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

(42) Duty as to the Quorum.—In General.

A quorum is presumed to be present unless it is otherwise determined and it is not necessarily the function of the Speaker to ascertain the presence of a quorum unless the point is raised. Volume **VI**, section **565**.

SPEAKER—Continued.**(42) Duty as to the Quorum.—In General—Continued.**

It is not the duty of the Speaker to take cognizance of the absence of a quorum unless disclosed by a yea-and-nay vote or questioned by a point of order. Volume **VI**, section **624**.

It is the duty of the Speaker to announce the absence of a quorum without unnecessary delay. Volume **VI**, section **652**.

The Speaker orders the doors closed only when a call of the House is in progress. Volume **VI**, section **703**.

The Speaker may, without suggestion from the floor, take note of the failure of a quorum to vote on the pending question, and on his own initiative direct a call of the House under the rule. Volume **VI**, section **699**.

Prayer by the Chaplain at the opening of the daily session is not business requiring the presence of a quorum, and the Speaker declines to entertain a point of no quorum before prayer is offered. Volume **VI**, section **663**.

When the roll which is called in Committee of the Whole when a quorum fails shows that a quorum responded the Speaker directs the committee to resume its session, although less than a quorum may have appeared on an intervening motion to adjourn. Volume **IV**, section **2969**.

When the Committee of the Whole for supposed lack of a quorum rises and reports a roll call, a motion to adjourn may be admitted before the Speaker, on information of a quorum, directs the committee to resume its sitting. Volume **IV**, section **2969**.

Discussion of the authority of the Speaker to issue a warrant for the arrest of absent Members during a call of the House. Volume **IV**, section **3043**.

The lack of a quorum being disclosed, in the absence of any motion the Speaker will issue warrants to bring in absent Members. Volume **VI**, section **680**.

Under the rule for a call of the House, the Speaker issues warrants for arrest of absentees without further authorization from the House. Volume **VI**, section **702**.

A motion directing the Speaker to issue warrant for arrest of absentees may be entertained during proceedings to secure the attendance of a quorum. Volume **VI**, section **681**.

The House having agreed to a motion directing the issuance of a warrant for arrest of absentees during proceedings to secure a quorum, the Speaker disregarded the direction and declined to sign the warrant. Volume **VI**, section **681**.

(43) Preserves Order.—On the Floor, in the Galleries, etc.

The Speaker preserves order on the floor and in the galleries and lobby. Volume **II**, section **1343**.

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

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

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

The Speaker represses a Member who is out of order, but except naming him may not otherwise censure or punish him. Volume **II**, section **1345**.

The Speaker may name any Member persisting in disorderly conduct. Volume **II**, section **1344**. The parliamentary law provides that the House shall deal with a Member named by the Speaker. Volume **II**, section **1344**.

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

After their affray on the floor Messrs. Lyon and Griswold were required to pledge themselves before the Speaker to keep the peace during the session. Volume **II**, section **1643**.

SPEAKER—Continued.**(44) Preserves Order.—Intervenes in Committee of the Whole.**

Extreme disorder arising in the Committee of the Whole, the Speaker may take the chair “without order to bring the House into order.” Volume **II**, section **1348**

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

Two Members having created disorder in Committee of the Whole, the Speaker took the chair and restored order, whereupon the committee rose and the House adjourned before taking action on the disorder. Volume **II**, section **1657**.

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

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

The Committee of the Whole having risen informally because of disorder created by a Member, the Speaker directed the committee to resume its sitting after the Member had explained and when no further action in relation thereto was proposed. Volume **II**, section **1350**.

In 1838, in case of great disorder in Committee of the Whole, the Speaker took the chair “without order to bring the House into order.” Volume **II**, section **1648**.

In 1840 great disorder occurred in Committee of the Whole, whereupon the Speaker, without order, took the chair and restored order. Volume **II**, section **1649**.

In 1844 the Speaker took the chair to quell disorder which had arisen in Committee of the Whole, whereupon the Chairman stated to the House the facts as to the disorder. Volume **II**, section **1651**.

In 1880 the Speaker took the chair to quell disorder in Committee of the Whole, but that being accomplished, yielded the chair to the Chairman, that the committee might rise in due form before the House should adjourn. Volume **II**, section **1349**.

(45) Preserves Order.—The “Call to Order” During Debate.

If any Member, in speaking or otherwise, transgress the rules of the House it is the duty of the Speaker and the privilege of any Member to call him to order, and he may be punished by censure or otherwise. Volume **V**, section **5175**.

The Speaker, without suggestion from the floor, may call a Member to order for breach of order in debate. Volume **V**, sections **5161**, **5162**.

The Speaker sometimes interposes to prevent breach of order in debate without waiting for a question to be raised by a Member. Volume **V**, sections **5163**, **5169**.

In the early practice of the House the Speaker intervened to prevent in debate even the mildest imputation on the motives of a Member. Volume **V**, sections **5161**, **5162**.

It is the duty of the Speaker to suppress personalities in debate. Volume **V**, section **5131**.

It is the duty of the House, and particularly of the Speaker, to suppress in debate expressions which may give ground of complaint to the other House. Volume **V**, section **5095**.

It has always been considered the particular duty of the Speaker to prevent expressions offensive to the Senate or Senators. Volume **V**, section **5130**.

It is the duty of the Speaker to prevent expressions offensive to the other House. Volume **VIII**, section **2521**.

It is the duty of the Chair, without suggestion from the floor, to interfere when statements are made in debate which might give Senators ground for complaint. Volume **VIII**, section **2520**.

A Member who resumes his seat after being called to order loses his claim to prior right of recognition. Volume **V**, section **5016**.

Although debate on a question of order is within control of the Speaker, yet he puts to the House the question whether a Member called to order during such debate shall “be allowed to proceed in order.” Volume **V**, section **5190**.

SPEAKER—Continued.**(45) Preserves Order.—The “Call to Order” During Debate—Continued.**

While the Speakers have entertained appeals from their decisions as to irrelevancy in debate, they have held that such appeals were not debatable. Volume **V**, sections **5056–5063**.

Examples of personal and recriminating remarks held out of order in debate by the Speaker. Volume **V**, sections **5163, 6169**.

References to discussions of the power of the Vice-President to call to order (footnote). Volume **II**, section **1345**.

If the Member digress or otherwise transgress the rules in the discussion of a question of privilege, it is the duty of the Speaker to call him to order. Volume **VIII**, section **2481**.

If a Member in debate transgress the rules it is the duty of the Speaker to intervene and require that he proceed in order. Volume **VIII**, section **3479**.

It is a breach of order to reflect upon or to refer invidiously to the decisions of present or former Speakers. Volume **VIII**, section **2531**.

Action by the House on words taken down and reported from the Committee of the Whole is contingent on the Speaker’s decision that a breach of order is involved. Volume **VIII**, section **2528**.

When the Committee of the Whole reports to the House words taken down on demand, the Speaker in passing on the question raised is restricted to the words reported and may not take into consideration associated language not reported by the committee. Volume **VIII**, section **2533**.

When a demand is made that words spoken in Committee of the Whole be taken down, no further business is in order and the Committee automatically rises and reports the words to the House for decision by the Speaker. Volume **VIII**, section **2539**.

Consideration of words reported to the House from Committee of the Whole having been disposed of, either by decision of the Speaker holding them in order or by action of the House if held unparliamentary, the House resolves into the Committee of the Whole automatically. Volume **VIII**, section **2539**.

Recognition by the Speaker to move that words reported from the Committee of the Whole be expunged is tantamount to a decision holding them unparliamentary. Volume **VIII**, section **2539**.

(46) Decides Questions of Order.—General Principles.

The Speaker decides questions to order. Volume **V**, section **6863**.

It is not the duty of the Speaker to decide a hypothetical question. Volume **VI**, section **253**.

The Speaker decides all questions of order, subject to appeal. Volume **II**, section **1313**.

The Speaker sits while rendering decisions on points of order or when participating in debate thereon (footnote). Volume **II**, section **1367**.

A question of order arising out of any other question must be decided before that question. Volume **V**, section **6864**.

A point of order having been made, all points of order on the same proposition should be submitted before decision on any. Volume **VIII**, section **2310**.

Instance wherein the Speaker reversed as erroneous a decision made in a previous session. Volume **VIII**, section **2794**.

Questions of order arising during a division are decided peremptorily by the Speaker. Volume **V**, section **5926**.

It is not the duty of the Speaker to decide any question which is not directly presented in the course of the proceedings of the House. Volume **II**, section **1314**.

Instance wherein the Speaker retained the chair and ruled as to a resolution which in effect proposed a censure of a decision made by him as Speaker. Volume **III**, section **2621**.

The Chair is constrained in his rulings to give precedent its proper influence. Volume **II**, section **1317**.

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

SPEAKER—Continued.**(46) Decides Questions of Order.—General Principles—Continued.**

The Chair in his ruling is constrained to follow precedent and to obey a well-established rule even if unreasonable, but one precedent alone when unsupported by others is not necessarily conclusive. Volume **VI**, section **48**.

The decisions of the Speaker on questions of order are not like judgments of courts which conclude the rights of parties, but may be reexamined and reversed. Volume **IV**, section **4637**.

The Speaker held that while the courts may not construe a law in the light of debate attending its passage in the Legislature, the rules are to be interpreted according to views of their purport expressed at the time of adoption. Volume **VII**, section **1023**.

The Speaker may require that a question of order be presented in writing. Volume **V**, section **6865**.

The question of admitting an amendment should be decided from the provisions of its text rather than from purposes which circumstances may suggest. Volume **IV**, section **3998**.

In passing upon a point of order it is not within the province of the Chair to consider contingencies which might subsequently affect the question presented. Volume **VII**, sections **1409**, **1541**.

In deciding as to dividing a question the Chair considers only the existence of substantive propositions, and not the merits of the questions presented. Volume **V**, section **6122**.

Debate on a point of order is for the information of the Chair, and therefore within his discretion. Volume **V**, sections **6919**, **6920**.

The Journal records the rulings but not the remarks of the Speaker. Volume **IV**, section **2840**.

In later years, although not in the very earliest practice, the Journal has recorded the reasons for the decisions of the Speakers. Volume **IV**, section **2841**.

The Journal does not record the response of the Speaker to a parliamentary inquiry. Volume **IV**, section **2842**.

The effect or purport of a proposition is not a question to be passed on by the Chair. Volume **VI**, section **254**.

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

In passing upon the privilege of a bill for report at any time the Speaker does not take into consideration his personal knowledge and estimate of the probable effects of the passage of the bill. Volume **VIII**, section **2280**.

(47) Decides Questions of Order.—Sometimes Reserves Decision.

Discussion of instances in which Speakers have reserved rulings on points of order. Volume **VII**, section **2106**.

The Speaker may, on a difficult question of order, decline to rule until he has taken time for examination of the question. Volume **III**, section **2725**.

An instance wherein the Speaker by unanimous consent reserved his decision on a point of order. Volume **VIII**, section **2396**.

Instance wherein the Speaker, desiring further time for consideration of a point of order, reserved his decision until the following day. Volume **VI**, section **432**.

An instance in which the Speaker took a question under advisement and rendered a decision on a subsequent day. Volume **VIII**, section **2174**.

An instance in which the Speaker deferred ruling on an unusual point of order until time could be had to consult the precedents. Volume **VIII**, section **3475**.

An instance in which the Speaker asked unanimous consent to elaborate on an opinion previously rendered. Volume **VII**, section **1111**.

SPEAKER.—Continued.

(47) Decides Questions of Order.—Sometimes Reserves Decision—Continued.

An instance in which the Speaker announced to the House that after further consideration he did not desire a recent decision to be considered as a precedent. Volume **VIII**, section **2424**.

(48) Decides Questions of Order.—Rarely Submits Them to the House Itself.

The Speaker, of his own initiative, has submitted to the House for decision a question as to procedure. Volume **II**, sections **1315**, **1316**. Volume **VIII**, section **3405**.

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

Instance in which the Speaker submitted to the House the decision as to whether or not a question involved privilege. Volume **VIII**, section **2597**.

Instance in which a question of procedure was submitted by the Speaker of the House, which overruled his former decision. Volume **VI**, section **565**.

Instance wherein the Speaker submitted to the House the question as to whether a statement objected to in debate was in order. Volume **VI**, section **617**.

Instance wherein the Speaker submitted to the House a question as to the order of disposing of several unapproved journals. Volume **IV**, section **2771**.

The Speakers in infrequent instances have referred questions of order to the House for decision. Volume **IV**, sections **3173**, **3282**, **4930**. Volume **V**, sections **5014**, **5323**, **5403**, **5835**, **5855**, **6701**.

(4) Decides Questions of Order.—As to Questions of Privilege.

Whenever it is asserted on the floor that the privileges of the House are invaded the Speaker entertains the question. Volume **II**, section **1501**.

A paper offered as involving a question of privilege should be read to the House rather than privately by the Speaker before a decision is made regarding its privilege. Volume **III**, section **2546**.

The Speaker held that a protest by Members should be read before any decision as to whether or not it might be offered as a question of privilege. Volume **III**, section **2597**.

While the Speaker should not entertain every motion which may be offered as a matter of privilege, he should submit to the House whatever relates to the privileges of the House or a Member. Volume **III**, sections **2536**, **2537**.

The Speakers have been accustomed for many years to give a preliminary determinations as to questions presented as involving privilege. Volume **III**, section **2678**.

The Speaker may pass on a question presented as of privilege instead of submitting it directly to the House. Volume **III**, section **2641**.

In 1855 the Speaker held it the right of the Chair to decide whether or not a question alleged to be of privilege should be submitted to the House. Volume **IV**, section **2799**.

Early instance wherein the Speaker and not the House decided whether or not a question was one privilege. Volume **III**, section **2642**.

Early instances wherein the Speaker passed on questions presented as of privilege instead of submitting them directly to the House. Volume **III**, sections **2649**, **2650**.

It has been decided that it was for the House and not the Speaker to decide whether or not a question or privilege was involved. Volume **III**, section **2527**.

Early custom of the Speakers to leave to the House to decide whether or not a proposition involved privilege. Volume **III**, section **2718**.

Instance wherein the Speaker submitted to the decision of the House the question as to whether or not a matter involved privilege. Volume **III**, section **2709**.

In 1842 the Speaker could find no precedent for deciding as to a question offered as of privilege. Volume **III**, section **2654**.

Instance wherein the Speaker left to the House to decide whether or not a proposition involved a question of privilege. Volume **III**, section **2648**.

It being claimed that a charge of crime against a Member involved a question of privilege, the Speaker submitted the question to the House. Volume **II**, section **1277**.

SPEAKER—Continued.**(49) Decides Questions of Order.—As to Questions of Privilege—Continued.**

The President pro tempore of the Senate declined to take the responsibility of directing the Secretary to omit from the call of the yeas and nays the names of two Senators who had been declared in contempt. Volume **II**, section **1665**.

The validity of a question of privilege is determined by the Speaker, and newspaper articles upon which the alleged question is based are not necessarily laid before the House. Volume **VI**, section **604**.

A question of privilege is in order after the House has voted to resolve into Committee of the Whole, the Speaker being still in the chair. Volume **VI**, section **554**.

(50) Decides Questions of Order.—Does Not Pass on Legislative Effect of a Proposition.

It is for the House and not the Speaker to decide on the legislative effect of a proposition. Volume **II**, sections **1323, 1324**. Volume **VII**, sections **2112, 2841**.

The change of a single word in the text of a proposition is sufficient to prevent the Speaker ruling it out of order as one already disposed of by the House. Volume **II**, section **1274**.

The inconsistency of a proposed amendment with one already agreed to is not a matter for the decision of the Speaker. Volume **V**, section **5781**.

The question of inconsistency of pending legislation with existing law is not passed upon by the Chair. Volume **VII**, section **2112**.

The fact that a proposed amendment is inconsistent with the text or embodies a proposition already voted on constitutes a condition to be passed on by the House and not by the Speaker. Volume **II**, sections **1328–1336**.

It is not within the province of the Chair to decide whether proposed legislation conflicts with treaty obligations. Volume **VI**, section **252**.

A point of order as to the competency or meaning of an amendment does not constitute a parliamentary question. Volume **VI**, section **254**.

The fact that the provision of a proposed amendment is contained in a later portion of the bill constitutes no reason why it should be ruled out by the Speaker. Volume **II**, section **1327**.

While the Chair in passing upon a point of order may not speculate as to the effect of legislation, he is authorized to take judicial cognizance of statutory law. Volume **VII**, section **1535**.

The consistency of a proposed amendment with the text is a question to be passed on by the House and not by the Speaker. Volume **VIII**, section **3458**.

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

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

The question of order being raised that a pending resolution reflected on the Senate, the Speaker held that it was a matter for the House and not the Chair to pass on. Volume **III**, section **1744**.

(51) Decides Questions of Order.—Does Not Pass on the Constitutional Powers of the House.

It is not the duty of the Speaker to construe the Constitution as affecting proposed legislation. Volume **II**, sections **1255, 1318–1320**. Volume **VIII**, sections **2225, 3031**.

It is for the House and not the Speaker to pass on a question relating to the constitutional prerogatives of the House. Volume **II**, sections **1490, 1491**.

It is for the House and not the Speaker to determine whether or not a proposed action is within the constitutional power of the House. Volume **IV**, section **3507**.

SPEAKER—Continued.

(51) Decides Questions of Order—Does Not Pass on the Constitutional Powers of the House—Continued.

It is for the House and not the Speaker to decide whether or not a Senate amendment on the subject of revenue violates the privileges of the House. Volume **II**, sections **1320, 1322**.

The competency of the House to take a proposed course of action is a matter for the decision of the House rather than the Speaker. Volume **II**, section **1321**.

(52) Decides Questions of Order.—General Matters Not for His Decision.

The fact that the subject of a pending bill has already been acted on in another form is a matter for the consideration of the House, but does not justify the Speaker in ruling the bill out. Volume **II**, section **1325**.

Under the early practice the Speakers used to rule subjects out of order because they were already before the House in another form. Volume **II**, section **1326**.

The Speaker does not rule out a pending legislative proposition, even though the lapse of time may have rendered it futile. Volume **II**, section **1337**.

It is for the House and not the Speaker to determine whether or not a person arraigned for contempt shall be heard before being ordered into custody. Volume **III**, section **1684**.

Whether or not it was proper to censure a Member who had resigned was held to be a question for the House and not the Chair. Volume **II**, section **1275**.

Whether the House shall continue the legislative day into Sunday is not a question for the decision of the Speaker. Volume **V**, section **6695**.

The propriety of continuing a session into Sunday does not constitute a question of order for the Speaker, who may not adjourn the House against its will. Volume **V**, section **6728**.

The Speaker held that he could not prevent a majority of the House from so amending the Journal as to undo an actual transaction. Volume **IV**, sections **3091–3093**.

Instance wherein an act performed by the Speaker under the rules was reversed by an amendment changing the Journal entry. Volume **IV**, sections **3091–3093**.

On the call of committees each bill must be called on authorization of the committee, but in case of dispute as to the authorization the Speaker cannot decide as to the fact. Volume **IV**, section **3127**.

It is not within the province of the Chair to decide whether an amendment is inconsistent with previous action of the committee. Volume **VI**, section **256**.

A question as to the inconsistency of a proposed amendment with action previously taken by the committee is a proposition to be passed upon by the committee and not by the Chair. Volume **VI**, section **257**.

The question as to whether a proposed amendment embodies a proposition already voted on is one to be passed upon by the House and not by the Speaker. Volume **VI**, section **255**.

It is for the House and not the Speaker to decide whether or not an office is incompatible with membership in the House. Volume **VI**, section **253**.

The Speaker held that it was for the House rather than the Chair to decide whether a bill was “of the same substance” as another previously considered. Volume **VII**, section **1049**.

The effect of an amendment upon a bill is a question for the House and is not passed upon by the Speaker. Volume **VII**, section **2142**.

It is for the House and not the Chair to decide on the propriety of words demanded to be taken down as unparliamentary. Volume **VIII**, section **2540**.

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

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

SPEAKER—Continued.**(52) Decides Questions of Order.—General Matters Not for His Decision—Continued.**

Whether motions to instruct are inconsistent with action previously taken by the House, is a question for the House, and the Speaker declines to rule such motions out of order on that ground. Volume **VIII**, section **3230**.

(53) Decides Questions of Order.—Authority as to Reports of Committees.

While a rule requires that every bill reported from a committee shall be accompanied by a written report, the sufficiency of that report is passed on by the House and not the Speaker Volume **IV**, section **4653**.

It is for the House and not the Speaker to decide as to the sufficiency of a report made in writing by a committee. Volume **II**, section **1339**.

The Speaker, being satisfied of the correctness of the authorization of a report, may decide that it shall be received. Volume **IV**, sections **4592, 4593**.

The Speaker may, upon statements from the chairman and other members of a committee, rule that the calling up of a bill has been authorized by a committee. Volume **IV**, section **3128**.

The Speaker may not rule out a report because the committee have failed to comply with their instructions in relation to it. Volume **IV**, section **4689**.

When a committee had made a report which exceeded its instructions the Speaker ruled out the excess portion but permitted the remainder of the report to stand. Volume **IV**, section **4404**.

A question as to whether or not a committee in its report has violated its instructions is passed on by the House and not the Speaker. Volume **II**, section **1338**.

(54) Decides Questions of Order.—As to Conference Reports and Statements.

In the later but not the earlier practice the Speaker rules a conference report out of order on a question being raised. Volume **V**, sections **6409, 6410**.

It is only in later years that the Speakers have assumed authority to determine whether or not the managers of a conference have transcended their powers. Volume **V**, sections **6414–6416**.

While the Chair may not pass upon the completeness of the written statement accompanying a conference report he may require it to be in proper form. Volume **V**, section **6513**.

It is for the House and not the Speaker to determine whether or not the detailed statement accompanying a conference report is sufficient to comply with the rule. Volume **V**, sections **6511, 6512**.

(55) Decides Questions of Order.—Review of an Appeal.

The decision of a question of order by the Chair is subject to appeal by any Member. Volume **V**, section **6938**.

An appeal from the decision of the Chair is in order during a call of the House. Volume **VI**, section **681**.

The right of appeal insures the House against the arbitrary control of the Speaker and can not be taken away from the House. Volume **V**, section **6002**.

An appeal may not be taken from a response of the Speaker to a parliamentary inquiry. Volume **V**, section **6955**.

There is no appeal from a decision by the Speaker on a question of recognition. Volume **VIII**, sections **2429, 2446**.

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

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

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

SPEAKER—Continued.**(55) Decides Questions of Order.—Review of an Appeal—Continued.**

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

An amendment to the Journal disapproving a ruling of the Speaker was held out of order without question as to the propriety of calling another to the chair. Volume **IV**, section **2848**.

The motion to postpone to a day certain was held to be applicable to an appeal from the decision of the Chair. Volume **VIII**, section **2613**.

A decision of the Speaker which was overruled by the House was subsequently reaffirmed and sustained, and embodies the established practice of the House. Volume **VIII**, section **3376**.

(56) Decides Questions of Order.—Instances of Decisions Overruled and Principles Established Thereby.

Instance where Speaker was overruled. Volume **V**, section **5948**.

A Member who was absent when a vote was taken may not move to reconsider (Speaker overruled). Volume **V**, section **5619**.

A modification of a proposition being dependent on the right of withdrawal may not be made after the previous question is ordered (Speaker overruled). Volume **V**, section **5484**.

The previous question being ordered, a Member may not ask a decision of the House on his request for the reading of a paper not before the House (Speaker overruled). Volume **V**, section **5296**.

A resolution to investigate a charge that a Member had improperly abstracted papers from the files of an Executive Department was entertained as privileged (Speaker overruled). Volume **III**, section **2655**.

It is the practice of the House not to limit general debate in Committee of the Whole until it has begun (Speaker overruled). Volume **V**, section **5205**.

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

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

The requirement as to consideration in Committee of the Whole applies to amendments as well as to bills. Volume **IV**, section **4793, 4794**.

The House has overruled a decision of a Speaker admitting an appeal. Volume **V**, section **6953**.

The Committee of the Whole declined to heed an appeal that it overrule its Chairman in order to place legislation urged as desirable on an appropriation bill. Volume **IV**, section **3820**.

Overruling the Speaker, at his invitation, the House decided that a billing providing for the establishing of a national park and conferring authority on the Secretary of the Interior to administer, protect, and develop it, required consideration in the Committee of the Whole. Volume **VIII**, section **2412**.

Provision for contingent hearings conducted by Cabinet members to determine requirements for a bridge across navigable waters was held by the House (overruling the Speaker) not to be sufficiently patent as a charge upon the Government to require consideration in Committee of the Whole. Volume **VIII**, section **2391**.

The House (overruling the Speaker) held the motion discharging a committee from the consideration of a bill to be of higher privilege on suspension day than the motion to resolve into Committee of the Whole for the consideration of revenue or appropriation bills. Volume **VII**, section **1016**.

The House decided (overruling the Speaker) that the motion to reconsider the vote on a proposition having been once agreed to, and the vote having again been taken, a second motion to reconsider may not be made unless the nature of the proposition has been changed by amendment. Volume **VIII**, section **2788**.

SPEAKER—Continued.**(57) Duty as to Motions and Votes.—Rarely Submits a Motion From the Floor.**

In very rare cases the Speaker takes the floor to make a motion. Volume **II**, sections **1375**, **1376**. Calling a Member to the chair, Mr. Speaker Colfax offered from the floor a resolution for the expulsion of a Member. Volume **II**, section **1253**.

(58) Duty as to Motions and Votes.—Putting the Question.

The question, if in order, must be put. Volume **II**, section **1312**.

It is the duty of the Speaker to put a motion in order under the rules and practice without passing on its constitutional effect. Volume **IV**, section **3550**.

The motion as stated by the Chair in putting the question and not as stated by the Member in offering the motion, is the proposition voted upon. Volume **VI**, section **247**.

The rules prescribe the form in which the Speaker shall put the question. Volume **V**, section **5927**. Rule as to forms in which the Speaker shall put the question and method of determining the result. Volume **II**, section **1311**.

When a motion is made the Speaker shall state it or cause it to be read by the Clerk before being debated. Volume **V**, section **5304**.

Debate should not begin until the question has been stated by the Speaker. Volume **V**, section **4982**.

The House insists on compliance with the rule that a motion must be stated by the Speaker or read by the Clerk before debate shall begin. Volume **V**, section **4983**.

Every motion made to the House and entertained by the Speaker shall be reduced to writing on the demand of any Member. Volume **V**, section **5300**.

Before debate is in order the motion must be stated by the Member or even be reduced to writing, if required, and announced by the Chair. Volume **V**, section **4986**.

Every motion entertained by the Speaker shall be entered on the Journal, with the name of the Member making it, unless it be withdrawn the same day. Volume **V**, section **5300**.

A motion which is not entertained by the Speaker is not entered on the Journal. Volume **IV**, section **2813**.

A motion which has been stated by the Speaker or read by the Clerk is in possession of the house, but may be withdrawn before a decision or amendment. Volume **V**, section **5304**.

(59) Duty as to Motions and Votes.—May Not Entertain Dilatory Motions.

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

No dilatory motion shall be entertained by the Speaker. Volume **V**, section **5706**.

Review of the conditions which resulted in the rule empowering the Speaker to decline to recognize for dilatory motions. Volume **V**, section **5706**.

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

A motion must be manifestly for delay in order to justify its rejection as dilatory. Volume **V**, section **5714**.

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

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

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

The Speaker has declined to entertain debate or appeal on a question as to dilatoriness of a motion. Volume **V**, section **5731**.

SPEAKER—Continued.**(59) Duty as to Motions and Votes.—May Not Entertain Dilatory Motions.—Continued.**

The presence of a quorum having been ascertained, the Speaker has overruled points of “no quorum” made very soon thereafter. Volume **V**, sections **5726–5730**.

A rule giving the Speaker power to hold as dilatory certain motions, a resolution condemning his action thereunder was not admitted as a question of privilege. Volume **III**, section **2621**.

Special orders are often used to further the consideration of business by preventing dilatory motions, and in such cases the Chair has exercised discretion as to entertaining motions to adjourn, for recess, and appeals. Volume **IV**, sections **3210–3213**.

Pending consideration of a report from the Committee on Rules the Speaker is forbidden to entertain dilatory motions. Volume **V**, section **5738**.

Pending a motion to suspend the rules the Speaker may entertain one motion that the House adjourn, but thereafter no other dilatory motion may be made. Volume **V**, section **5743**.

The Speaker, during the period when the rules made in order a motion to excuse a Member from voting, held the motion dilatory when applied to votes on adjourning or for a call of the House, since it might be used to prevent adjourning or the procuring of a quorum. Volume **V**, sections **5709–5712**.

In a rare instance in the earlier history of the House a Speaker declined to entertain an appeal which was evidently trivial. Volume **V**, section **5723**.

During the electoral count of 1877, when the proceedings were prescribed by law, the Speaker ruled that a motion interfering with the promptness of those proceedings was dilatory. Volume **III**, section **1955**.

A motion to recommit having been ruled out of order, another motion is in order if offered in good faith, but subsequent recognition to move recommitment is within the discretion of the Speaker and may be denied if dilatory. Volume **VIII**, section **2760**.

The question as to whether a motion is dilatory is determined within the discretion of the Speaker by the evident motive of the Member presenting it. Volume **VIII**, section **2713**.

If apparent that a motion is offered for the purpose of delaying the business of the House it is the duty of the Speaker to rule it out as dilatory without waiting for suggestion from the floor. Volume **VIII**, section **2796**.

Although circumstances seemed to indicate that a motion had been made for purposes of obstruction, the Speaker inquired as to the motives prompting the motion, and being assured by the proponent that it was offered in good faith, declined to hold it dilatory. Volume **VIII**, section **2797**.

The question of dilatoriness is not necessarily determined by the length of time which has elapsed since the ascertainment of the presence of a quorum, or the character of business intervening, but by the opinion of the Speaker as to whether under the circumstances the motion is made with intent to delay the business of the House. Volume **VIII**, section **2804**.

The point of no quorum has been ruled out as dilatory immediately following a roll call or count by the Chair disclosing the presence of a quorum, but the Chair will not so rule unless the presence of a quorum is patent. Volume **VIII**, section **2807**.

The Chair being satisfied that a quorum was present and that a point of no quorum was made for dilatory purposes declined to entertain it. Volume **VIII**, section **2808**.

When convinced that a point of no quorum is made for purposes of obstruction the Speaker has declined to entertain it even after the intervention of business. Volume **VIII**, section **2811**.

(60) Duty as to Motions and Votes.—The Demand for a Second.

When a motion to suspend the rules is entertained the Speaker is accustomed to ask at once “Is a second demanded?” Volume **V**, section **6800**.

SPEAKER—Continued.**(60) Duty as to Motions and Votes.—The Demand for a Second—Continued.**

On a motion to suspend the rules it is the right of a Member to demand a second, but not the duty of the Chair to call for it. Volume **V**, section **6801**.

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

(61) Duty as to Motions and Votes.—Voting Viva Voce and by Division.

The integrity of the Speaker in counting a vote has never been questioned in the House. Volume **VIII**, section **3115**.

On a vote the Speaker first decides by the sound, but if he or any Member is dissatisfied a division by rising is had. Volume **V**, section **5926**.

One of the suppositions on which the parliamentary law is founded is that the Speaker will not betray his duty to make an honest count on a division. Volume **V**, section **6002**.

The reading of papers other than the one on which the vote is taken is usually permitted under the parliamentary law without question, but if objection is made the Speaker must take the sense of the House. Volume **V**, section **5258**.

(62) Duty as to Motions and Votes.—Voting by Tellers.

Tellers may be ordered by the Speaker if he is in doubt, or by one-fifth of a quorum. Volume **V**, section **5985**.

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

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

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

(63) Duty as to Motions and Votes.—Voting by Yeas and Nays.

In passing on a demand for the yeas and nays the Speaker need determine only whether one-fifth of those present sustain the demand. Volume **V**, section **6043**. Volume **VIII**, sections **3112**, **3115**.

In counting to ascertain the presence of a quorum or whether a sufficient number have voted to order yeas and nays, the Chair counts all Members visible, including those in lobbies and cloakrooms. Volume **VIII**, section **3120**.

While the count of the Speaker in determining whether a requisite number of Members has sustained a demand for the yeas and nays is not subject to verification, and a call for those opposed may not be demanded as a matter of right, in exceptional instances requests for tellers have been entertained. Volume **VIII**, sections **3112**, **3115**.

On a demand for the yeas and nays it is not in order to request a rising vote in the negative and the count of the Chair is not subject to verification. Volume **VIII**, section **3114**.

In ascertaining whether one-fifth of the Members present support a demand for the yeas and nays the Speaker is not required to take a rising vote of those opposing but counts all present. Volume **VIII**, section **3114**.

The Speaker has declined during a call of the yeas and nays to entertain an appeal from his decision that the roll call might not be interrupted. Volume **V**, section **6051**.

After the roll call is completed the Speaker is forbidden to entertain a request to record a vote, unless in a case where a Member's presence has been noted in ascertaining a quorum. Volume **V**, section **6046**.

A Member who is listening when his name should be called and fails to hear it is permitted to vote at the end of the roll call, but under no other circumstances may the Speaker entertain a Member's request to be recorded. Volume **V**, sections **6071**, **6072**.

SPEAKER—Continued.**(63) Duty as to Motions and Votes.—Voting by Yeas and Nays—Continued.**

It is not permissible to entertain the request of a Member to record his vote after he has, on the call of his name, refrained from voting because of a misunderstanding as to a pair. Volume **V**, section **6081**.

The Speaker may not entertain the request of a Member to answer “present” at the conclusion of the roll call provided for by section 1 of Rule XV. Volume **V**, section **6069**.

The Speaker is forbidden to entertain a request for the announcement of a pair at a time other than that in which such announcements are in order. Volume **V**, section **6046**.

A Member may not, as a matter of right, demand a recapitulation of a yea-and-nay vote, but if the vote be close the Speaker usually orders it. Volume **V**, sections **6049**, **6050**.

The fact that a Member responded under an erroneous belief as to a pair does not justify the Speaker in entertaining a request to change the record after a vote is declared. Volume **V**, section **6080**.

The statement that a Member who is alleged to be absent has been recorded as voting should be sustained by undoubted evidence to justify the Chair in ordering the vote stricken off. Volume **V**, section **6096**.

It is the duty of the Speaker to qualify a Member asking to vote at the end of the roll, but it is for the Member and not the Speaker to say whether he was in the Hall and listening and unless he answers categorically in the affirmative he may not vote. Volume **VIII**, section **3139**.

On an uncontradicted assertion that a Member recorded as voting had not been present and had not voted the Chair directed the name to be stricken from the list of those voting. Volume **V**, sections **6097**, **6098**.

A Member having stated on his responsibility that another Member recorded as voting on a preceding day was not then present, the Speaker ordered the correction of the Journal before its approval. Volume **V**, section **6099**.

All requests by Members as to whether recorded or how recorded on a roll call are properly addressed to the Speaker from the floor and not to the clerks at the desk. Volume **VI**, section **194**.

A Member may not, as a right, demand the recapitulation of a yea-and-nay vote, but if the vote is close the Speaker usually orders it. Volume **VIII**, section **3126**.

Recapitulation of a vote is within the discretion of the Speaker and may not be demanded as a matter of right. Volume **VIII**, section **3128**.

The Speaker declined to entertain an appeal from his decision refusing recapitulation of a vote. Volume **VIII**, section **3128**.

(64) Duty as to Motions and Votes.—Voting by Ballot.

The Speaker appointed four tellers to count the ballots for managers of the Johnson impeachment. Volume **III**, section **2417**.

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

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

(65) Duty as to Motions and Votes.—As to Right or Duty of Members to Vote.

The Speaker has no power to compel a Member to vote. Volume **V**, section **5942**.

A point of order being made that a Member was disqualified for voting by a personal interest, the Speaker held that the Chair might not deprive a Member of his constitutional right to represent his constituency. Volume **V**, section **5956**.

SPEAKER—Continued.**(65) Duty as to Motions and Votes.—As to Right or Duty of Members to Vote— Continued.**

In determining whether the personal interest of a Member in the pending question is such as to disqualify him from voting thereon a distinction has been drawn between those affected individually and those affected as a class. The question as to whether a Member's personal interest is such as to disqualify him from voting is a question for the Member himself to decide and the Speaker will not rule against the constitutional right of a Member to represent his constituency. Volume **VIII**, section **3071**.

The Speaker declined to assume the authority to deprive Members present in custody of the Sergeant-at-Arms of the right to vote. Volume **V**, section **5937**.

A bill affecting a particular corporation being before the House, the Speaker held that a Member directly interested in that corporation as a shareholder had no right to vote. Volume **V**, section **5955**.

An instance wherein the Speaker decided that a Member should not vote because of disqualifying personal interest. Volume **V**, section **5958**.

On a motion to discharge a committee for consideration of a resolution affecting the seats of several Members the Chair held that the Members concerned might vote. Volume **V**, section **5960**.

(66) Vote of.

The Speaker is not required to vote unless his vote would be decisive. Volume **VIII**, section **3075**. The Chair may vote to make a tie and so decide the question in the negative as he may vote to break a tie and decide a question in the affirmative. Volume **VIII**, section **3100**.

Recapitulation of a vote by which a bill had been passed by a majority of one having shown the actual vote to be a tie, the Speaker cast the deciding vote. Volume **VIII**, section **3075**.

The Speaker's vote is properly recorded at the end of the roll call. Volume **VIII**, section **3075**.

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

(67) Duties in Relation to Committee of the Whole.

In forming a Committee of the Whole the Speaker leaves the chair after appointing a Chairman to preside. Volume **IV**, section **4704**.

Under the requirements of a special order the Speaker declares the House resolved into Committee of the Whole without action of the House itself at the time. Volume **IV**, section **3214**.

The Speaker recognizes only reports from the Committee of the Whole made by the Chairman thereof. Volume **V**, section **6987**.

Questions of order relating to procedure (as distinguished from cases of disorder or contempt) arising in Committee of the Whole are decided by the Chairman, and the Speaker has declined to consider them. Volume **V**, sections **6927**, **6928**.

The Speaker can not rule in regard to what occurs in Committee of the Whole unless the point of order is reported to the House for decision. Volume **V**, section **6987**.

The Speaker declines to entertain points of order as to conditions alleged to have existed in Committee of the Whole when the report has made no mention thereof. Volume **V**, sections **6932–6937**.

The Speaker cannot review any matter in Committee of the Whole, not even the failure of a quorum, unless it be mentioned in the report to the House. Volume **IV**, section **4914**.

A matter alleged to have arisen in Committee of the Whole but not reported by the Chairman may not be brought to the attention of the House, even on the claim that a question of privilege is involved. Volume **IV**, section **4912**.

SPEAKER—Continued.**(68) Pronounces Adjournments and Recesses.**

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

When the hour previously fixed for an adjournment arrives the Speaker declares the House adjourned. Volume **V**, section **6735**.

When the House adjourns sine die in pursuance of a concurrent resolution of the two Houses the adjournment is pronounced by the Speaker without motion from the floor. Volume **V**, sections **6707, 6708**.

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

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

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

The hour for final adjournment arriving in the midst of a call of the roll the Speaker directed the call to be suspended and declared the House adjourned sine die. Volume **V**, section **6325**.

At the time fixed for adjournment sine die the Speaker has interrupted a roll call, even when its continuance might have passed a resolution extending the session. Volume **V**, sections **6719, 6720**.

The hour fixed for adjournment sine die having arrived the Speaker delivered his valedictory and declared the House adjourned, although no quorum was present. Volume **V**, section **6721**.

The two Houses have the power to provide that their Presiding Officers shall declare an adjournment sine die in case that after a recess a quorum shall be lacking in either House. Volume **V**, section **6686**.

The hour fixed by the rules for a recess having arrived the Speaker declares the House in recess, although less than a quorum may be present. Volume **IV**, section **2965**.

When the hour previously fixed for a recess arrives the Chair declares the House in recess, even in the midst of a division (but not a roll call) or when a quorum is not present. Volume **V**, sections **6665, 6666**.

The hour fixed by special order for a recess having arrived, the Speaker held the House to be in recess although a quorum was not present. Volume **VI**, section **664**.

An instance wherein a recess was taken subject to the call of the Speaker. Volume **VIII**, section **3358**.

In providing for merely formal sessions, the House has authorized the Speaker to designate a date on which the regular routine of the House should be resumed. Volume **VIII**, section **3369**.

(69) Reception and Reference of Messages.

The ceremony of receiving a messenger from the President of the United States in the House. Volume **V**, section **6591**.

Messengers are saluted by the Speaker for the House. Volume **V**, section **6590**.

The Speaker has exercised his discretion about interrupting the pending business to permit the reception of a message. Volume **V**, section **6602**.

As a Committee of the Whole may not receive a message, the Speaker takes the chair informally if a message be received while the committee is sitting. Volume **V**, section **6590**.

A message being announced while the Committee of the Whole is in session, the committee rises informally and the Speaker takes the chair to receive it. Volume **IV**, section **4786**.

Ordinary messages of the President are referred without debate, usually by the Speaker, but sometimes by the House itself. Volume **V**, section **6631**.

SPEAKER—Continued.**(69) Reception and Reference of Messages—Continued.**

A message of the President is usually referred by direction of the Speaker, but a Member may move a reference. Volume **IV**, section **4053**.

While the specific time at which a message shall be laid before the House is within the Speaker's discretion, it may not be deferred to a day subsequent except by order of the House. Volume **VII**, section **1104**.

While bills returned with the President's objections are taken up for consideration on the day received, the time of the day of laying the message before the House is within the discretion of the Speaker. Volume **VII**, section **1100**.

(70) Reception and Reference of Executive Communications.

Executive communications are addressed to the Speaker and are by him referred. Volume **IV**, section **3573**.

The statutes provide that the House or any one of its committees having jurisdiction may transmit a claim to the Court of Claims for a finding of fact, which shall be transmitted to the House through the Speaker. Volume **IV**, section **3303**.

The Speaker may not treat as confidential official communications received from the heads of executive departments. Volume **VI**, section **434**.

Messages from the President are laid before the House on the day on which received at a convenient time within the discretion of the Speaker. Volume **VIII**, section **3341**.

Special messages from the President touching on one subject only are referred ordinarily by the Speaker without motion from the floor. Volume **VIII**, section **3346**.

Messages of the President when not referred on motion from the floor are referred to the appropriate committee by the Speaker. Volume **VIII**, section **3347**.

While the annual message of the President is customarily referred by the House, special messages usually are referred by the Speaker, but it has been held that any Member may object and offer a motion for a different reference. Volume **VIII**, section **3348**.

(71) Disposition of Other Communications to the House.

The Speaker has considered it his duty to present the proper communication of a citizen addressed through him to the House on a public matter. Volume **IV**, section **3319**.

The Speaker often presents, in regular order or by unanimous consent, communications or memorials addressed to the House. Volume **V**, sections **6657–6660**.

Discussion of the duty of a Presiding Officer in relation to the presentation of communications. Volume **IV**, section **3320**.

The House has declared that a communication from person not a Member criticizing words spoken in debate by a Member should not be received. Volume **III**, section **2683**.

A communication from a Member relating to a controversy over a subject before the House was laid before the House by the Speaker by unanimous consent. Volume **V**, section **6655**.

The Speaker laid before the House a letter of explanation from a Senator who was aggrieved by a reference to him personally in a House report. Volume **V**, section **6654**.

The Speaker has considered it his duty to lay before the House a communication from a suspended consul-general who asked an investigation. Volume **III**, section **1749**.

Neither by unanimous consent nor by suspension of the rules was the Speaker allowed to present to the House the report of the peace congress of 1861. Volume **V**, section **6656**.

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

The Clerk while presiding at the organization declined to open a paper addressed to the Speaker, although it was supposed to inclose a missing credential. Volume **I**, section **47**.

The Speaker sometimes by unanimous consent lays before the House invitations to it to participate in public ceremonies. Volume **V**, section **7052**.

Only on special occasions are communications addressed to the Speaker recorded in the Journal. Volume **IV**, section **2835**.

SPEAKER—Continued.**(71) Disposition of Other Communications to the House—Continued.**

The Speaker having made a verbal statement concerning a communication returned by him to the governor of a State, the Journal simply recorded the fact that such a statement was made. Volume **IV**, section **2834**.

(72) Presentation and Reference of Petitions and Memorials.

Petitions, memorials, and other papers addressed to the House may be presented by the Speaker as well as by a Member. Volume **IV**, section **3312**.

The Speaker presents petitions from the country at large in the method prescribed by the rule. Volume **IV**, section **3318**.

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

The Speaker explained to the House that he declined to present a paper, in the nature of a memorial, disrespectful to his office. Volume **IV**, section **3317**.

Instance wherein the Speaker presented a petition in which were preferred charges against a Federal judge. Volume **III**, section **2030**.

An instance wherein impeachment proceedings were set in motion by memorials filed with the Speaker and by him transmitted to a committee of the House. Volume **VI**, section **552**.

A memorial addressed to the Speaker and setting forth charges against a civil officer was referred to the Committee on the Judiciary, which recommended an investigation. Volume **VI**, section **543**.

(73) Duties as to Reference, etc., of Bills and Reports.

The reference of a private bill is indorsed on it by the Member introducing it, while the reference of a public bill is made by the Speaker. Volume **IV**, section **3364**.

Reference of public bills is by the Speaker through the Clerk at the Speaker's table. Volume **VII**, section **1031**.

Discretion of the Speaker in referring to the committees bills on the Speaker's table. Volume **IV**, sections **3107**, **3111**.

Nonprivileged reports are delivered to the Clerk for reference to the calendars under direction of the Speaker. Volume **IV**, section **3116**.

The Speaker makes it his duty, ordinarily, to object to a request for unanimous consent that a bill may be acted on without being read. Volume **IV**, section **3390**. Volume **VII**, section **1054**.

A private bill, reported from a committee not having jurisdiction of the subject, was ordered by the Speaker to be recommitted as a step preliminary to a change of reference. Volume **IV**, section **4392**.

A bill passed notwithstanding the objections of the President is sent by the Presiding Officer in the House which last acts on it to the Secretary of State for preservation. Volume **IV**, section **3524**.

The Speaker being satisfied that a committee had not exceeded its jurisdiction in authorizing a report decided it should be received. Volume **VIII**, section **2224**.

The reference of a bill, or a change in the reference of a bill, by the Speaker does not preclude the point of order, when called up for consideration, that it has been improperly referred. Volume **VII**, section **863**.

The House having agreed to the introduction of a bill after adjournment, the Speaker announced its reference to a committee. Volume **VII**, section **1030**.

The Senate reference of a bill is not considered in determining the committee to which it shall be referred when taken from the Speaker's table for reference in the House. Volume **VII**, section **1033**.

It is the function of the Speaker to enforce the provision of the statutes prescribing forms of bills. Volume **VII**, section **1034**.

There being no question as to the facts affecting the validity of a report the Speaker decided that it should be received. Volume **VII**, section **2311**.

SPEAKER—Continued.**(73) Duties as to Reference, etc., of Bills and Reports—Continued.**

Bills on the wrong calendar may be transferred to the proper calendar as of date of original reference by direction of the Speaker. Volume **VII**, sections **744, 746, 869**.

Bills on the wrong calendar are transferred to the proper calendar by direction of the Speaker without reference to the House. Volume **VIII**, section **2407**.

Bills erroneously referred to calendars are transferred to the proper calendar by direction of the Speaker. Volume **VII**, section **859**.

The Speaker may correct the reference of a bill to the calendars at any time before consideration begins and while the question of consideration is pending. Volume **VI**, section **748**.

A point of order that a resolution was on the wrong calendar being sustained, the Speaker directed the Clerk to refer the resolution to the appropriate calendar. Volume **VIII**, section **2416**.

A bill reported by the Committee of the Whole to be improperly on the Private Calendar was thereupon referred by the Speaker without action on the part of the House to the proper calendar as of the date of original reference. Volume **VIII**, section **2373**.

The right of the Speaker to correct the erroneous reference of bills to the calendars does not apply to references made by the House. Volume **VI**, section **749**.

(74) Duty as to the Journal.

Duties of the Speaker regarding the opening of the session and the reading of the Journal. Volume **II**, section **1310**.

The Speaker's right to examine and correct the Journal after it is made up by the Clerk has always been affirmed. Volume **IV**, sections **2735–2737**.

The only Journal which may be read to the House is one that has been examined and corrected by the Speaker under the rule. Volume **IV**, section **2734**.

The preliminary right of the Speaker to correct the Journal should be exercised before it is read to the House. Volume **IV**, section **2738**.

Discussion of the scope of the Speaker's power to correct the Journal before it is read. Volume **IV**, section **2734**.

The Journal being correct, the Speaker nevertheless entertained a motion to amend it so as to cause it to state what was not the fact, leaving the House to decide on the propriety of the action. Volume **IV**, section **2785**.

The Speaker has ruled out of order a motion to expunge a portion of the Journal. Volume **IV**, sections **2790, 2791**.

(75) Duty and Power as to the Congressional Record.

As a general principle the Speaker has no control over the official record of debates. Volume **V**, section **7017**.

A question as to the authority of the Speaker over the Congressional Record. Volume **V**, section **6984**.

The Speaker supervises the work of the official reporters and stenographers, and may remove for cause. Volume **V**, section **6958**.

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

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

The Speaker has no authority over the Congressional Record, but the House may correct it in any manner it may please. Volume **V**, section **6983**.

The Speaker has no control over the Congressional Record and no authority to censor or exclude speeches of Members. Volume **VIII**, section **3474**.

A resolution to correct the Congressional Record is privileged, and such correction is not within control of the Speaker. Volume **V**, section **7019**.

Words spoken by a Member after he has been called to order may be excluded from the Congressional Record by direction of the Speaker. Volume **V**, sections **6975–6978**.

SPEAKER—Continued.**(75) Duty and Power as to the Congressional Record—Continued.**

It is for the House and not the Chair to decide whether or not a copyrighted article shall be printed in the Congressional Record. Volume **V**, section **6985**.

It has been the practice to allow a Member, with the approval of the Speaker, to revise his remarks in the Record, provided such revision does not affect the remarks of another Member. Volume **V**, section **6971**.

The House and not the Speaker decides whether or not a Member has exceeded the leave given him to print in the Record. Volume **V**, sections **6998–7000**.

It is for the House and not the Speaker to pass on an alleged abuse of the leave to print in the Congressional Record. Volume **V**, section **7012**.

It is for the House and not the Speaker to determine whether matter inserted in the Congressional Record under leave to print is in violation of the rules. Volume **VIII**, section **3475**.

The Speaker may order stricken from the notes of the reporters remarks made by Members who have not been recognized and to whom the Member having the floor has declined to yield. Volume **VIII**, section **3466**.

The Speaker has no authority over the Congressional Record, and it is for the House to say when the rules have been violated and to enforce their observance. Volume **VIII**, section **3483**.

In exceptional instances words flagrantly disorderly have been excluded from the Record by direction of the Speaker. Volume **VIII**, section **3471**.

The House and not the Speaker determines what liberty shall be allowed to a Member who has leave to extend his remarks in the Record. Volume **V**, section **6997**.

(76) As to Entry of Addresses, etc., of, in the Journal.

The address of the Speaker on taking the chair, as well as his remarks on leaving it, is often entered on the Journal without special order (footnote). Volume **II**, section **1362**.

The practice has not been uniform as to the recording of the addresses of Speakers in the Journal. Volume **IV**, section **2851**.

The farewell address of the Speaker appears in full in the Journal. Volume **I**, section **233**.

The remarks of the Speaker announcing the death of John Quincy Adams were printed in full in the Journal by order of the House. Volume **V**, section **7160**.

The Speaker having been ordered by the House to communicate a resolution to the last surviving signer of the Declaration of Independence, laid before the House a copy of the letter, and it was entered in the Journal. Volume **V**, section **7088**.

The Speaker having been directed to communicate with relatives of George Washington concerning the removal of his remains, copies of the correspondence were entered in the Journal without special order. Volume **V**, section **7075**.

(77) Signature of.—To Enrolled Bills. See also “Signing.”

Enrolled bills are signed first by the Speaker, then by the President of the Senate. Volume **IV**, section **3429**.

The House may, by unanimous consent, authorize the Speaker to sign an enrolled bill that is not certified by report of the committee. Volume **IV**, section **3452**.

The Speaker may not sign an enrolled bill in the absence of a quorum. Volume **III**, section **3458**.

The Speaker declines to sign an enrolled bill until a pending motion to reconsider has been disposed of. Volume **V**, section **5705**.

An error having been discovered in an enrolled bill, the House authorized the Speaker to erase his signature, and the error was corrected by a concurrent resolution. Volume **IV**, section **3453**.

By unanimous consent the Speaker, on request of the Senate, was authorized to cancel his signature to an enrolled pension bill, the beneficiary of which was dead. Volume **IV**, sections **3455, 3456**.

SPEAKER—Continued.**(77) Signature of.—To Enrolled Bills—Continued.**

A request of the Senate that the House vacate the signature of the Speaker to an enrolled bill was denied by the House, unanimous consent being refused. Volume **IV**, section **3457**.

(78) Signature of.—To Certificates of Salaries and Mileage.

The Speaker during sessions and the Clerk during recess of Congress certifies to the compensation of Members, and the Speaker certifies as to mileage. Volume **II**, section **1156**.

Certificates of salary and mileage of Members may be signed for the Speaker by a designated employee. Volume **II**, section **1157**.

A certificate issued by the Speaker of the House of Representatives within the meeting of sections 47 and 48 of the Revised Statutes and as such is conclusive upon the accounting officers of the Treasury. Volume **VI**, section **202**.

(79) Signature of.—To Articles, Replication, etc., in an Impeachment.

The article of impeachment in the Peck case was signed by the Speaker and attested by the Clerk. Volume **III**, section **2370**.

The articles in the Blount impeachment were signed by the Speaker and attested by the Clerk. Volume **III**, section **2302**.

The articles impeaching Judge Pickering, with signature of the Speaker and attestation of the Clerk. Volume **III**, section **2328**.

The articles impeaching Judge Humphreys were signed by the Speaker and attested by the Clerk. Volume **III**, section **2390**.

The articles impeaching President Johnson were signed by the Speaker and attested by the Clerk. Volume **III**, section **2420**.

The articles impeaching Secretary Belknap were signed by the Speaker and attested by the Clerk. Volume **III**, section **2449**.

The replication in the Chase impeachment was signed by the Speaker and attested by the Clerk. Volume **III**, section **2352**.

The replication of the House to the plea in Blount's case was signed by the Speaker and attested by the Clerk. Volume **III**, section **2311**.

The replication in the Johnson trial was signed by the Speaker and attested by the Clerk. Volume **III**, section **2432**.

The surrejoinder of the House of Representatives in the Belknap trial was signed by the Speaker and attested by the Clerk. Volume **III**, section **2455**.

(80) Signature of.—To Subpoenas, Writs, Warrants, etc.

The Speaker signs all acts, addresses, writs, warrants, and subpoenas. Volume **II**, section **1313**.

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

Instance wherein witnesses in a contested election case were to be summoned by subpoenas issued by the Speaker. Volume **I**, section **598**.

The Speaker may be authorized and directed to issue subpoenas during a recess of Congress. Volume **III**, section **1806**.

By concurrent resolution the two Houses empowered the Vice-President and Speaker to sign subpoenas during a recess of Congress. Volume **III**, section **1763**.

An investigating committee being empowered to sit during recess, the Speaker was authorized and directed to sign subpoenas as during a session. Volume **III**, section **1753**.

The Speaker has authority to issue a warrant of arrest only by order of the House. Volume **I**, section **287**.

Instance wherein the House authorized the Speaker to issue warrant for the arrest of absentees. Volume **VI**, section **638**.

By direction of the House, the Speaker issued and the Sergeant-at-Arms served a warrant for the arrest of a person charged with contempt of the House. Volume **VI**, section **532**.

SPEAKER—Continued.**(81) Signature of.—In Certifying Cases of Contumacious Witnesses to the Courts, etc.**

The statutes provide that the fact of a witness's contumacy shall be certified by the Speaker under seal of the House to the district attorney of the District of Columbia. Volume **III**, section **1769**.

A witnesses having declined to answer a pertinent question before a committee charged with an investigation, the House Directed the Speaker to certify that fact to the United States District Attorney. Volume **VI**, section **385**.

The Speaker, without order of the House and under the law, certifies the Case of a contumacious witness to the district attorney, but the Journal may contain no record of his act. Volume **III**, section **1691**.

The Journal did not record the Speaker's act in certifying the Wolcott case to the district attorney. Volume **III**, section **1672**.

Although the House imprisoned Wolcott for contempt, the Speaker also certified the case to the district attorney in pursuance of law. Volume **III**, section **1672**.

An instance wherein the Speaker announced that he had certified to the district attorney the case of a contumacious witness. Volume **III**, section **1686**.

The Journal contains no reference to the act of the Speaker in certifying the case of the witness Kilbourn to the district attorney. Volume **II**, section **1609**.

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

(82) Administers Censure by Direction of the House.

The Speaker may not pronounce censure except by order of the House. Volume **VI**, section **237**.

Form of censure administered by the Speaker to a Member by order of the House. Volume **II**, section **1259**, Volume **VI**, section **236**.

For attempting to bribe a Member John Anderson was censured by the Speaker at the bar of the House. Volume **II**, section **1606**.

The Committee of the Whole having reported language alleged to be unparliamentary, a resolution of censure was held to be in order without a prior decision of the Speaker that the words were in fact out of order. Volume **II**, section **1259**.

Censure inflicted by the Speaker on a citizen and his apology to the House appear in full in the Journal. Volume **VI**, section **333**.

The Speaker having, by order of the House, censured a Member, the words of censure were spread on the Journal. Volume **II**, sections **1249**, **1251**. Volume **VI**, section **236**.

A Member having been subjected to censure, the Speaker, after deliberation, laid before the House a letter of explanation and apology from the Member. Volume **VI**, section **236**.

(83) Duty as to Vacancies in Membership.

An inquiry of the Clerk having elicited from the State executive the fact that a Member had resigned, the Speaker directed his name to be stricken from the roll. Volume **II**, section **1209**.

A seat being declared vacant, the House directed the Speaker to notify the executive of the State. Volume **I**, section **824**.

A seat being declared vacant, the Speaker was directed to inform the executive of the State. Volume **I**, section **709**.

When received, a resignation is laid before the House by the Speaker and no action by the House is required. Volume **VI**, section **226**.

(84) Executive Duties as to the Hall.—Control of Corridors and Rooms.

The Speaker has general control of the hall, corridors, and unappropriated rooms in the House of the Capitol. Volume **II**, section **1354**. Volume **VI**, section **261**.

SPEAKER—Continued.**(84) Executive Duties as to the Hall.—Control of Corridors and Rooms—Continued.**

The control of the Speaker extends only to the “unappropriated rooms” of the House Wing, and the House itself controls the disposition of the other rooms. Volume **V**, sections **7273–7281**. Instance wherein the Speaker directed the removal of a placard posted in the lobby of the House. Volume **VI**, section **262**.

(85) Executive Duties as to the Hall.—Use of the Galleries.

A portion of the east gallery is assigned to the use of families of Members, the Speaker issuing a card to each Member for his family and visitors. Volume **V**, section **7302**.

The Speaker controls one bench in the gallery assigned to the families of Members. Volume **V**, section **7302**.

The Speaker is required to set aside a portion of the west gallery for persons admitted on the cards of Members. Volume **V**, section **7302**.

The Speaker is required to set aside a portion of the west gallery for the use of the President, members of his Cabinet, justices of the Supreme Court, and foreign ministers and suites and their respective families. Volume **V**, section **7302**.

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

In the absence of the customary resolution relating to disposition of the galleries during the electoral count, the usual reservations were made by the direction of the Speaker. Volume **VI**, section **443**.

(86) Executive Duties as to the Hall.—Care of the House Wing and Grounds.

The care, preservation, and orderly keeping of the House Wing of the Capitol devolve on the Superintendent under regulations prescribed by the Speaker. Volume **V**, section **7312**.

The electrician and laborers connected with the lighting, heating, and ventilating of the House are under direction of the Superintendent, subject to the control of the Speaker. Volume **V**, section **7312**.

The Speaker and President of the Senate have discretion as to the use of the Capitol grounds for processions, assemblies, music, and speeches on occasions of national interest. Volume **V**, section **7312**.

(87) Executive Duties as to the Hall.—Enforcement of the Rule as to Privilege of the Floor.

The Speaker is forbidden to entertain a request for suspension of the rule relating to the privilege of the floor. Volume **V**, section **7283**. Volume **VIII**, section **3634**.

The rule forbidding the Speaker to entertain requests for the suspension of the rule relating to admission to the floor is held to apply also to the chairman of the Committee of the Whole. Volume **V**, section **7285**.

It being alleged that an ex-Member was violating the privileges of the floor, the Speaker declared it a matter for the House and not the Chair to consider. Volume **V**, section **7286**.

An ex-Member who was abusing the privileges of the floor was excluded by direction of the Speaker. Volume **V**, section **7288**.

Rigid enforcement of the rule forbidding requests for extension of the privileges of the floor. Volume **V**, section **7284**.

(88) Executive Duties as to the Hall.—Admission of Representatives of the Press.

Stenographers and reporters other than the official reporters are admitted by the Speaker to the gallery over the Speaker’s chair under such regulations as he may prescribe. Volume **V**, section **7304**.

Representatives of certain specified new associations are admitted to the floor of the House under regulations prescribed by the Speaker. Volume **V**, section **7304**. Volume **VIII**, section **3642**.

SPEAKER—Continued.**(88) Executive Duties as to the Hall.—Admission of Representatives of the Press—Continued.**

Representatives of the press have been admitted by permission of the Speaker. Volume **V**, sections **7305–7310**.

Supervision of the press gallery, including designation of its employees, is vested in the standing committee of correspondents, subject to the direction and control of the Speaker. Volume **VIII**, section **3642**.

(89) Status at Joint Meetings of the Two Houses, etc.

In the electoral count of 1817 the Speaker presided with the President of the Senate and ruled on a proposition made by a Member of the House. Volume **III**, section **1935**.

In early years the President made a speech to the Congress, and the House attended the Speaker in presenting the address in reply. Volume **II**, section **1139**.

Method of examining witnesses through the Speaker in a contempt case tried at the bar of the House in 1795. Volume **II**, section **1602**.

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

Where a motion not in order under the rules is made without objection and agreed to by the House by major vote the action is binding on the House and the Speaker. Volume **IV**, section **3177**.

A Member may not present as involving a question of personal privilege a newspaper criticism of his relations with other Members or the Speaker. Volume **III**, section **2695**.

At the electoral count of 1821 the Speaker was made, so far as the action of the House could control, Presiding Officer of the House portion of the joint meeting, and he did in fact so preside. Volume **III**, section **1937**.

Mr. Speaker Colfax presided with the President pro tempore at the electoral count of 1869, although he was ascertained by that count to be the Vice-President-elect. Volume **III**, section **1950**.

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

At the presentation of the articles impeaching President Johnson the Speaker was, by order of the Senate, escorted to a seat beside the President pro tempore. Volume **III**, section **2420**.

In response to the President's annual speech the Speaker, attended by the House, used to deliver an address. Volume **V**, section **6629**.

(90) Thanks to.

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

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

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

(91) In general.

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

The rules require Members to address themselves to "Mr. Speaker" only, and it is a breach of parliamentary law for Members to preface remarks by addressing themselves to "Gentlemen of the House," "Ladies and gentlemen," etc. Volume **VI**, section **285**.

The seal of the House is in control of the House rather than of the Speaker. Volume **I**, section **256**.

A newspaper charge that a Member had been influenced in his action as a Representative by the Speaker was held to involve a question of privilege. Volume **III**, section **2694**.

SPEAKER—Continued.**(91) In General—Continued.**

Before rules are adopted the House is governed by general parliamentary law, but the Speakers have been inclined to give weight to the precedents of the House in modifying the usual constructions of that law. Volume **V**, sections **6758–6760**. Volume **VIII**, sections **3384, 3386**. Before the adoption of rules the Speaker has declined to record the vote of a Member who failed to qualify as being in the Hall and listening when his name was called. Volume **VIII**, section **3386**.

The Speaker held it his duty to proceed in accordance with the mandatory provision of a law in the enactment of which the then existing House had concurred. Volume **II**, section **1341**.

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

The Clerk, presiding during organization, declined to put a question, whereupon a Member-elect put the question from the floor. Volume **I**, section **67**.

The Speaker being absent at adjournment sine die, the House transmitted to him a resolution of sympathy. Volume **VIII**, section **3513**.

An instance wherein the House extended felicitations to a former Speaker. Volume **VIII**, section **3515**.

Proceedings on the occasion of the birthday of a former Speaker. Volume **VIII**, section **3514**.

In 1910 provision was made by resolution for the painting of portraits of all former speakers of whom no acceptance portrait was in possession of the House. Volume **VIII**, section **3530**.

Under the later practice portraits of the Speakers are painted by order of the House in the course of their incumbency and are hung without ceremony. Volume **VIII**, section **3530**.

SPEAKER PRO TEMPORE.

(1) **Nature of the office.—In general.**

(2) **Nature of the office.—As to oath of.**

(3) **Nature of the office.—As to authority to appoint committees.**

(3) **Nature of the office.—Authority to sign enrolled bills.**

(5) **In general.**

(6) **Election of.**

(7) **Designation of.**

(8) **Notification of Senate and President of the election of.**

(9) **Members of minority party as.**

(10) **When a question involves the personal interest of the Speaker.**

(1) Nature of the Office.—In General.

A Speaker pro tempore is appointed by the Speaker or elected by the House. Volume **II**, section **1377**. Volume **VI**, section **263**.

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

As to the competency of a Speaker pro tempore to administer the oath to Members. Volume **I**, section **170**.

There may be a call of the House with a Speaker pro tempore in the chair. Volume **IV**, section **2989**.

Instance wherein the Speaker pro tempore administered the oath to a Member. Volume **VI**, section **20**.

Under a call of House warrants for the arrest of Members may be issued by the Speaker pro tempore. Volume **VI**, section **688**.

SPEAKER PRO TEMPORE—Continued.**(2) Nature of the Office.—As to Oath of.**

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

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

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

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

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

(3) Nature of the Office.—As to Authority to Appoint Committees.

A Member called to the chair by the Speaker was permitted to appoint a committee by a vote of the House. Volume **II**, section **1360**.

A Member called to the chair to preside temporarily was given special authority by the House to appoint a committee. Volume **II**, section **1365**.

A Speaker pro tempore by designation merely asks consent of the House before appointing committees. Volume **II**, section **1395**.

A Speaker pro tempore by designation merely asks consent of the House before appointing conferees. Volume **II**, sections **1396–1398**.

A Speaker pro tempore whose designation has received the approval of the House appoints committees. Volume **II**, section **1404**.

A Member called to the Chair during the day's sitting does not sign enrolled bills or appoint committees. Volume **VI**, section **276**.

(4) Nature of the Office.—Authority to Sign Enrolled Bills.

A Member called to the chair during the day's sitting does not sign enrolled bills. Volume **II**, sections **1399, 1400**. Volume **VI**, section **276**.

There being doubt about the signing of enrolled bills by a Speaker pro tempore designated by the Speaker, the House proceeded to elect. Volume **II**, section **1401**.

A Speaker pro tempore whose designation has received the approval of the House signs enrolled bills. Volume **II**, section **1404**. Volume **VI**, section **277**.

The House approved the designation of a Speaker pro tempore as a prerequisite to his signing enrolled bills. Volume **VI**, section **278**.

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

The Senate by rule empowers a Presiding Officer by designation to sign enrolled bills. Volume **II**, section **1403**.

(5) In General.

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

Discussion of a proposition to elect a Speaker pro tempore for the period of organization before the election of a regular Speaker (footnote). Volume **I**, section **223**.

Recently it has been the general, though not the universal practice, to designate as Speaker pro tempore during eulogies on a deceased Member, the dean of the State delegation regardless of party affiliation. Volume **VI**, section **265**.

Women presiding in the House or in the Committee of the Whole are properly addressed as "Madam Speaker" and "Madam Chairman" respectively. Volume **VI**, section **284**.

(6) Election of.

For an absence extending over a number of days it was considered expedient to elect a Speaker pro tempore. Volume **VI**, section **275**.

Form of resolution naming a Speaker pro tempore. Volume **VI**, section **268**.

When the Speaker is absent at the beginning of a session the House may adjourn or elect a Speaker pro tempore. Volume **I**, section **227**.

SPEAKER PRO TEMPORE—Continued.**(6) Election of**—Continued.

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

A Speaker pro tempore is sometimes elected for a temporary absence of the Speaker within the legislative day. Volume **II**, section **1380**.

The Speaker pro tempore whom the House had just elected not being present, the Clerk held that the motion to adjourn was not business, and, under the circumstances, was the only motion in order. Volume **I**, section **228**.

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

(7) Designation of.

Form and history of Rule I, Section 7, the rule relating to the Speaker's appointment of a Speaker pro tempore. Volume **VI**, section **263**.

Instance wherein the House authorized the Speaker to designate a Speaker pro tempore for a term extending beyond the time provided by the rules. Volume **VI**, section **280**.

The House having agreed to an order for formal sessions on two days only of each week over an extended period, authorized the Speaker to appoint Speakers pro tempore at will during that time. Volume **VI**, section **267**.

For an absence extending beyond the legislative day and not caused by illness the Speaker may designate a Speaker pro tempore only with consent of the House. Volume **II**, section **1381**.

The Speaker does not always name in open House the Member whom he calls to the chair temporarily during the day's sitting. Volume **II**, section **1379**.

A Speaker about to be absent sometimes obtains the consent of the House to name a Speaker pro tempore. Volume **II**, sections **1390–1393**. Volume **VI**, sections **266, 277**.

Form of Speaker's designation of a Speaker pro tempore. Volume **II**, sections **1378, 1401**. Volume **VI**, sections **269, 272**.

Form of resolution approving designation of Speaker pro tempore. Volume **VI**, section **278**.

Form of resolution approving designation of Speaker pro tempore and authorizing him to sign enrolled bills and appoint committees. Volume **VI**, section **272**.

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

A Speaker pro tempore sometimes designates another Speaker pro tempore. Volume **II**, section **1384**. Volume **VI**, section **275**.

In the Senate a temporary President pro tempore sometimes designates another. Volume **II**, section **1385**.

Calling a Member to the chair, Mr. Speaker Colfax offered from the floor a resolution for the expulsion of a Member. Volume **II**, section **1253**.

Where the Speaker names a Member to preside during the remainder of a day's sitting the Journal properly records the fact. Volume **IV**, sections **2849, 2850**.

The President pro tempore of the Senate has general power to designate in writing a Senator to perform the duties of the Chair during his absence. Volume **II**, section **1413**.

In the Senate the process of designating a President pro tempore for the day's sitting has been the subject of much discussion. Volume **II**, sections **1414–1416**.

(8) Notification of Senate and President of the Election of.

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

When the House elects a Speaker pro tempore for any considerable time it is usual to notify the Senate, and sometimes the President of the United States also. Volume **II**, sections **1406–1412**.

SPEAKER PRO TEMPORE—Continued.**(8) Notification of Senate and President of the Election of**—Continued.

It is proper to inform the Senate of the election of a Speaker pro tempore. Volume **II**, sections **1386, 1389**.

A Speaker pro tempore being elected by the House, the Senate is notified. Volume **II**, section **1405**.

The House having approved the designation of a Speaker pro tempore, the Speaker directed the Clerk to notify the President and the Senate. Volume **VI**, sections **226, 277**.

The President and the Senate were informed of the election of a Speaker pro tempore. Volume **VI**, sections **375, 280**.

(9) Members of Minority Party as.

In rare instances Members of the minority party have been called to the chair by the Speaker. Volume **II**, sections **1286, 1363**. Volume **III**, section **2596**.

In rare instances in the later practice Members of the minority party have been called to preside in the Committee of the Whole or as Speakers pro tempore. Volume **II**, section **1382**.

In the earlier practice a Member of the minority party was sometimes named as Speaker pro tempore. Volume **II**, sections **1390, 1391**.

Instance wherein a Member of the minority party was designated as Speaker pro tempore for an occasion of ceremony. Volume **II**, section **1383**.

A Member of the minority party is sometimes designated as Speaker pro tempore on formal occasions. Volume **VI**, section **270**.

(10) When a Question Involves the Personal Interest of the Speaker.

The Speaker leaves the chair during the transaction of any business concerning himself, even the reference of a paper. Volume **II**, section **1359**.

The Speaker called a Member to the chair during consideration of a resolution criticizing his official conduct. Volume **VI**, section **565**.

A matter concerning himself being before the House, the Speaker called a Member to the chair. Volume **II**, section **1360**.

Charges being made against the Speaker he called a Member of the minority party to the chair during their consideration. Volume **II**, section **1363**.

The Speaker being implicated by certain charges, a Speaker pro tempore selected from the minority party was empowered to appoint a committee of investigation. Volume **II**, section **1286**.

A select committee being authorized to investigate the conduct of the Speaker, they were appointed by the Member called to the chair as Speaker pro tempore. Volume **II**, section **1364**.

A newspaper having made certain charges against the official character of the Speaker, he called a Member to the chair and moved an investigation, which was voted. Volume **II**, section **1364**.

When the House was considering a resolution censuring a Member for an alleged insult to the Speaker the Speaker called another Member to the chair. Volume **II**, section **1248**.

The Speaker of the House, being the Vice-President-elect, called a Member to the chair during discussion of a question relating the electoral count. Volume **II**, section **1365**.

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

An amendment to the Journal disapproving a ruling of the Speaker was held out of order without question as to the propriety of calling another to the chair. Volume **IV**, section **2848**.

SPEAKER'S TABLE**(1) Rule for disposal of business on.****(2) Conditions of direct action on a Senate bill from.****(3) Disposal of House bills with Senate amendments involving charge on the Treasury, etc. See also "Amendments, Senate."****(1) Rule for Disposal of Business on.**

Discussion with reference to the "Speaker's table." Volume **VIII**, section **2610**.

The rule governing the disposition of business on the Speaker's table. Volume **IV**, section **3089**. Messages from the President and communications from the heads of Departments and from other sources are referred from the Speaker's table. Volume **IV**, section **3089**.

History of practice of the House as to disposition of business on the Speaker's table. Volume **IV**, section **3090**.

Messages and bills from the Senate are either referred from the Speaker's table or placed before the House directly. Volume **IV**, section **3089**.

Discretion of the Speaker in referring to the committees bills on the Speaker's table. Volume **IV**, sections **3107**, **3111**.

If a Senate bill be such as to require consideration Committee of the Whole it may not be taken from the Speaker's table for direct action of the House. Volume **IV**, section **3101**.

It is not in order to discharge a committee from consideration of a bill and return the bill to the Speaker's table. Volume **VII**, section **1818**.

Bills received from the Senate go the Speaker's table, from which they are referred to appropriate committees by the Speaker unless sooner called up for consideration under the rules. Volume **VI**, section **727**.

While it is the practice to refer promptly bills messaged over from the Senate, it has been held that the rule requiring reference is merely directory and not mandatory and that the length of times such bills may remain on the Speaker's table before being referred is within the Speaker's direction. Volume **VI**, section **727**.

An exceptional instance wherein a bill messaged from the Senate was retained on the Speaker's table for a period of 10 months. Volume **VI**, section **727**.

(2) Conditions of Direct Action of a Senate Bill From.

A Senate bill received in the House after a House bill substantially the same has been reported and placed on the House Calendar is privileged and may be called up from the Speaker's table for consideration by the committee having jurisdiction of the House bill. Volume **VI**, section **727**.

The three conditions needed in order that a Senate bill on the Speaker's table may be taken up for direct action by the House. Volume **IV**, section **3098**. Volume **VI**, section **734**.

Form of special order for taking Senate bill from Speaker's table and considering House bill in lieu thereof in Committee of the Whole. Volume **VII**, section **800**.

Procedure in the consideration of Senate bills called up from the Speaker's table under the rule. Volume **VI**, section **738**.

A Senate bill in order to be brought up directly from the Speaker's table must have come to the House after and not before a House bill substantially the same has been placed on the House Calendar. Volume **IV**, section **3096**. Volume **VI**, section **738**.

In order for a Senate bill to brought up directly from the Speaker's table, the House bill to which it is similar be on the House Calendar. Volume **VI**, section **736**.

In order to acquire privilege under the rule a Senate bill must have been messaged to the House after the House bill of similar tenor has been reported and it is not sufficient that the Senate bill was referred from the Speaker's table after the House bill was reported. Volume **VI**, section **727**.

SPEAKER'S TABLE—Continued.**(2) Conditions of Direct Action on a Senate Bill From**—Continued.

Interpretation of the words “substantially the same” as used in the rule providing for calling a Senate bill from the Speaker’s table for immediate consideration. Volume **IV**, section **3099**. Volume **VI**, section **734**.

In determining the degree of similarity of a Senate bill on the Speaker’s table to a House bill already reported, the Chair considers the House bill as reported by the committee and not as originally introduced. Volume **VI**, section **734**.

The fact that a House bill substantially the same as a Senate bill on the Speaker’s table has passed the House and gone to the Senate does not detract from the privilege of the Senate bill under the rule. Volume **VI**, section **734**.

In determining whether a House bill is substantially the same as a Senate bill on the Speaker’s table, amendments recommended by the committee of the House are considered. Volume **VI**, section **736**.

In ascertaining whether a Senate bill proposed to be taken from the Speaker’s table was sufficiently similar to a House bill already on the calendar, a bill limiting certain banks to loans of \$15,000 was deemed not substantially the same as a bill limiting such banks to loans of \$25,000. Volume **VI**, section **737**.

In order to render them privileged, action in calling up Senate bills from the Speaker’s table for direct action by the House must be authorized by the standing committee having jurisdiction. Volume **VI**, section **739**.

A Senate concurrent resolution substantially the same as a House bill on the House Calendar may be taken from the Speaker’s table for consideration. Volume **IV**, section **3097**.

Although a committee must authorize the calling up of a Senate bill directly from the Speaker’s table, the actual motion need not be made by one of the committee. Volume **IV**, section **3100**.

The rule providing for consideration of Senate bills on the Speaker’s table applies to private as well as public bills. Volume **IV**, section **3101**.

A point of order against taking from the Speaker’s table a Senate bill substantially the same as a House bill already reported favorably and on the House Calendar, comes too late after actual consideration has begun. Volume **VIII**, section **2438**.

The question of consideration may not be raised on a motion to take from the Speaker’s table Senate bills substantially the same as House bills already favorably reported and on the House Calendar. Volume **VIII**, section **2443**.

A bill messaged from the Senate to the House having been retained on the Speaker’s table indefinitely without reference to a committee of the House, the Senate declined to act on a resolution proposing investigation of the delay. Volume **VI**, section **727**.

(3) Disposal of House Bills with Senate Amendments Involving Charge on the Treasury, etc.
See also “Amendments, Senate.”

A House bill with Senate amendments requiring consideration in Committee of the Whole should be referred from the Speaker’s table to the proper standing committee under the rules. Volume **IV**, sections **3106**, **3107**.

A House bill returned with Senate amendments involving a new matter of appropriation, whether with or without a request for a conference, is referred directly to a standing committee, and on being reported therefrom is referred to the Committee of the Whole. Volume **IV**, sections **3108–3110**.

The point being made and sustained that a Senate amendment to a House bill must be considered in Committee of the Whole, the bill is referred directly from the Speaker’s table to the standing committee having jurisdiction. Volume **IV**, sections **3094–3095**.

Instance wherein a House bill returned from the Senate with amendments was taken from the Speaker’s table and sent to conference on one motion through the medium of a special order. Volume **V**, section **6405**.

SPEARS.

The Alabama election case of *Spears v. Burnett* in the Fifty-seventh Congress. Volume **II**, section **1119**.

SPECIAL ORDERS.

- (1) **Origin and uses of.**
- (2) **Forms of.—Providing for consideration of House bills in Committee of the Whole.**
- (3) **Forms of.—Relating to Senate amendments and conference reports.**
- (4) **Forms of.—Relating to Senate bills.**
- (5) **Forms of.—Relating to points of order, amendments, etc.**
- (6) **Forms of.—Relating to tariff and general appropriation bills.**
- (7) **Forms of.—General.**
- (8) **Making of.—General principles as to.**
- (9) **Making of.—By unanimous consent or suspension of the rules.**
- (10) **Making of.—Through action of Committee on Rules.**
- (11) **Making of.—By discharge of Committee on Rules. See also “Discharge.”**
- (12) **Making of.—Before the adoption of rules.**
- (13) **Precedence of.—In general.**
- (14) **Precedence of.—As related to other special orders.**
- (15) **As related to questions of privilege.**
- (16) **As related to the question of consideration.**
- (17) **Previous question ordered by the terms of.**
- (18) **As affecting resolving into Committee of the Whole and rising of committee.**
- (19) **As affecting consideration in Committee of the Whole.**
- (20) **As affecting business on Monday, Wednesday, and Friday.**
- (21) **Effect and Interpretation of.—As related to amendments.**
- (22) **Effect and Interpretation of.—As related to time of sitting and debate.**
- (23) **Effect and Interpretation of.—Miscellaneous.**
- (24) **In relation to motions to postpone, rescind, recommit, etc.**
- (25) **In general.**

(1) Origin and Uses of.

Tabulation, by sessions, of number of special orders providing for consideration of business, adopted since the Sixtieth Congress. Volume **VII**, section **762**.

In 1832 the pressure of business began to bring into use the request for unanimous consent and the special order. Volume **IV**, sections **3155–3159**.

Discussion of the purpose of using special orders by the majority side of the House. Volume **IV**, section **3265**.

Discussion as to the distinction between a special order and a standing order. Volume **V**, section **5323**.

The privilege conferred on a bill by a special rule making in order a motion to resolve into the Committee of the Whole for its consideration is equivalent to that enjoyed by revenue and appropriation bills under clause 9 of Rule XVI. Volume **VIII**, section **2259**.

A special rule providing for the consideration of a bill is not invalidated by the fact that at the time the rule was reported the bill was not on the calendar. Volume **VIII**, section **2259**.

An instance in which a bill was considered in the House under the provisions of a special order without having been reported by a standing committee. Volume **VIII**, section **2996**.

A exceptional instance in which bills relating to the same subject and proposing the enactment of conflicting provisions of law were reported simultaneously with favorable recommendation, followed by announcement in reporting of a rule providing for their consideration that it was not to be taken as a precedent. Volume **VI**, section **575**.

Special orders are often used to further the consideration of business by preventing dilatory motions, and in such cases the Chair has exercised discretion as to entertaining motions to adjourn, for a recess, and appeals. Volume **IV**, sections **3210–3213**.

SPECIAL ORDERS—Continued.**(1) Origin and Uses of**—Continued.

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

A special order may provide that all points of order against a proposition be considered as waived. Volume **VII**, section **769**.

A special order may provide that certain enumerated and described amendments shall be offered to a bill, and thereby exclude amendments to these amendments or other amendments. Volume **IV**, sections **3204**, **3205**.

An example of a special order which provided for fixing a ratio number by specifying a series of numbers which might be offered successively as amendments. Volume **IV**, section **3204**.

Instance wherein a House bill returned from the Senate with amendments was taken from the Speaker's table and sent to conference on one motion through the medium of a special order. Volume **V**, section **6405**.

In the House the discharge of conferees from the subject committed to them is effected by an order reported from the Committee on Rules and agreed to by the House. Volume **V**, section **6526**. Jurisdiction and functions denied a committee under the rules may be conferred by special order. Volume **VII**, section **780**.

The House by special order provided for election of House members of a joint select committee previously authorized by law. Volume **VI**, section **371**.

Instance wherein a bill with Senate amendments was taken from the Speaker's table and the Senate amendment agreed to by resolution from the Committee on Rules. Volume **VIII**, section **3149**.

Instance wherein a conference report rejected on a point of order was considered under a special order from the Committee on Rules. Volume **VIII**, sections **3258**, **3270**.

(2) Forms of.—Providing for Consideration of House Bills in Committee of the Whole.

Form of special order for consideration of a bill in Committee of the Whole and in the House, with provisions for daily recess and evening sessions. Volume **VII**, section **816**.

Form of special order for considering a class of bills in Committee of the Whole, with a limit of debate for each bill. Volume **IV**, section **3237**.

Form of special order providing for the consideration successively of certain joint resolutions in Committee of the Whole. Volume **VII**, section **815**.

Form of special order for the consideration, successively, of a number of bills in designated order in Committee of the Whole and in the House, excepting days set apart by the rules for certain classes of business and providing against interference with other business privileged under the rules. Volume **VII**, section **817**.

Form of special order authorizing the motion to resolve into Committee of the Whole for consideration of a bill, with provision for termination of consideration on a day certain. Volume **VII**, section **812**.

Form of special order resolving the House automatically into the Committee of the Whole for the consideration of a bill. Volume **VII**, section **806**.

Form of special order for resolving automatically into Committee of the Whole for consideration of a bill with the usual provisions as to limit and control of debate. Volume **VII**, section **805**.

Form of special order authorizing motion to resolve into Committee of the Whole for the consideration of a bill with the usual provisions, for limitations on debate, control of time, and disposition in the House. Volume **VII**, section **797**.

Form of special order limiting the time of consideration of a bill in Committee of the Whole and in the House. Volume **IV**, section **3229**.

Form of special order for consideration of a bill in Committee of the Whole, providing for hour at which House shall meet during consideration. Volume **VII**, section **809**.

SPECIAL ORDERS—Continued.**(2) Forms of.—Providing for Consideration of House Bills in Committee of the Whole—**
Continued.

Form of special order for considering a bill in Committee of the Whole with provision for a report and action in the House at a certain time. Volume **IV**, sections **3238–3241**.

Form of special order making it in order to consider in the Committee of the Whole a bill on the House Calendar. Volume **VII**, section **811**.

Form of special order providing for the consideration, within certain limits of time, of a substitute in lieu of a pending bill, in the Committee of the Whole in the House. Volume **VII**, section **810**.

(3) Forms of.—Relating to Senate Amendments and Conference Reports.

Example of special order for disposition of Senate amendments. Volume **IV**, section **3250**.

Form of special order providing for summary agreement to Senate amendment. Volume **VII**, section **33149**.

Form of special order authorizing a motion to consider Senate amendments in Committee of the Whole. Volume **VII**, section **825**.

Form of special order discharging committee from consideration of House bill with Senate amendments and providing for consideration in Committee of the Whole. Volume **VII**, section **819**.

Form of special order for considering numerous Senate amendments to a House bill without permitting debate and a vote on each separate amendment, and for asking a conference at the same time. Volume **IV**, sections **3243–3249**.

Forms of special order making in order a motion to take from the Speaker's table and send to conference bill with Senate amendments. Volume **VII**, section **822**.

Form of special order taking from the Speaker's table and sending to conference a House bill with Senate amendments. Volume **VII**, section **826**.

Form of special order discharging committee from consideration of bill with Senate amendments and providing for conference. Volume **VII**, sections **820, 821**.

Form of a special order reported from the Committee on Rules providing for consideration of a resolution instructing conferees. Volume **VIII**, section **3345**.

Form of resolution for consideration of conference report invalidated on point of order. Volume **VIII**, section **3270**.

Form of special order providing for consideration of two conference reports as one report. Volume **VII**, section **775**.

Form of special order for discharging managers of a conference and disposing of amendments in dispute. Volume **V**, section **6526**.

(4) Forms of.—Relating to Senate Bills.

Form of special order for amending a Senate bill and asking a conference with the Senate thereon. Volume **IV**, section **3242**.

Form of special order for considering a Senate bill in the Committee of the Whole making in order House committee amendments and providing for separate vote on each. Volume **VII**, section **799**.

Form of special order for taking Senate bill from Speaker's table and considering House bill in lieu thereof in Committee of the Whole. Volume **VII**, section **800**.

Form of special order for consideration of committee amendments to a Senate bill on the House Calendar. Volume **VII**, section **801**.

Form of special order for consideration of a House bill with provision for substitution of Senate bill in Committee of the Whole. Volume **VII**, section **843**.

(5) Forms of.—Relating to Points of Order, Amendments, etc.

Form of special order authorizing consideration of a bill in Committee of the Whole without intervention of points of order either against provisions of the original bill or certain amendments recommended by the committee reporting the bill. Volume **VII**, section **832**.

SPECIAL ORDERS—Continued.**(5) Forms of.—Relating to Points of Order, Amendments, etc.—Continued.**

- Form of special order for considering a bill in Committee of the Whole, with clause exempting provisions from points of order. Volume **VII**, section **813**.
- Form of special rule making in order all provisions of a bill pending in the House, and all portions of the bill as reported and previously stricken out on points of order. Volume **VII**, section **814**.
- Form of special order authorizing consideration of amendments not otherwise in order. Volume **VII**, section **831**.
- Form of special order for consideration of an omnibus claims bill in the House and in Committee of the Whole, with arrangement for purging the bill of unauthorized items. Volume **IV**, section **3251**.
- Forms of special orders for limiting the time of consideration of a bill in the House and restricting amendments. Volume **IV**, sections **3231–3236**.
- Form of special order providing for consideration of House substitute for Senate bill regardless of the rule requiring germaneness. Volume **VII**, section **803**.
- Form of special order for consideration of a resolution and report thereon in Committee of the Whole with provisions for vote on a substitute. Volume **VII**, section **802**.
- Form of rule authorizing Members to demand a separate vote on each amendment recommended by the Committee of the Whole. Volume **VII**, section **803**.
- Form of special order providing for suspension of rules on other than a suspension day. Volume **VII**, section **833**.
- Form of resolution making in order motions to suspend the rules during the remainder of a session. Volume **VII**, section **836**.
- Example of special order providing for temporary modification of a rule. Volume **VII**, section **835**.

(6) Forms of.—Relating to Tariff and General Appropriation Bills.

- Form of rule providing for consideration of a general tariff bill. Volume **VII**, section **794**.
- Forms of special orders for considering in Committee of the Whole and the House, within certain limits of time a general tariff bill. Volume **IV**, sections **3258, 3259**.
- Form of rule utilized in expediting consideration of a general tariff bill. Volume **VII**, section **775**.
- Forms of special order for considering in the Committee of the Whole and the House, within certain limits of time, a general tariff bill. Volume **VII**, section **829**.
- Forms of special orders authorizing legislative provisions appropriation bills. Volume **IV**, sections **3260–3263**.
- Form of special order authorizing the consideration of an amendment to a general appropriation bill. Volume **VII**, section **844**.
- Form of resolution making in order proposed amendments to a general appropriation bill otherwise not germane and not previously authorized by law. Volume **VII**, section **845**.

(7) Forms of.—General.

- Forms of special orders. Volume **V**, section **5821**.
- Forms of special orders providing a series of rules to regulate the consideration of a bill and fix its relations to other business. Volume **IV**, section **3265**.
- Form of special orders for assigning a day for consideration in the House of bills reported from a certain committee. Volume **IV**, sections **3252, 3253**.
- Form of special order providing for the consideration of two distinct bills successively, either in the House alone or in Committee of the Whole. Volume **IV**, sections **3254–3257**.
- Forms of special order conferring privileged status on a bill. Volume **VII**, section **837**.
- Form of special order conferring upon a bill for the current session the status enjoyed by bills reported from committees having leave to report at any time. Volume **VII**, section **841**.
- Form of special order conferring privileged status on a number of bills not to interfere with the consideration of privileged business. Volume **VII**, section **840**.

SPECIAL ORDERS.—Continued.**(7) Forms of.—General—Continued.**

Form of special order providing for consideration of a bill with reservation as to days set apart by the rules for classes of business. Volume **VII**, section **808**.

Form of special order for consideration of a resolution declaring war. Volume **VIII**, section **2460**.

Form of special order authorizing a committee to call up a bill for consideration with reservations as to certain privileged business. Volume **VII**, section **842**.

Form of special order providing temporarily for an additional suspension day. Volume **VII**, section **834**.

Form of special order for assigning a day for consideration in the House of bills reported from a certain committee. Volume **VII**, section **818**.

Form of special order providing for the consideration of a joint resolution in the House. Volume **VII**, section **804**.

Form of special order providing for consideration of report of a committee of investigation. Volume **VI**, section **374**.

(8) Making of.—General Principles as to.

Special orders are made either by vote of the House on a report from the Committee on Rules, by suspension of the rules, or by unanimous consent. Volume **IV**, sections **3152, 3153**.

A special order being in effect a change of the rules establishing the regular order of business may be made only in the manner prescribed for making a change of the rules. Volume **IV**, sections **3161, 3162**.

In the early practice a committee might not present a special order to be adopted by majority vote. Volume **IV**, section **3153**.

It is not in order to move in the House that a subject be made a special order for a given date. Volume **IV**, section **3163**.

A bill called up in the morning hour may not be made a special order by a motion to postpone to a day certain. Volume **IV**, section **3164**.

Although a rule may confine a certain session of the House to a specified course of business, yet if a quorum be present, and no objection be made effective, a special order may be made binding on the house at a future session. Volume **IV**, sections **3167, 3168**.

Unless otherwise provided, special orders may be altered by unanimous consent only. Volume **VII**, section **763**.

Special orders reported by the Committee on Rules are exceptions, as provided in section 6 of Rule XVI, and are not divisible. Volume **VIII**, section **3164**.

(9) Making of.—By Unanimous Consent or Suspension of the Rules.

A special order may be made by unanimous consent. Volume **VII**, section **758**.

A special order is sometimes agreed to by unanimous consent without formal resolution. Volume **VII**, section **760**.

Special orders are sometimes made by unanimous consent, without awaiting the process required for changing the rules. Volume **IV**, sections **3165, 3166**.

The first special orders were made by unanimous consent or suspension of the rules. Volume **IV**, sections **3155–3159**.

A special order may be made under suspension of the rules. Volume **IV**, section **3154**.

In the earlier years of the House special orders were made by a two-thirds vote on a motion to suspend the rules. Volume **IV**, sections **3161, 3162**.

(10) Making of.—Through Action of Committee on Rules.

The Committee on Rules may report orders of procedure subject to two limitations only: it may not provide for abrogation of the Calendar Wednesday rule except by two-thirds vote or for denial of the motion to recommit while the previous question is pending on final passage. Volume **VIII**, section **2262**.

SPECIAL ORDERS—Continued.**(10) Making of.—Through Action on Committee on Rules—Continued.**

While the Committee on Rules is forbidden to report special orders abrogating the Calendar Wednesday rule or excluding the motion to recommit after ordering of the previous question, a resolution making possible that ultimate result was on one occasion held in order. Volume **VIII**, section **2267**.

The limitation on the Committee on Rules in reporting orders of business operating to prevent the motion to recommit while the previous question is pending, applies to resolutions for the consideration of bills only and not to a resolution designating a day to be devoted to motions to suspend the rules. Volume **VIII**, section **2265**.

The first step by which the Committee on Rules became an instrumentality through which the House may exercise special power for a particular piece of legislation. Volume **V**, section **6780**.

In 1883 the House first began the practice of making a special order by majority vote on a report from the Committee on Rules. Volume **IV**, section **3160**.

History of the evolution of the special order as made on a report from the Committee on Rules. Volume **IV**, section **3152**.

In 1875 the function of the Committee on Rules for special purposes was so little used that there was doubt as to its validity without a two-thirds vote. Volume **V**, section **6775**.

A special order, reported by the Committee on Rules, is agreed to by majority vote. Volume **IV**, section **3169**.

The Committee on Rules may report a resolution providing for the consideration of a bill which has not yet been introduced. Volume **VIII**, section **3388**.

The Committee on Rules may report a resolution for the consideration of a bill, even though the effect be to discharge a committee and bring before the House a bill not yet reported. Volume **V**, section **6771**.

In 1886 the former custom of permitting the various committees to propose special orders for the consideration of business reported by them began to cease, the function being absorbed by the Committee on Rules. Volume **V**, section **6774**.

Special orders providing for the consideration of individual bills or classes of bills are reported by the Committee on Rules. Volume **IV**, section **4326**.

A special order providing for the consideration of a particular bill is properly reported from the Committee on Rules. Volume **IV**, section **3160**.

A special order fixing a day for particular business has been held to be so far in the nature of a change of rules as to permit the Committee on Rules to report it under its leave to report at any time. Volume **V**, section **6774**.

A resolution from the Committee on Rules providing for the consideration of a bill relating to a certain subject may not be amended by a proposition providing for the consideration of another and not germane subject. Volume **V**, sections **5834–5836**.

The Committee on Rules may report a resolution rescinding or modifying a special order of business. Volume **VIII**, section **3390**.

(11) Making of.—By Discharge of Committee on Rules. See also “Discharge.”

A motion may be filed to discharge the Committee on Rules from the consideration of special orders referred to that committee seven days prior. Volume **VII**, section **1007**.

If a motion to discharge the Committee on Rules prevails the House immediately votes on the adoption of the special order and if decided in the affirmative proceeds at once to its execution. Volume **VII**, section **1007**.

Form of resolution providing for consideration of a bill taken from the Committee on Rules under motion to discharge and providing for consideration of a bill adversely reported by the committee to which it was referred. Volume **VII**, section **1012**.

(12) Making of.—Before the Adoption of Rules.

Before the adoption of rules, and consequently before there is a rule prescribing an order of business, a Member may offer for immediate consideration a special order. Volume **V**, section **5450**.

SPECIAL ORDERS—Continued.**(12) Making of.—Before the Adoption of Rules—Continued.**

While the House was proceeding under general parliamentary law, before rules had been adopted, a Member offered from the floor a special order for the consideration of a bill. Volume **V**, section **4971**.

(13) Precedence of.—In General.

A special order suspends the regular order of business for the time being and a motion to proceed to the regular order is not in order. Volume **IV**, sections **3170–3172**.

Although a special order may provide for the consideration of a bill immediately after the reading of the Journal on a given day, it does not lose its privileged position if called up at a later hour. Volume **IV**, section **3184**.

When a special order applies to one day only, a bill taken up but left undisposed of on that day loses its privileged position thereafter. Volume **IV**, section **3186–3191**.

A bill on which the previous question has been ordered takes precedence of a special order, although the latter may provide for immediate consideration. Volume **V**, section **5520**.

When a bill has been made a special order its consideration has precedence over reports made privileged by the rules. Volume **IV**, sections **3175, 3176**.

A special order merely providing that the House should consider a certain bill “until the same is disposed of,” it was held that the consideration of a conference report might intervene. Volume **V**, section **6454**.

A conference report has precedence during a time set apart by a special order for a particular class of business. Volume **V**, section **6455**.

A motion to suspend the rules is not in order during consideration of a bill under a special order. Volume **V**, section **6838**.

While the House was acting under a special order a motion to suspend the rules to enable a Member to exceed the hour rule of debate was admitted. Volume **V**, section **6839**.

A motion to adjourn is in order when a quorum fails, notwithstanding any terms of an existing special order of the House. Volume **V**, section **5365**.

Although a special order may set apart a day for a special purpose, yet the House may transact other business by unanimous consent. Volume **V**, section **7246**.

A bill on which the previous question had been ordered at adjournment on Wednesday was taken up as the unfinished business on Thursday and took precedence of a motion to go into the Committee of the Whole for the consideration of a bill privileged by special order. Volume **VIII**, section **2674**.

The consideration of a bill under special order takes precedence of reading of engrossed copy of bill on which the previous question has been ordered. Volume **VII**, section **764**.

(14) Precedence of.—As Related to Other Special Orders.

When two special orders provide for the consideration of two bills at one time the order first made has priority, but by raising the question of consideration against either bill the House may determine the order. Volume **IV**, sections **3193–3196**.

A special order setting apart a day for the consideration of a particular bill or of business from a particular committee has precedence over a continuing order for the consideration of a bill or of business from a committee. Volume **IV**, sections **3197, 3198**.

(15) As Related to Questions of Privilege.

A question of privilege has precedence at a time set apart by a special order for other business. Volume **III**, sections **2524, 2525**. Volume **VI**, section **560**.

A motion raising a question relating to the privilege of the House was held to take precedence over a special order. Volume **IV**, section **558**.

A question of the privilege of the House takes precedence over the consideration of a proposition privileged by special order. Volume **VI**, section **395**.

A matter of constitutional privilege takes precedence of a special order. Volume **III**, section **2554**.

SPECIAL ORDERS—Continued.**(16) As Related to the Question of Consideration.**

The question of consideration may not be demanded against a class of business in order under a special order or a rule, but may be demanded against each bill individually as it is brought up. Volume **V**, sections **4958, 4959**.

The question of consideration may be raised against a bill which has been made a special order. Volume **IV**, section **3175**.

Although a bill may come up by reason of being individually specified in a special order, yet the question of consideration may be raised against it. Volume **V**, sections **4953–4957**.

Where a special order provides that immediately upon its adoption a certain bill shall be considered the question of consideration may not be raised against that bill. Volume **V**, section **4960**.

In the later but not in the earlier practice it has been held that the question of consideration may not be raised against a report from the Committee on Rules relating to the order for considering individual bills. Volume **V**, sections **4961–4963**.

The fact that a bill had been made a special order for a certain day, and that the House on that day refused to consider it, was held not to prevent it coming up in regular order with other business of its class on a later day. Volume **IV**, section **3183**.

(17) Previous Question Ordered by the Terms of.

When a special order declares that at a certain time the previous question shall be considered as ordered on a bill to the final passage it has usually, but not always, been held that the motion to commit is precluded. Volume **IV**, sections **3207–3209**.

When the terms of a special order are such as in effect to order the previous question business unfinished with the day set apart by the order does not fall, but is in order the next day after the reading of the Journal. Volume **IV**, section **3185**.

A special order providing that the previous question be considered as ordered “without intervening motion except one motion to recommit” was held to preclude both amendment and debate on the motion to recommit. Volume **VII**, section **776**.

A special rule, ordering the previous question on a pending bill and amendments to final passage when reported from the Committee of the Whole was held not to preclude a recommendation by the Committee of the Whole that the bill be recommitted. Volume **VII**, section **777**.

A recommendation from the Committee of the Whole to recommit a bill on which the previous question had been ordered by special rule, being rejected, the question recurs on the passage of the bill. Volume **VII**, section **777**.

(18) As Affecting Resolving Into Committee of the Whole and Rising of Committee.

A special order providing that the House resolve into Committee of the Whole is held to operate automatically. Volume **VII**, section **791**.

When a special order provides for resolving into the Committee of the Whole, the House resolves automatically on announcement by the Speaker and without motion from the floor. Volume **IV**, section **3214**. Volume **VII**, sections **783, 794**.

Under a special order providing that the House shall resolve into Committee of the Whole, the House resolves automatically, and a motion to go into committee is not in order. Volume **VII**, section **789**.

Under a special order that the House immediately resolve into Committee of the Whole, the House resolves into the committee automatically and the consideration of other business is not in order. Volume **VII**, section **790**.

Under a special order providing for consideration in Committee of the Whole, the House automatically resolves into the committee after voting on a motion to close debate for which the committee has risen. Volume **VII**, section **765**.

SPECIAL ORDERS—Continued.**(18) As Affecting Resolving Into Committee of the Whole and Rising of Committee—Continued.**

A special order providing that the Committee of the Whole rise at the conclusion of the reading of a bill and report it to the House and that the previous question operate to final passage was held not to interfere with the right of the committee to report with recommendation to recommit. Volume **VIII**, section **2375**.

When provision is made by special order for the automatic rising of Committee of the Whole at a designated time, a motion is required to rise before that time and is in order. Volume **VII**, section **793**.

(19) As Affecting Consideration in Committee of the Whole.

A bill being made a special order, the requirement that it shall be considered in Committee of the Whole is waived. Volume **IV**, sections **3217–3224**.

A special order providing for consideration of a bill, the requirement that it be considered in Committee of the Whole is waived. Volume **IV**, section **3199**.

When a bill in Committee of the Whole is made a special order for a certain date without specifying as to consideration in Committee of the Whole, the effect of the order is to discharge the committee and bring the bill into the House for consideration. Volume **IV**, section **3216**.

By refusing to go into Committee of the Whole to consider a bill which has been made a special order for consideration therein, the House may then consider business prescribed by the regular order. Volume **IV**, section **3088**.

Instance wherein, under special order, the Chairman of the Committee of the Whole declared the committee in recess from one calendar day to another. Volume **VIII**, section **3360**.

Under provisions of a special rule for the consideration of a bill, the Chairman of the Committee of the Whole declared the committee in session from day to day without the House having adjourned, recessed, or convened, and without the Speaker appearing in the chair. Volume **VIII**, section **3360**.

The Committee of the Whole has no authority to modify an order of the House. Volume **IV**, section **4712**.

A Committee of the Whole ordinarily reports only such amendments as it has agreed to, but sometimes by direction of a special order it reports also amendments pending and undisposed of when it rises. Volume **IV**, sections **3225–3228**.

A Committee of the Whole, directed by order of the House to consider certain bills, reported also certain other bills, whereupon the Speaker held that so much of the report as related to the latter bills could be received only by unanimous consent. Volume **IV**, section **4911**.

When a special order directs a Committee of the Whole to report “pending amendments,” this does not include an amendment only partially read when the Committee of the Whole rises. Volume **IV**, section **3229**.

A special order providing that a bill should be open to amendment in Committee of the Whole was held to prevent a motion to strike out the enacting clause. Volume **IV**, section **3215**.

(20) As Affecting Business on Monday, Wednesday, and Friday.

A special order which provides for the consideration of a bill from day to day until disposed of includes, unless exception be made, a day such as Monday or Friday set apart by the rules for a class of business. Volume **IV**, sections **3201, 3202**. Volume **VII**, sections **763, 771, 772, 791**.

On a District of Columbia day (Monday) a motion to go into the Committee of the Whole to consider District business and a motion to go into the Committee to consider business generally privileged under a special order are of equal privilege, and recognition to move either is within the discretion of the Chair. Volume **VII**, section **877**.

A special order providing for the consideration of a bill from day to day until disposed of includes Mondays and Fridays, but not Wednesdays. Volume **VII**, section **789**.

SPECIAL ORDERS—Continued.**(20) As Affecting Business on Monday, Wednesday, and Friday—Continued.**

The Speaker declines to entertain requests for unanimous consent to establish special orders for Wednesday. Volume **VII**, section **888**.

A special order providing for the consideration of a bill from day to day until disposed of does not include Wednesday unless specifically mentioned. Volume **VII**, section **773**.

When the House, by special order, devotes Friday entirely to business other than private business the special rules governing the use of the day are thereby suspended. Volume **IV**, section **3282**.

If the terms of a special order seem to abrogate a rule for a recess and an evening session for special business the question of order should be raised before the House goes into recess, and not after the House has met in evening session. Volume **IV**, section **3284**.

(21) Effect and Interpretation of.—As Related to Amendments.

A special order making committee amendments to any part of the bill in order at any time was construed to permit the offering of amendments to paragraphs already passed in reading for amendment. Volume **VII**, section **792**.

When a special order provides for the consideration of an amendment as the original bill, the amendment and not the bill is read when called up for consideration. Volume **VII**, section **784**.

Under provision by special order that an amendment be read and considered in lieu of the bill, the amendment is treated as original text and is subject to amendment in the second degree. Volume **VII**, section **783**.

Under a special order providing that certain amendments shall be voted on, it is not necessary that such amendments be offered and the Chair will put the question without motion from the floor. Volume **VII**, section **782**.

Under a special order providing that a specified amendment “shall be voted on,” that particular amendment only must be voted on and no similar amendment or substitute, even though germane, is in order. Volume **VII**, section **782**.

Amendments authorized by special order may be supplanted or amended by germane propositions of the same import though expressed in different phraseology. Volume **VII**, section **781**.

A special order having been agreed to providing for consideration of a paragraph proposed legislation on an appropriation bill, germane amendments were held in order but amendments proposing additional legislation were not admitted. Volume **VII**, section **1397**.

(22) Effect and Interpretation of.—As Related to Time of Sitting and Debate.

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

Time consumed in the discussion of points of order is not chargeable to time fixed by special order for debate. Volume **VIII**, section **2556**.

Under a special order providing for equal division of time for debate between those favoring and those opposing a bill, without designating who should control the time, it was held to be within the discretion of the Chair to recognize a Member supporting and a Member opposing the measure, each of whom should respectively control half the time. Volume **VII**, section **785**.

Where a special order for the consideration of a bill limited general debate to one hour without providing for control of the time it was held that the Member in charge should be recognized to control the time in favor of the bill; the ranking minority Member to control the time in opposition; and if none of the minority opposed the bill the minority leader should control the time in opposition. Volume **VIII**, section **2461**.

Where a special order provided for a vote on an amendment at a designated time, the Chairman at that time put the question, and pending amendments to the amendment were not acted upon. Volume **VII**, section **795**.

Special Orders—Continued.**(22) Effect and Interpretation of.—As Related to Time of Sitting and Debate—Continued.**

Special orders are interpreted literally, and a rule providing that consideration of a bill continue until a specified time was held to preclude a motion to rise and report prior to that time. Volume **VII**, section **794**.

A special order fixing a time beyond which consideration of a bill should not continue was held not to prevent conclusion of consideration prior to that time. Volume **VII**, section **793**.

When a special order prescribes limits beyond which debate may not continue, the House may, on motion, close debate at any time within such limits. Volume **VII**, section **765**.

The House having adopted a special order susceptible of an interpretation waiving the rule limiting Members to one hour debate, the Speaker held the rule to remain in force unless specifically abrogated. Volume **VII**, section **766**.

(23) Effect and Interpretation of.—Miscellaneous.

A special order is strictly construed and supersedes rules with which it may be in conflict. Volume **VII**, section **780**.

A special order is interpreted literally and without regard to the practicability of its provision. Volume **VII**, section **779**.

A special order does not deprive the Member of his right to demand the reading of the engrossed bill. Volume **IV**, section **3401**.

Where a special order for the consideration of a bill prohibited “intervening motions” between the vote on an amendment and a final vote it was held to exclude a motion to reconsider. Volume **IV**, section **3203**.

A special order prohibiting “debate or intervening motion,” it was held that an appeal should be entertained. Volume **V**, section **6954**.

An instance of the difficulties arising from the terms of a special order which permitted two substitute amendments to a bill to be pending at once. Volume **IV**, section **3206**.

A special order having assigned a certain day for such business as a certain committee may present, the committee may call up its own bills, wherever they may be, whether in the committee or on the calendar. Volume **IV**, section **3199**.

Two days having been assigned a committee generally for consideration of its business in the House, it was held that they should be days on which public business would be in order. Volume **IV**, section **3200**.

The term “minority” in a special order was construed to refer to the minority party in the House and not to those in the minority on the pending question. Volume **VII**, section **767**.

The laying before the House of a message from the President was held not to be business within the terms of a special order restricting the transaction of business, but being objected to, was not insisted upon. Volume **VII**, section **761**.

A special order providing certain business “Shall be in order for consideration” does not preclude consideration of other privileged business which the House may prefer to consider. Volume **VI**, section **413**.

Where a special order provided for the consideration of a bill from day to day until disposed of it was held that conference reports and messages from the Senate might intervene. Volume **VII**, section **789**.

Interpretation of a special order providing for consideration of Senate bills on the Private Calendar in the closing days of a session. Volume **VII**, section **796**.

The recommendation of the Committee of the Whole to recommit a bill being decided in the negative, the question was held to recur on the amendments and bill under a special rule ordering the previous question on the bill and amendments to final passage. Volume **VIII**, section **2375**.

Special orders providing for consideration of bills, unless making specific exemption, do not preclude the point of order that reports on such bills fail to indicate proposed changes in existing law. Volume **VII**, section **2245**.

SPECIAL ORDERS—Continued.**(23) Effect and Interpretation of.—Miscellaneous—Continued.**

A committee granted additional powers by special order is limited in the exercise of those powers to matters specified in such order. Volume **VII**, section **780**.

A committee having been given the right by special order to report from the floor, members of the committee are entitled to the same privilege in presenting minority views. Volume **VIII**, section **2227**.

Where a special order provided for the appointment of conferees “without any intervening motion,” it was held to exclude the motion to instruct conferees, but not the motion to recommit. Volume **VIII**, section **774**.

A special order authorizing managers as provided by section 2 of Rule XX to agree to a Senate amendment making appropriations, precludes the point or order that the House has not voted separately on a new appropriation in such amendment. Volume **VII**, section **768**.

(24) In Relation to Motions to Postpone, Rescind, Recommit, etc.

It is not in order to move to postpone a special order providing for the consideration of a class of bills. Volume **V**, section **4958**.

A bill which comes before the House by the terms of a special order merely assigning the day for its consideration may be postponed by a majority vote. Volume **IV**, sections **3177–3182**.

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

The House having postponed the election of an officer until a day certain, a resolution to proceed to the election was held not in order before that date. Volume **I**, section **263**.

A motion to rescind a special order was decided by the House not to be privileged under the rules. Volume **V**, section **5323**.

A motion to rescind a special order is not privileged under the rules regulating the order of business. Volume **IV**, sections **3173, 3174**.

The Senate rescinded its order prescribing the method of voting on the articles in the Johnson trial, although it was partially executed. Volume **III**, section **2442**.

A session of the House extending, by failure to adjourn, through the succeeding calendar day, a special order for the legislative day expected to be held on that calendar day falls, as the session is of the legislative day. Volume **IV**, section **3192**.

A special order to lay before the House a bill on the Speaker’s table with the previous question ordered on a motion to concur in Senate amendments, does not prevent submission of a motion to recommit. Volume **VII**, section **778**.

Where a special order provided for the motion to recommit, a conference report was admitted although Senate conferees had been discharged, the special order having been adopted after their discharge. Volume **VII**, section **779**.

Provision in a special order that conference shall be asked and the Speaker shall immediately appoint conferees without intervening motion, precludes the motion to instruct. Volume **VIII**, section **3394**.

A special order providing that a bill should be considered for amendment under the 5-minute rule was construed to admit the motion to strike out the enacting clause. Volume **VII**, section **787**.

(25) In General.

When a special order applies to certain days only, a bill taken up but left undisposed of can be called up again only on a day specified in the order. Volume **VII**, section **763**.

When business which by unanimous consent has been made a special order remains unfinished at adjournment, it continues in order until disposed of. Volume **VII**, section **770**.

A bill undisposed of at adjournment on a day devoted to special business comes up as unfinished business on the next day when that class of business is again in order. Volume **VIII**, section **2334**.

SPECIAL ORDERS—Continued.**(25) In General—Continued.**

When the House adjourns on days set apart for special business without ordering the previous question, the pending measure comes up as the unfinished business on the next day on which that class of business is again in order. Volume **VIII**, section **2694**.

A special order was held in abeyance, no objection having been offered. Volume **VII**, section **791**.

SPECIFIC APPROPRIATIONS.

Reference to the establishment of the system of specific appropriations (footnote). Volume **IV**, section **4032**.

SPEECHES. See also "Congressional Record."

If there is an evident abuse of the patience of the House and objection is made the Member must have leave of the House to read a paper in his place, even though it be his own written speech. Volume **V**, section **5258**.

One House should not take notice of bills or other matters pending in the other or votes or speeches until they be communicated. Volume **III**, section **2656**.

The Speaker and President of the Senate have discretion as to the use of the Capitol grounds for processions, assemblies, music and speeches on occasions of national interest. Volume **V**, section **7312**.

SPEER.

The investigation into the conduct of Judge Emory Speer. Volume **VI**, section **527**.

SPEIGHT, JESSE, of North Carolina, Chairman.

Decisions on questions of order relating to—
Committee of the Whole. Volume **V**, section **6736**.
Points of order. Volume **V**, section **6956**.

SPENCER

The Senate election case of Sykes v. Spencer, from Alabama, in the Forty-third Congress. Volume **I**, section **342-344**.

The Louisiana election case of Spencer v. Morey in the Forty-fourth Congress. Volume **II**, sections **913, 914**.

The Mississippi election case of Newman v. Spencer in the Fifty-fourth Congress. Volume **I**, section **754**.

SPINK.

The election case of Burleigh and Spink v. Armstrong, from Dakota Territory, in the Forty-second Congress. Volume **II**, section **889**.

SPRINGER, WILLIAM M., of Illinois, Speaker Pro Tempore and Chairman.

Decisions on questions of order relating to—
Adjourn, motion to. Volume **V**, section **5388**.
Appropriations. Volume **VII**, section **1528**.
Authorization of appropriations. Volume **IV**, section **3657**.
Conference reports. Volume **V**, sections **6505, 6509** (footnote), **6540**.
House as in Committee of the Whole. Volume **IV**, section **4927**.
Points of order. Volume **IV**, section **4783**.
Reading of bills. Volume **IV**, section **3400**.
Yeas and nays. Volume **IV**, section **3010**.

STABILIZING CURRENCY.

Bills providing for stabilization of currency, formerly held to be within the jurisdiction of the Committee on Coinage, Weights, and Measures, are now considered by the Committee on Banking and Currency. Volume **VII**, section **1796**.

The Banking and Currency Committee exercises jurisdiction of bills establishing legal tender, stabilizing currency and maintaining parity of moneys issued. Volume **VII**, section **1792**.

STAFF, GENERAL.

Appropriations for clerks in the office of the Chief of Staff belong on the army bill. Volume **IV**, section **4182**.

STAFFORD, WILLIAM H., of Wisconsin, Speaker pro tempore.

Decisions on questions of order relating to—

Amendment. Volume **VIII**, sections **2833, 2842**.

Amendment, germaneness of. Volume **VII**, sections **860, 1377**. Volume **VIII**, sections **2988, 3013, 3025, 3031, 3047**.

Appropriations. Volume **VII**, sections **2138, 2156**. Volume **VIII**, section **2342**.

Bills. Volume **VIII**, section **2374**.

Debate. Volume **VIII**, sections **2572, 3416**.

Enacting clause, strike out. Volume **VIII**, section **2430**.

Question of order. Volume **VIII**, section **3430**.

Reading. Volume **VIII**, section **2346**.

Recognition. Volume **VI**, section **305**. Volume **VIII**, section **2360**.

Voting. Volume **VI**, section **696**. Volume **VIII**, section **3120**.

STALLINGS.

The Alabama election case of Clark v. Stallings in the Fifty-fifth Congress. Volume **I**, section **747**.

STAND ASIDE.

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

STANDARD OF VALUE.

Bills for defining and fixing the standard of value and regulating coinage and exchange of coin are within the jurisdiction of the Committee on Coinage, Weights, and Measures. Volume **IV**, section **4095**.

STANDARD WEIGHTS, ETC.

Bills for the establishment of a standardizing bureau and the adoption of the metric system have been reported by the Committee on Coinage, Weights, and Measures. Volume **IV**, section **4091**.

The Committee on Coinage, Weights, and Measures exercises jurisdiction over legislation providing for the establishment of standard packages and grades in interstate commerce. Volume **VII**, section **1799**.

The Committee on Coinage, Weights, and Measures has jurisdiction over the establishment of standard weights and measures for cereal mill products, foodstuffs, and commercial feeds. Volume **VII**, section **1800**.

Standards of quality and regulations for the control of interstate distribution of coal and other fuels and the procuring and publication of statistics relative thereto, are subject within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1830**.

Bills providing for the standardization in quality, weight, and measure of agricultural products and breadstuffs have been considered by the Committee on Agriculture. Volume **VII**, section **1868**.

STANDING COMMITTEES. See "Committees."**STANDING ORDERS.**

Discussion as to the distinction between a special order and a standing order. Volume **V**, section **5323**.

The resolution of the House fixing the hour of daily meeting is a standing order rather than a rule. Volume **I**, sections **116, 117**.

The House has by standing order provided that it should meet on two days only of each week instead of daily. Volume **V**, section **6675**.

STANDING ORDERS—Continued.

A resolution changing or construing a standing rule or order is in order only when presented in the manner prescribed for changing the rules. Volume **V**, sections **6778, 6779**.

The House is governed by the rules of Jefferson's Manual in all cases in which they are applicable and in which they are not inconsistent with the standing rules and orders of the House. Volume **V**, section **6757**.

Deputies with authority to execute warrants may be appointed by the Sergeant at Arms under a standing order of the Senate. Volume **VI**, section **341**.

The House has by standing order provided that it should meet on two days only of each week instead of daily. Volume **VIII**, section **3369**.

The motion to recess to the regular hour of meeting on the succeeding day is not admissible because in contravention of a standing order of the House, but if taken to such hour, the House when convened is still in session as of the preceding day. Volume **VIII**, section **3356**.

STANTON.

The Senate election case of Stanton v. Lane, of Kansas, in the Thirty-seventh Congress. Volume **I**, section **491**.

STARK.

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

STATE CANVASS. See "Elections."**STATE CONSTITUTION. See "Elections."**

Summary of provisions of State constitutions relating to impeachment and removal by address. Volume **III**, section **2023**.

STATE COURTS. See "Elections."**STATE DEPARTMENT.**

An enrolled bill, when signed by the President, is deposited in the office of the Secretary of State. Volume **IV**, section **3429**.

A statute requires that bills signed by the President shall be received by the Secretary of State from the President. Volume **IV**, section **3485**.

When a bill returned without the President's approval is passed by the two Houses the Secretary of State receives the bill from the Presiding Officer of the House in which it last was passed. Volume **IV**, section **3485**.

Discussion of the status of the Department of State in relation to resolutions of inquiry. Volume **III**, section **1905**.

The original notice of ratification of a constitutional amendment by a State is transmitted to the Secretary of State and a copy to the House, where it is laid before the House by the Speaker and filed in its archives. Volume **VIII**, section **3507**.

STATE EXECUTIVE.

A seat being declared vacant, the House directed the Speaker to notify the executive of the State. Volume **I**, section **824**.

A seat being declared vacant, the House directs that the executive of the State be informed. Volume **II**, sections **1203–1205**.

It was long the practice to notify the executive of the State when a vacancy was caused by the death of a Member during a session. Volume **II**, sections **1198–1202**.

An instance wherein the State executive transmitted the resignation of a Member with the credentials of his successor. Volume **II**, section **1196**.

STATE EXECUTIVE—Continued.

The executive of a State may inform the House that he has received the resignation of a Member. Volume **II**, sections **1193**, **1194**.

The governor of a State, as canvassing officer, is not justified in rejecting votes duly cast and returned. Volume **II**, section **884**.

The action of a State executive in throwing out votes was disregarded by the House. Volume **II**, section **884**.

Criticism of a governor who issued a certificate on a canvass omitting decisive county returns because of legal proceedings to secure a recount. Volume **II**, section **1036**.

A Senator may resign, appointing a future day for his resignation to take effect, and the State executive may by appointment fill the vacancy before that date. Volume **II**, section **1228**.

Reference to cases in the Senate relating to the authority of State executives to make appointments to fill vacancies in the United States Senate (footnote). Volume **I**, section **790**.

STATE LAW AS TO ELECTIONS. See “Elections.”**STATE OFFICERS. See “Elections.”****STATE OF THE UNION.**

The Constitution provides that the President shall from time to time give Congress information of the state of the Union and make recommendations. Volume **V**, section **6612**.

STATEMENT.

(1) **Accompanying a Conference Report. See also “Conferences.”**

(2) **In general.**

(1) Accompanying a Conference Report. See also “Conferences.”

Each conference report shall be accompanied by a detailed statement sufficiently explicit to explain the effect of the provisions of the report. Volume **V**, section **6443**.

The statement accompanying a conference report should be in writing and signed by at least a majority of the House managers. Volume **V**, sections **6505**, **6506**.

It is for the House and not the Speaker to determine whether or not the detailed statement accompanying a conference report is sufficient to comply with the rule. Volume **V**, sections **6511**, **6512**.

While the Chair may not pass upon the completeness of the written statement accompanying a conference report, he may require it to be in proper form. Volume **V**, section **6513**.

A conference report and the accompanying statement are required to be printed in the Congressional Record before being considered, except during the last six days of a session. Volume **V**, section **6516**.

A conference report may not be received without the accompanying statement required by the rule. Volume **V**, sections **6507–6510**.

Form of statement to accompany a report of managers of a conference to the House. Volume **V**, sections **6504**, **6514**, **6515**.

Form of written statement that managers of a conference have failed to agree. Volume **V**, sections **6568**, **6569**.

The consideration of a conference report may be interrupted, even in the midst of the reading of the statement, by the arrival of the hour previously fixed for a recess. Volume **V**, section **6524**.

(2) In General.

A verbal statement may not be received in the House as the report of a committee. Volume **IV**, section **4654**.

A committee controls its journal, and sometimes grants leave to Members to incorporate in it signed statements of their views. Volume **IV**, section **4579**.

STATES. See also “Apportionment” and “Electoral Count.”

- (1) **As related to procedure of the House.—Memorials from.**
- (2) **As related to procedure of the House.—Jurisdiction as to claims.**
- (3) **As related to procedure of the House.—Jurisdiction of other subjects.**
- (4) **As related to procedure of the House.—Right to investigate.**
- (5) **As related to procedure of the House.—In general.**
- (6) **Presentations for Statuary Hall.**

(1) As Related to Procedure of the House.—Memorials From.

Joint resolutions of State legislatures intended as communications to Congress are treated as memorials. Volume **IV**, section **3312**.

Memorials of State legislatures were for a time spread on the Journal in full, but the practice has ceased. Volume **IV**, sections **2855, 2856**.

State memorials and petitions may be printed in full in the Record of the House proceeding only by leave of the House as extension of remarks. Volume **VII**, section **1024**.

Origin of the order for the former call of States for petitions. Volume **IV**, section **3313**.

(2) As Related to Procedure of the House.—Jurisdiction as to Claims.

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

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

Claims of States against the United States and the adjustment of accounts between the States and the United States have been considered by the Judiciary Committee. Volume **IV**, section **4080**.

The Committee on Public Lands has reported projects of general legislation relating to various classes of land claims, as related both to States and individuals. Volume **IV**, section **4203**.

(3) As Related to Procedure of the House.—Jurisdiction of Other Subjects.

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

The rule gives to the Committee on the Militia jurisdiction of subjects relating “to the militia of the several States.” Volume **IV**, section **4252**.

Bills relating to the militia of the District of Columbia as well as to that of the various States have been considered by the Committee on the Militia. Volume **IV**, section **4253**.

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

As to jurisdiction in relation to overdue bonds of certain States held in the Treasury as part of Indian trust funds. Volume **IV**, section **4207**.

(4) As Related to Procedure of the House.—Right to Investigate.

Discussion of the effect of a State law as a limitation on the right of the House to investigate. Volume **III**, section **1696**.

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

In 1860 the Massachusetts court decided that a warrant directed only to the Sergeant-at-Arms of the United States Senate might not be served by deputy in that State. Volume **III**, section **1718**.

(5) As Related to Procedure of the House.—In General.

Revenue and general appropriation bills, river and harbor bills, certain bills relating to the public lands, for the admission of new States, and general pension bills may be reported at any time. Volume **IV**, section **4621**.

STATES—Continued.**(5) As Related to Procedure of the House.— In General**—Continued.

Ministers from Foreign Governments and Governors of States (but not Territories) have the privilege of the floor. Volume **VIII**, section **3634**.

(6) Presentations for Statuary Hall.

A statute authorizes the contribution by each State of statues of two of its distinguished citizens to be placed in National Statuary Hall. Volume **VIII**, section **3643**.

Ceremonies in accepting statues for Statuary Hall. Volume **V**, sections **7089–7099**.

Form of resolution accepting from a State a statue for Statuary Hall. Volume **V**, sections **7089–7099**.

STATIONERY.

Each Member is allowed \$125 annually for stationery, and the Clerk maintains a stationery room for supplying articles. Volume **II**, sections **1161, 1162**.

The disposition of stationery allowance to Members through the stationery room. Volume **VI**, section **213**.

Purchase through the stationery room of articles other than stationery and necessary office supplies is restricted by law. Volume **VI**, section **213**.

Statutes authorize the sale of stationery for official use and the binding of official documents for Members by the Public Printer at cost. Volume **VI**, section **214**.

Discussion of various services of the House, including the House restaurant, House barber shops, and stationery and mileage allowances to Members. Volume **VI**, section **216**.

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

The Clerk furnishes stationery to the several committees and to the officers of the House. Volume **II**, sections **1161, 1162**.

Stationery, blank books, and other papers necessary to legislation are furnished to the House and Senate and their committees on requisition of the Clerk of the House and Secretary of the Senate, respectively. Volume **V**, section **7322**.

STATISTICS.

The abridgment of the elective franchise with reference to apportionment as well as the collection of general statistics have been considered by the Committee on Census. Volume **IV**, section **4352**.

Bills providing for the collection or publication of general statistics have been considered by the Committee on the Census. Volume **VII**, section **2061**.

The compilation and dissemination of statistics and reports on agricultural products are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1872**.

An appropriation for collection of market statistics on agricultural products was held to be authorized by the organic act creating the Department of Agriculture. Volume **VII**, section **1304**.

Standards of quality and regulations for the control of interstate distribution of coal and other fuels and the procuring and publication of statistics relative thereto, are subjects within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1830**.

STATUARY HALL.

A statute authorizes the contribution by each State of statues of two of its distinguished citizens to be placed in National Statuary Hall. Volume **VIII**, section **3643**.

The history of National Statuary Hall. Volume **VIII**, section **3643**.

Ceremonies in accepting statues for Statuary Hall. Volume **V**, sections **7089–7099**. Volume **VIII**, section **3545**.

Form of resolution accepting from a State a statue for Statuary Hall. Volume **V**, sections **7089–7099**.

STATUTORY HALL—Continued.

The arrangement of the Hall of the House and Statutory Hall, and the acceptance of works of art to be placed therein are subjects within the jurisdiction of the House branch of the Joint Committee on the Library. Volume **VII**, section **2083**.

STATUES.

Form of resolution accepting from a State a statue for Statuary Hall. Volume **V**, sections **7089–7099**.

Subjects relating to monuments and statues in commemoration of individuals have been considered by the House branch of the Joint Committee on the Library. Volume **IV**, section **4342**.

The rule gives to the Joint Committee on the Library jurisdiction “touching the Library of Congress, statuary and pictures.” Volume **IV**, section **4337**.

Bills relating to statues, paintings, and other works of art have been reported by the House branch of the Joint Committee on the Library. Volume **VII**, section **2082**.

STATUTES.

The question as to whether or not the House, in its procedure, is bound by a law passed by a former Congress. Volume **IV**, section **3298**.

The effect of the repeal of a repealing act is regulated by statute. Volume **IV**, section **3389**.

The rule gives to the Committee on Revision of the Laws jurisdiction of subjects relating “to the revision and codification of the statutes of the United States.” Volume **IV**, section **4293**.

Examples of jurisdiction of the Committee on Revision of the Law over bills embodying codifications. Volume **IV**, section **4295**.

Statutes relating to printing the laws for the use of House and Senate. Volume **V**, section **7328**.

Functions delegated to a joint committee by statute may not be usurped by the House. Volume **VII**, section **2165**.

The statutes prescribe the form of enacting and resolving clauses of bills and joint resolutions. Volume **VII**, section **1034**.

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

It is the function of the Speaker to enforce the provision of the statutes prescribing forms of bills. Volume **VII**, section **1034**.

STEAM VESSELS.

The inspection of steam vessels, as to hulls and boilers, is generally within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4133**.

The inspection of steamboats, the regulation of officering and manning vessels, and the classification and salaries of clerks in the Steamboat-Inspection Service are subjects within the jurisdiction of the Committee on the Merchant Marine and Fisheries. Volume **VII**, section **1854**.

STECK.

The Senate election case of *Steck v. Brookhart*, of Iowa, in the Sixty-ninth Congress. Volume **VI**, section **172**.

STEELE.

The Indiana election case of *Kidd v. Steele* in the Forty-ninth Congress. Volume **II**, section **1005**.

STEELE, GEORGE W., of Indiana, Chairman.

Decision on question of order relating to order of business. Volume **IV**, section **3062**.

The Iowa election case of *Steele v. Scott* in the Sixty-fifth Congress. Volume **VI**, section **146**.

STEERING COMMITTEES.

Origin and history of the first elective steering committee in the party organization of the House. Volume **VIII**, section **3621**.

STEERING COMMITTEES—Continued.

The majority steering committee in the Sixty-fifth and Sixty-sixth Congresses consisted of five members. Volume **VIII**, section **3625**.

The majority steering committee in the Seventieth Congress. Volume **VIII**, section **3626**.

A majority steering committee was created in the Seventy-third Congress consisting of 15 elective Members elected by geographical groups sitting separately and voting by zones. Volume **VIII**, section **3622**.

Provision for steering committee to be nominated by the committee on committees and elected by the party conference. Volume **VIII**, section **3621**.

The steering committee was nominated by the majority committee on committees and elected by the party conference. Volume **VIII**, section **3625**.

The Speaker, floor leader, chairman of the caucus, and chairman of the rules committee are ex officio members of the steering committee. Volume **VIII**, section **3622**.

The membership of the steering committee is subject to recall whenever the conference determines it is not representative of party sentiment in the House. Volume **VIII**, section **3625**.

The steering committee is not responsible to the caucus, and the election of its members, individually or collectively, is not subject to caucus ratification or rejection. Volume **VIII**, section **3622**.

Members of the steering committee are directly responsible to the membership of the zone from which elected and are subject to recall at any time. Volume **VIII**, section **3622**.

The leader serves as Chairman of the steering committee which meets on call. Volume **VIII**, section **3625**.

The floor leader is ex-officio chairman of the steering committee. Volume **VIII**, section **3621**.

The chairman of the steering committee is elected by the committee and is ineligible to succeed himself. Volume **VIII**, section **3622**.

The steering committee meets at the call of the chairman or on the call of three members of the committee. Volume **VIII**, section **3622**.

Differences of opinion as to party policies are submitted to the steering committee for determination. Volume **VIII**, section **3623**.

The steering committee frequently holds hearings before reaching a decision on questions of policy. Volume **VIII**, section **3623**.

STENOGRAPHERS.

The Speaker appoints the official reporters of debates and stenographers of committees. Volume **V**, section **6958**.

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

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

Instances wherein the Speaker announced to the House his appointment of reporters (footnote). Volume **V**, section **6958**.

The Speaker supervises the work of the official reporters and stenographers, and may remove for cause. Volume **V**, section **6958**.

Questions have arisen as to the power of the Speaker in regard to the removal of stenographers to committees (footnote). Volume **V**, section **6958**.

Stenographers and reporters other than the official reporters are admitted by the Speaker to the gallery over the Speaker's chair under such regulations as he may prescribe. Volume **V**, section **7304**.

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

STEPHENS.

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

STEPHENSON.

The Senate election case of Isaac Stephenson, of Wisconsin, in the Sixty-second Congress. Volume **VI**, section **83**.

STERLING, JOHN A., of Illinois, Chairman.

Decisions on questions of order relating to—
 Authorization of appropriations. Volume **IV**, section **3608**.
 Debate. Volume **V**, section **5238**.

STEVENS, FREDERICK C., of Minnesota, Chairman.

Decisions on questions of order relating to—
 Amendment, germaneness of. Volume **VIII**, section **2962**.

STEVENSON, ANDREW, of Virginia, Speaker.

Decisions on questions of order relating to—
 Adhere, motion to. Volume **V**, sections **6242, 6308**.
 Amendments. Volume **V**, section **5764**.
 Amendments not germane. Volume **V**, section **5853**.
 Breach of privilege. Volume **II**, section **1366**.
 Call to order. Volume **V**, section **5197**.
 Clerk. Volume **I**, section **188**.
 Committee of the Whole. Volume **IV**, sections **4793, 4794, 4824**.
 Debate. Volume **V**, sections **5050–5053, 5101, 5113, 5163, 5164, 5166, 5171, 6944**.
 Disagree, motion to. Volume **V**, section **6167**.
 Division of question. Volume **V**, sections **6113, 6139, 6149**.
 Journal. Volume **IV**, sections **2816, 2847**. Volume **V**, section **7075**.
 Memorials. Volume **IV**, section **3325**.
 Points of order. Volume **II**, section **1329**. Volume **V**, section **6900**.
 Postpone, motion to. Volume **V**, section **5312**.
 Question of consideration. Volume **V**, sections **4938, 4943**.
 Reading of papers. Volume **V**, section **5264**.
 Recede, motion to. Volume **V**, sections **6204, 6207, 6215, 6308**.
 Recognition. Volume **II**, section **1421**.
 Reconsider, motion to. Volume **V**, section **5679**.
 Refer, motion to. Volume **V**, sections **5553, 5566**.
 Reports of the Committee of the Whole. Volume **IV**, sections **4874**.
 Resignation. Volume **I**, section **233**.
 Senate amendments. Volume **V**, section **6193**.
 Service on committees. Volume **IV**, section **4511**.
 Speaker pro tempore. Volume **II**, sections **1248, 1379**.
 Text to which both Houses have agreed. Volume **V**, sections **6184, 6185**.
 Voting. Volume **V**, section **6094**.
 Withdrawal of motions. Volume **V**, section **4989**.
 Yeas and nays. Volume **V**, sections **6028, 6103**.
 Yielding the floor. Volume **V**, section **5015**.

STEVENSON, ADLAI E., of Illinois, Vice-President.

Certification by, of alleged cases of contempt before a Senate committee. Volume **II**, section **1612**.

STEWART.

The Illinois election case of Steward v. Childs in the Fifty-third Congress. Volume **II**, section **1056**.

STEWART.

The Maryland election case of Stewart v. Phelps in the Fortieth Congress. Volume **I**, section **739**.

STEWART—Continued.

The Pennsylvania election case of Craig v. Stewart in the Fifty-second Congress. Volume **II**, section **1041**.

The case of Robert W. Stewart. Volume **VI**, sections **344, 345**.

STEWART, JOSEPH B.

In 1873 Joseph B. Stewart was imprisoned for contempt of the House in refusing as a witness to answer a question which, he claimed, related to the relations of attorney and client and therefore was inquisitorial. Volume **III**, section **1689**.

STOCKS.

The sale of fraudulent stocks and bonds and other “blue sky” securities is a subject considered by the Committee on the Judiciary. Volume **VII**, section **1781**.

STOCKTON.

The Senate election case of John P. Stockton, from New Jersey, in the Thirty-ninth Congress. Volume **II**, section **877**.

STOCKYARDS.

The control of stockyards and packing plants and the regulation of interstate and foreign commerce in livestock, dairy, and livestock products, poultry and poultry products, are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1869**.

STOKES.

The South Carolina election case of Johnston v. Stokes in the Fifty-seventh Congress. Volume **II**, section **1126**.

STOLBRAND.

The South Carolina election case of Stolbrand v. Aiken in the Forty-seventh Congress. Volume **I**, section **719**.

STONE, WILLIAM J., of Kentucky, Speaker Pro Tempore.

Decision on question of order relating to dilatory motions. Volume **V**, section **5716**.

STOP-WATCH DECISIONS.

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

Conflicting decisions on amendments denying use of appropriations for payment of officers engaged in supervising stop-watch operations in Government plants. Volume **VII**, section **1609**.

STOREY.

The investigation into the conduct of William Storey, United States judge for the western district of Arkansas. Volume **III**, section **2513**.

STOVELL.

The Virginia election case of Stovell v. Cabell in the Forty-seventh Congress. Volume **I**, section **681**.

STRADER.

The Ohio election case of Eggleston v. Strader in the Forty-third Congress. Volume **II**, section **878**.

STRAIT.

The Minnesota election case of Cox v. Strait in the Forty-fourth Congress. Volume **II**, sections **911, 912**.

STREAMS.

The gauging of streams was held not to be a continuing work within the meaning of the rule. Volume **IV**, section **3795**.

STREAMS—Continued.

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

STREETCARS.

General provisions of the statutes as to concerts, operation of street cars, delivery of fuel, and landscape features of the Capitol grounds. Volume **V**, section **7312**.

STREETS.

The grant to a railroad of easement on public lands, or in streets belonging to the United States is a subject requiring consideration in Committee of the Whole. Volume **IV**, sections **4840–4842**.

STRIKE OUT, MOTION TO.

- (1) **General conditions as to.**
- (2) **As to division of.**
- (3) **Relations to motions to perfect.**
- (4) **Relation to words already agreed to.**
- (5) **Relation to amendment in the nature of a substitute.**

(1) General Conditions as to.

A negative vote on a motion to strike out and insert does not prevent the offering of another similar motion or a simple motion to strike out. Volume **V**, section **5758**.

A motion to strike out and insert takes precedence of a simple motion to strike out the same language. Volume **VIII**, section **2854**.

A motion to strike out certain words being disagreed to, it is in order to strike out a portion of those words. Volume **V**, section **5769**. Volume **VIII**, section **2858**.

A rule of the House provides that even though a motion to strike out a proposition be decided in the negative, yet the proposition may be amended, even by a motion to strike out and insert. Volume **V**, section **5767**.

When it is proposed to strike out certain words in a paragraph it is not in order to amend by adding to them other words of the paragraph. Volume **V**, section **5768**. Volume **VIII**, section **2848**.

It is in order to insert by way of amendment a paragraph similar (if not actually identical) to one already stricken out by amendment. Volume **V**, section **5760**.

A bill being under consideration by paragraphs, a motion to strike out was held to apply only to the paragraph under consideration. Volume **V**, section **5774**.

An amendment simply striking out words already in a bill may not be held not germane. Volume **V**, section **5805**.

Under circumstances where the omission of language would sufficiently change the purport of the text to present another subject a motion to strike out has been held not to be germane. Volume **VIII**, section **2921**.

A proposal to strike out a portion of a text may not be germane to the proposition involved. Volume **VIII**, section **2917**.

Where the Senate had amended a House bill by striking out a section it was held in order in the House to concur with an amendment inserting a new text in lieu of that stricken out. Volume **V**, section **6186**.

A paragraph includes headings or subheadings and when stricken out on a point of order carries with it such titles or subtitles. Volume **VIII**, section **2353**.

When it is proposed to offer an amendment to strike out a section consisting of several paragraphs, of a bill which is being considered by paragraphs, the amendment may be moved to the first paragraph with notice that if it be agreed to, a similar motion will be made to strike out the succeeding paragraphs as they are reached. Volume **VIII**, section **2901**.

STRIKE OUT, MOTION TO—Continued.**(1) General Conditions as to**—Continued.

An amendment which by striking out words would change a privileged proposition to an unprivileged proposition was held not to be in order. Volume **VIII**, section **2919**.

(2) As to Division of.

The motion to strike out and insert may not be divided for the vote. Volume **V**, section **5767**.

A motion to strike out and insert is indivisible either as to the two branches of the motion or the language proposed for insertion. Volume **VIII**, section **3169**.

A rule provides that a motion to strike out and insert shall not be divided. Volume **V**, section **6123**.

On a motion to strike out a resolution and insert several connected resolutions a division of the question so as to vote separately on each substantive proposition of the matter to be inserted was decided not to be in order (Speaker overruled). Volume **V**, sections **6124**, **6125**.

Substitute resolutions offered as an amendment are not divisible, but when agreed to a division of the original as amended may be demanded. Volume **V**, sections **6127**, **6128**.

(3) Relations to Motions to Perfect.

The motion to strike out and insert is a perfecting amendment and takes precedence of a simple motion to strike out. Volume **VIII**, sections **2849**, **2854**.

It is in order to perfect words proposed to be stricken out and a perfecting amendment is admissible after debate on the motion to strike out has begun. Volume **VIII**, section **2860**.

A perfecting amendment, has precedence of a motion to strike out and must be first voted on when both are pending, but a member recognized on a motion to strike out may not be deprived of the floor by another member proposing a perfecting amendment. Volume **VIII**, section **2860**.

When it is proposed to strike out a paragraph it should be perfected by amendment before the question is put on striking out, although if the motion to strike out fails amendments may still be offered. Volume **V**, section **5758**.

When it is proposed to perfect a paragraph the motions to insert or strike out, if already pending, must remain in abeyance until the amendments to perfect have been moved and voted on. Volume **V**, section **5758**.

While amendments are pending to the section a motion to strike it out may not be offered. Volume **V**, section **5771**.

It is in order to perfect words proposed to be stricken out by striking out a portion of them. Volume **V**, section **5770**.

An amendment in the nature of a substitute having been prepared, amendments to the original text proposed to be stricken out are in order and are voted on before the question is taken on the substitute. Volume **VIII**, section **2861**.

(4) Relation to Words Already Agreed to.

An amendment to strike out an amendment already adopted is not in order. Volume **VIII**, sections **2712**, **2851**, **2853**, **2854**, **2987**.

While an amendment which has been agreed to may not be modified, a proposition to strike it from the bill with other language of the original text is in order. Volume **VIII**, section **2855**.

It is not in order to amend an amendment that has been agreed to, but the amendment with other words of the original paragraph may be stricken out in order to insert a new text of a different meaning. Volume **V**, section **5763**.

Words inserted by amendment may not afterwards be changed, except that a portion of the original paragraph including the words so inserted may be stricken out if in effect it presents a new proposition, and a new coherence may also be inserted in place of that stricken out. Volume **V**, section **5758**.

STRIKE OUT, MOTION TO—Continued.**(4) Relation to Words Already Agreed to—Continued.**

Words once inserted in a paragraph by way of amendment may not be stricken out by another motion to amend, but words on the same subject, even though inconsistent, may be added to the paragraph. Volume **V**, section **5759**.

While it is not in order to strike out a portion of an amendment once agreed to, yet words may be added to the amendment. Volume **V**, sections **5764, 5765**.

A motion to recommit including instructions to strike out an amendment or portion of an amendment already agreed to by the House is not in order. Volume **VIII**, sections **2713, 2715, 2717, 2719, 2743**.

After the previous question had been ordered it was once held in order to move to commit with instructions to strike out a portion of an amendment already agreed to, although such a purpose might not be accomplished directly by a motion to amend. Volume **V**, section **5542**.

While a motion to recommit with instructions to strike out an amendment adopted by the House is not in order, a motion is admissible accompanied by instructions striking out the text perfected by such an amendment. Volume **VIII**, section **2698**.

Although it is not in order in connection with a motion to recommit to offer instructions striking out an amendment agreed to by the House and insert other provisions in its place, it is in order to propose instructions to strike out such an amendment with other portions of the original paragraph so that a test of different meaning may be inserted. Volume **VIII**, section **2727**.

While a motion to recommit may not provide instructions to strike out an amendment agreed to by the House, it may nevertheless provide instructions to insert an amendment previously rejected by the House. Volume **VIII**, section **2728**.

If a Committee of the Whole amend a paragraph and subsequently strike out the paragraph as amended, the first amendment falls and is not reported to the House or voted on. Volume **VIII**, section **2421**.

(5) Relation to Amendment in the Nature of a Substitute.

A motion to strike out and insert is not in order as a substitute for a simple motion to strike out. Volume **VIII**, section **2849**.

To a motion to strike out certain words in a bill and insert others, a simple motion to strike out the words in the bill may not be offered as a substitute. Volume **VIII**, sections **2847, 2854**.

An amendment striking out language other than in the pending amendment is not in order as a substitute for an amendment inserting language. Volume **VIII**, section **2880**.

To a motion to insert words in a bill a motion to strike out certain words of the bill may not be offered as a substitute. Volume **V**, Section **5790**.

A motion to strike out a paragraph being pending, and the paragraph then being perfected by an amendment in the nature of a substitute, the motion to strike out necessarily falls. Volume **V**, section **5792**. Volume **VIII**, sections **2846, 2854**.

A substitute amendment may be amended by striking out all after its first word and inserting a new text. Volume **V**, sections **5793, 5794**.

When it is proposed to offer a single substitute for several paragraphs of a bill which is being considered by paragraphs the substitute may be moved to the first paragraph with notice that if it be agreed to motions will be made to strike out the remaining paragraphs. Volume **V**, section **5795**. Volume **VIII**, section **2898**.

An amendment in the nature of a substitute for the entire bill may be offered either at the end of the bill or after the reading of the first paragraph with notice that if agreed to motions will be made to strike out the remaining paragraphs. Volume **VIII**, sections **2426, 2902**.

When it is proposed to offer a substitute for the entire bill the substitute may be moved to the first paragraph with notice that if adopted motions will be made to strike out subsequent sections as reached, but the motion to strike out all after the enacting clause is not in order until the entire bill has been read. Volume **VIII**, section **2903**.

STRIKES.

The Committee on Labor has exercised general jurisdiction of propositions to make investigations as to the conditions of laboring people, labor troubles, etc. Volume **IV**, section **4245**.

The Committee on Labor has reported on the subject of arbitration as a means of settling labor troubles. Volume **IV**, section **4246**.

STROBACH.

The Alabama election case of Strobach v. Herbert in the Forty-seventh Congress. Volume **II**, sections **966, 967**.

STUART, CHARLES E., of Michigan, Speaker Pro Tempore and Chairman.

Decisions on questions of order relating to—

Recess. Volume **IV**, section **2958**.

Recognition. Volume **II**, sections **1422, 1423, 1452**.

Reference. Volume **V**, section **6626**.

STUDIOS.

No work of art not the property of the Government shall be exhibited in the Capitol and no room shall be used for private studios without permission of the Joint Committee on the Library. Volume **V**, section **7312**.

SUBCOMMITTEES. See "Committees."**SUBJECT.**

Rule governing the Member in debate, forbidding personalities, and requiring him to confine himself to the question. Volume **V**, section **4979**.

SUBMARINE BASE.

An appropriation for continuing development of a submarine base was held to be in continuation of a work already in progress. Volume **VII**, section **1353**.

Ab appropriation for the grading and drainage of land owned by the Government in connection with a submarine base was held to be in continuation of a work in progress. Volume **VII**, section **1381**.

SUPOENAS.

(1) **Authorizing, signing, etc.**

(2) **Form of.**

(3) **The subpoena duces tecum.**

(4) **Service of.**

(5) **Issued by the House to officers of the Senate.**

(6) **Issued by the House to Senators.**

(7) **Issued by a court for Members of the House and Senate.**

(8) **Issued by a court for papers of the House.**

(9) **Failure or refusal to obey.**

(10) **In election cases.**

(11) **In impeachment trials.**

(12) **In general.**

(1) Authorizing, Signing, etc.

The Speaker signs all acts, addresses, writs, warrants, and subpoenas. Volume **II**, section **1313**. In the Whitney case the validity of a subpoena signed only by the chairman of a committee was challenged, but sustained. Volume **III**, section **1668**.

The Clerk attests and affixes the seal of the House to all writs, warrants, and subpoenas issued by order of the House. Volume **I**, section **1608**.

In the Kilbourn case the subpoena was attested for the Clerk by deputy. Volume **II**, section **1608**.

SUBPOENAS—Continued.**(1) Authorizing, Signing, etc.—Continued.**

Witnesses are summoned in pursuance and by virtue of the authority conferred on a committee to send for persons and papers. Volume **III**, section **1750**.

The Kansas Committee of 1856 was empowered to send for persons and papers and to arrest and bring before the House any witnesses in contempt. Volume **III**, section **1752**.

A committee not being able to decide the question of issuing certain subpoenas authorized a member of the committee to exhibit its journal so that the House might act. Volume **III**, section **1802**.

The House may empower a subcommittee to send for persons and papers and conduct an investigation. Volume **III**, section **2029**.

Instance of the authorization of a subpoena by telegraph. Volume **III**, sections **1810**, **2159**.

The Speaker may be authorized and directed to issue subpoenas during a recess of Congress. Volume **III**, section **1806**.

An investigating committee being empowered to sit during recess, the Speaker was authorized and directed to sign subpoenas as during a session. Volume **III**, section **1753**.

By concurrent resolution the two Houses empowered the Vice-President and Speaker to sign subpoenas during a recess of Congress. Volume **III**, section **1763**.

A committee was authorized to send for persons and papers and to administer oaths in an investigation delegated to it by the House. Volume **VI**, section **536**.

The House sometimes confers upon subcommittees the power to send for persons and papers. Volume **VI**, section **376**.

The two Houses, by concurrent resolution, constituted a joint select committee of investigation, with power to send for persons and papers and sit during the recess of Congress. Volume **VI**, section **380**.

Witnesses are summoned in pursuance of and by virtue of the authority conferred on a committee to send for persons and papers. Volume **VI**, section **394**.

Under a rule of the Senate subpoenas or other writs are signed by the Presiding Officer, whether the Vice President or President pro tempore, during session of the Senate sitting in trial of impeachment or in vacation. Volume **VI**, section **485**.

(2) Form of.

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

Forms of subpoenas used at different times. Volume **III**, sections **1808**, **1809**.

Form of subpoenas and return used in the case of Williams. Volume **III**, section **1673**.

A form of subpoena issued in 1834 and criticized as defective. Volume **III**, section **1732**.

Form of subpoena issued by a joint committee. Volume **III**, section **1721**.

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

Form of subpoena served on a Member of the House. Volume **VI**, section **537**.

(3) The Subpoena Duces Tecum.

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

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

In 1876, after examination and discussion, the House declared its right through a subpoena duces tecum to compel the production of books, papers, and especially telegrams. Volume **III**, section **1812**.

In 1877 the House, in the course of an investigation of the recent Presidential election, compelled the production of telegrams by an employee of the company having actual custody of them. Volume **III**, section **1696**.

The case of M. S. Daugherty, in the Senate, in 1924. Volume **VI**, section **339**.

Form of a subpoena duces tecum issued by order of the House. Volume **III**, section **1699**.

SUBPOENAS—Continued**(3) The Subpoena Duces Tecum—Continued.**

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

Form of subpoena duces tecum issued in the Kilbourn case. Volume **II**, section **1608**.

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

The House has issued a subpoena duces tecum in order to procure election returns to be used in determining election cases. Volume **I**, section **710**.

(4) Service of.

The House sometimes directs the Sergeant-at-Arms to attend the sittings of a committee and serve the subpoenas. Volume **III**, section **1753**.

A Sergeant-at-Arms serving subpoena for a committee makes his return and it is entered on the journal of the committee. Volume **III**, section **1800**.

The Sergeant-at-Arms endorses on a subpoena his authorization of his deputy to act in his stead. Volume **III**, section **1673**.

A subpoena served by a deputy did not contain certificate of the deputy's appointment. Volume **III**, section **1695**.

A discussion distinguishing between the serving of a warrant by deputy and the serving of a subpoena in the same way. Volume **III**, section **1702**.

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

A subpoena having been served by a deputy Sergeant-at-Arms, a certificate of his appointment should accompany a report requesting arrest of the witness for contempt. Volume **III**, section **1701**.

(5) Issued by the House to Officers of the Senate.

The Secretary of the Senate being subpoenaed to appear before a committee of the House with certain papers from the files, the Senate, after a discussion as to privilege, empowered him to attend with the papers in his custody. Volume **III**, section **2665**.

The Secretary of the Senate being subpoenaed to produce a paper from the files of the Senate, permission was given him to do so after a discussion as to whether or not he was exempted by privilege from the process. Volume **III**, section **2666**.

The Secretary of the Senate obeyed a subpoena duces tecum of a House investigating committee. Volume **III**, section **1797**.

(6) Issued by the House to Senators.

A committee of the House having summoned certain Senators by subpoena, the summons was either disregarded or obeyed under protest. Volume **III**, sections **1792**, **1793**.

A Senator having neglected to accept an invitation or respond to a subpoena requesting him to testify before a House committee the House, by message, requested that the Senate give him leave to attend. Volume **III**, section **1794**.

Form of a subpoena issued to secure the attendance of a Senator. Volume **III**, section **1794**.

(7) Issued by a Court for Members of the House and Senate.

The House, after discussion, declined to make a general rule permitting Members to waive their privilege in attending court as witnesses, but gave the permission asked on behalf of a single Member. Volume **III**, section **2660**.

The House decided that the summons of a court to Members to attend and testify constituted a breach of privilege, and directed them to disregard the mandate. Volume **III**, section **2661**.

The constitutional privilege of Members in the matter of arrest has been construed to exempt from subpoena during sessions of Congress. Volume **VI**, section **588**.

A Senator being subpoenaed to appear before the grand jury of the District of Columbia announced in the Senate that he would disregard it. Volume **VI**, section **588**.

SUBPOENAS—Continued.**(7) Issued by a Court for Members of the House and Senate—Continued.**

A Senator declining to heed a summons to appear and testify before a Federal grand jury, the court held that if he failed to obey the subpoena voluntarily the court was without power to compel his attendance. Volume **VI**, section **588**.

(8) Issued by a Court for papers of the House.

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

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

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

The Clerk of the House having been subpoenaed to produce before the Supreme Court of the District of Columbia certain papers from the files, reported to the House, and failing to receive permission disregarded the order of the court. Volume **VI**, section **587**.

A resolution authorizing the Clerk of the House to produce papers requested in a subpoena duces tecum is presented as a matter of privilege. Volume **VI**, section **587**.

Instance wherein permission was given the clerk of a committee and the Clerk of the House, to respond to subpoena or subpoena duces tecum and to make deposition with proviso that they should take with them none of the files. Volume **VI**, section **585**.

(9) Failure or Refusal to Obey.

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

In the latest practice a committee in reporting the contempt of a witness shows that the testimony required is material and presents copies of the subpoena and return. Volume **III**, section **1701**.

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

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

An official of a telegraph company not being in actual possession of dispatches demanded by the House, proceedings for contempt were discontinued. Volume **III**, section **1697**.

A question as to issuing a warrant for the arrest of a person who has avoided a summons by seeking a foreign country. Volume **III**, section **1805**.

In 1837, for refusing to obey the subpoena of a committee, Reuben M. Whitney was arrested and tried at the bar of the House. Volume **III**, section **1667**.

In 1858 the House arrested and arraigned J.D. Williamson for contempt in declining to respond to a subpoena. Volume **III**, section **1673**.

For declining to testify or to obey a subpoena duces tecum commanding him to produce certain papers to be used in impeachment proceedings against himself George F. Seward was arraigned for contempt. Volume **III**, section **1699**.

In 1877 the House imprisoned members of a State canvassing board for contempt in refusing to obey a subpoena duces tecum for the production of certain papers relating to the election of Presidential electors. Volume **III**, section **1698**.

For declining to testify or to obey a subpoena duces tecum commanding him to produce certain papers, Harry F. Sinclair was certified to the district attorney for contempt. Volume **VI**, section **336**.

A witness having declined to attend and produce documents, the Senate by resolution ordered his arrest. Volume **VI**, section **339**.

SUBPOENAS—Continued.**(10) In Election Cases.**

The law governing the application for and issuing of subpoenas for witnesses in an election case. Volume **I**, section **698**.

The notice to take depositions and a copy of the subpoena are attached to the depositions in an election case. Volume **I**, section **704**.

The House has issued a subpoena duces tecum in order to procure election returns to be used in determining election cases. Volume **I**, section **710**.

Instance wherein the House directed the issue of a subpoena duces tecum to procure the ballots for examination in an election case. Volume **I**, section **731**.

Form of resolution by which the House ordered the production of ballots as evidence in an election case. Volume **II**, section **1070**.

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

May a notary, acting under the authority of the law of 1851, require the production of ballots against the injunction of the State court? Volume **II**, section **1070**.

Instance wherein witnesses in a contested election case were to be summoned by subpoenas issued by the Speaker. Volume **I**, section **598**.

An election committee, while authorized to subpoena witnesses and compel the production of papers in an election case, is without such authority in proceedings for expulsion unless authorized by the House. Volume **VI**, section **77**.

(11) In Impeachment Trials.

The Senate sitting on impeachment trials is empowered by rule to compel the attendance of witnesses. Volume **III**, section **2158**.

In impeachment trials subpoenas are issued on application of managers or the respondent or his counsel. Volume **III**, section **2162**.

Form of subpoena issued to witnesses in impeachment trials. Volume **III**, section **2162**.

The Senate, sitting for the Belknap trial, declined to order process to compel the attendance of a witness who had been subpoenaed by telegraph merely. Volume **III**, section **2159**.

In the Humphreys impeachment it was first provided that the subpoenas should be served by the Sergeant-at-Arms or his deputy. Volume **III**, section **2393**.

At the beginning of the Humphreys trial the returns on the subpoenas were read and the names of the witnesses called. Volume **III**, section **2394**.

The Senate provided that subpoenas for respondent's witnesses in the Belknap trial should be issued on recommendation of a committee. Volume **III**, section **2463**.

Form of direction for service of subpoenas to witnesses in impeachment trials. Volume **III**, section **2162**.

Forms of subpoena and compulsory process issued by House committee to produce persons and papers for Blout impeachment. Volume **III**, sections **2038**, **2039**.

In the Pickering case the Senate provided for issuing subpoenas of a specified form on application of managers or of respondent or his counsel. Volume **III**, section **2329**.

In the Pickering impeachment the subpoenas were directed to the marshal of the district wherein the witnesses resided. Volume **III**, section **2329**.

The forms of summons and subpoenas in the Pickering case were communicated to the House and entered on its Journal. Volume **III**, section **2329**.

Form of direction to the marshal for services of subpoenas in the Pickering trial. Volume **II**, section **2329**.

Returns of the Sergeant at Arms on the summons and a subpoena in the Pickering trial were read in the court before the return day. Volume **III**, section **2330**.

The Senate, sitting for the Archbald trial, ordered process to compel the attendance of a witness who had disregarded a subpoena duly served by the Sergeant at Arms. Volume **VI**, section **486**.

SUBPOENAS—Continued.**(11) In Impeachment Trials—Continued.**

In the Archbald trial the Senate provided that lists of witnesses to be subpoenaed should be furnished by managers or counsel to the Sergeant at Arms and that additional witnesses desired later should be subpoenaed on application to the Presiding Officer. Volume **VI**, section **508**.

In the Louderback impeachment the Senate ordered process to compel the attendance of a witness who declined to appear in response to subpoena. Volume **VI**, section **523**.

List of witnesses to be subpoenaed in a trial of impeachment are supplied by the managers and respondent respectively to the Sergeant at Arms of the Senate. Volume **VI**, section **484**.

After the filing of lists of witnesses to be subpoenaed in a trial of impeachment, further witnesses may be subpoenaed on application of the managers or the respondent made to be Presiding Officer. Volume **VI**, section **484**.

(12) In General.

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

The House by resolution called on two of its Members to state what they knew concerning charges against the Chief of the Army, then under discussion. Volume **III**, section **1726**.

The House, after extended discussion, assumed the right to compel the attendance of witnesses in an inquiry entirely legislative in its character. Volume **III**, sections **1816–1820**.

The Senate has authorized the compulsory attendance of witnesses in legislative inquiries. Volume **III**, sections **1814, 1815**.

The Senate allowed a Member threatened with expulsion to be heard by counsel, but did not grant his request for a specific statement of charges or compulsory process for witnesses. Volume **II**, section **1264**.

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

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

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

SUBSTITUTE AMENDMENTS.

(1) **General principles as to.**

(2) **For an entire bill.**

(3) **As related to motion to strike out.**

(4) **When in the third degree.**

(5) **For motion to recommit.**

(6) **For Senate amendments.**

(7) **Special orders relating to.**

(8) **Amendment of.**

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

(10) **Voting on.**

(11) **Between the Houses.**

(1) General Principles as to.

History of the evolution of the amendment in the nature of a substitute. Volume **V**, section **5753**.

SUBSTITUTE AMENDMENTS—Continued.**(1) General Principles as to—Continued.**

There may be pending simultaneously, the original text, an amendment to the text, an amendment to the amendment, a substitute for the amendment and an amendment to the substitute. Volume **V**, section **5753**. Volume **III**, sections **2883**, **2887**.

It was settled by the practice of the House, before the adoption of the rule, that there might be pending with the amendment and the amendment to it another amendment in the nature of a substitute and an amendment to the substitute. Volume **V**, section **5785**.

Under the recent practice of the House the substitute provided for in Rule XIX has been construed as a substitute for the amendment and not a substitute for the text. Volume **VII**, section **2883**.

Sometimes by unanimous consent the House allows more than one substitute to be pending at once, in order that a choice may be offered between different propositions. Volume **V**, section **5798**.

When an amendment is pending only one substitute for the amendment is in order. Volume **VIII**, section **2883**.

The original resolution, for which a substitute is recommended by the standing committee reporting the same, must be read before the substitute is read unless such reading is dispensed with by unanimous consent. Volume **VIII**, section **2886**.

Even when a substitute has been reported to the House the original bill must be read unless dispensed with by unanimous consent. Volume **VII**, section **1054**.

To qualify as a substitute an amendment must treat in the same manner the same subject matter carried by the text for which proposed. Volume **VIII**, section **2879**.

A proposition to be accepted as a substitute must relate to the same subject and repose a related objective. Volume **VIII**, section **3490**.

To an amendment affecting one item in a paragraph a proposed substitute affecting all items in the paragraph was held not germane. Volume **VIII**, section **2999**.

An amendment in the nature of a substitute, providing simply for the establishment of land offices, was held not to be germane to a bill providing for the organization of a Territorial government. Volume **V**, section **5876**.

It is in order to propose as a substitute for a section an amendment inserting the same section with modifications and omitting amendments to the section previously agreed to by the Committee of the Whole. Volume **VIII**, section **2905**.

A proposition offered as a substitute amendment and rejected may nevertheless be offered again as an amendment in the nature of a new section. Volume **V**, section **5797**. Volume **VIII**, section **2843**.

The House having rejected a substitute recommended by the Committee of the Whole, the section of the bill for which the substitute was proposed remains in the bill in its original form and not as amended. Volume **VIII**, section **2424**.

(2) For an Entire Bill.

A new bill may be engrafted by way of amendment on the words "be it enacted," etc. Volume **V**, section **5781**.

Form of a substitute amendment for the text of an entire bill (footnote). Volume **V**, section **5785**.

A proposition in the form of a bill may not be offered as a substitute for a proposition in the form of a simple resolution. Volume **VIII**, section **3446**.

A joint resolution was substituted for a bill in amending the census act. Volume **VII**, section **1040**.

An amendment in the nature of a substitute for the entire bill may be offered either at the end of the bill or after the reading of the first paragraph with notice that if agreed to motions will be made to strike out the remaining paragraphs. Volume **VI**, sections **2426**, **2884**, **2902**, **2903**, **2904**, **2905**.

SUBSTITUTE AMENDMENTS—Continued.**(2) For an Entire Bill—Continued.**

When a bill is considered by sections or paragraphs an amendment in the nature of a substitute is properly offered after the reading for amendment is concluded. Volume **V**, section **5788**.

An instance wherein a substitute text for a bill was offered as a substitute for the first section and agreed to, the remaining sections being stricken out afterwards. Volume **V**, section **5796**.

One of the functions of the rule requiring germaneness is to preclude consideration of legislation which has not been considered in committee and for this reason the rule should be invoked with particular strictness against amendments proposing substitutes for an entire bill. Volume **VIII**, section **2912**.

A point of order may be raised against a substitute reported by committee, although the original resolution may have been privileged. Volume **VI**, section **418**.

A committee to which a resolution had been committed, having submitted a report making no recommendations thereon and proposing another resolution neither germane to nor recommended as a substitute for the original resolution, was permitted to withdraw it and file an amended report recommending the proposed resolution as a substitute. Volume **VI**, section **401**.

If the Committee of the Whole perfect a bill by amendment and then adopt a substitute for the entire bill, only the substitute is reported to the House, and if the House rejects the substitute the original bill without amendment is before the House. Volume **VIII**, section **2426**.

If the Committee of the Whole reports to the House a substitute for the entire bill the substitute is subject to amendment in the House unless the previous question is operating. Volume **VIII**, section **2419**.

When a Senate bill is reported by the Committee of the Whole with an amendment in the nature of a substitute and the House rejects the substitute, and the previous question is operating, the vote recurs on the Senate bill without amendment. Volume **VIII**, section **2427**.

(3) As Related to Motion to Strike Out.

To a motion to strike out certain words in a bill and insert others, a simple motion to strike out the words in the bill may not be offered as a substitute. Volume **VIII**, sections **2847**, **2854**.

An amendment striking out language other than in the pending amendment is not in order as a substitute for an amendment inserting language. Volume **VIII**, section **2880**.

A motion to strike out and insert is not in order as a substitute for a simple motion to strike out. Volume **VIII**, section **2849**.

To a motion to insert words in a bill a motion to strike out certain words of the bill may not be offered as a substitute. Volume **V**, section **5790**.

A motion to strike out a paragraph being pending, and the paragraph then being perfected by an amendment in the nature of a substitute, the motion to strike out necessarily falls. Volume **V**, section **5792**. Volume **VIII**, sections **2846**, **2854**.

A proposition to strike out all after the first two words of an amendment and insert a new text in lieu thereof was held to be an amendment and not a substitute. Volume **VIII**, section **2882**.

When it is proposed to offer a single substitute for several paragraphs of a bill which is being considered by paragraphs, the substitute may be moved to the first paragraph with notice that if agreed to, motions will be made to strike out the remaining paragraphs when read. Volume **V**, section **5795**. Volume **VIII**, section **2898**.

(4) When in the Third Degree.

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

SUBSTITUTE AMENDMENTS—Continued.**(4) When in the Third Degree—Continued.**

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

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

(5) For Motion to Recommit.

Unless the previous question is ordered, a motion to recommit with instructions is open to amendment, and a substitute striking out all proposed instructions and substituting others cannot be ruled out as interfering with the right of the minority to move recommitment. Volume **VIII**, section **2759**.

A substitute proposing to amend instructions accompanying a motion to recommit must be germane. Volume **VIII**, section **2711**.

(6) For Senate Amendments.

A motion proposing a substitute for a Senate amendment yields to a motion for a perfecting amendment. Volume **VIII**, section **3184**.

A motion to concur in a Senate amendment with an amendment is not in order while a motion to concur with another amendment is pending, but may be offered as an amendment or as a substitute for the pending motion. Volume **VIII**, section **3201**.

(7) Special Orders Relating to.

Form of special order for consideration of a House bill with provision for substitution of Senate bill in Committee of the Whole. Volume **VII**, section **843**.

Form of special order providing for the consideration, within certain limits of time, of a substitute in lieu of a pending bill, in the Committee of the Whole in the House. Volume **VII**, section **810**.

Form of special order for consideration of a resolution and report thereon in Committee of the Whole with provision for vote on a substitute. Volume **VII**, section **802**.

Form of special order providing for consideration of House substitute for Senate bill regardless of the rule requiring germaneness. Volume **VII**, section **803**.

An instance of the difficulties arising from the terms of a special order which permitted two substitute amendments to a bill to be pending at once. Volume **IV**, section **3206**.

(8) Amendment of.

Both an original proposition and a proposed amendment in the nature of a substitute may be perfected by amendments before the vote is taken on the substitute. Volume **V**, section **5786**.

A substitute amendment may be amended by striking out all after its first word and inserting a new text. Volume **V**, sections **5793**, **5794**.

In considering an amendment to a substitute an amendment in the nature of a substitute for the pending amendment was not admitted, being in the third degree. Volume **V**, section **5791**.

The formal amendment striking out the last word is not in order in considering an amendment to a substitute, being in the third degree. Volume **V**, section **5779**.

(9) In Committee of the Whole.

A Committee of the Whole, like any other committee, may adopt and report an amendment in the nature of a substitute. Volume **IV**, section **4899**.

An instance where the Committee of the Whole reported a new resolution in lieu of one referred to it. Volume **IV**, section **4878**.

The closing of debate on the last section of a bill considered under the five-minute rule does not preclude debate on a substitute for the whole text of the bill. Volume **V**, section **5228**.

SUBSTITUTE AMENDMENTS—Continued.**(9) In Committee of the Whole—Continued.**

An amendment reported from Committee of the Whole striking out all after the enacting clause of a bill and inserting new matter is, when reported, treated like any other amendment reported from the committee. Volume **V**, section **5341**.

An amendment in the nature of a substitute is reported from the Committee of the Whole in its perfected form, amendments to the substitute not being noted in the report. Volume **VI**, sections **4900–4903**.

An amendment reported from the Committee of the Whole may not be withdrawn, and a question as to its validity is not considered by the Speaker. Volume **IV**, section **4900**.

A bill having been considered in Committee of the Whole and the House, pending a vote on the passage, having recommitted it with instructions that it be reported “forthwith” with an amendment in the nature of a substitute, it was held that the substitute did not require consideration in Committee of the Whole. Volume **V**, sections **5545, 5546**.

Instance wherein a substitute amendment was offered to a bill reported from the Committee of the Whole with amendments, and the previous question was ordered on all the amendments and the bill to a final passage. Volume **V**, section **5472**.

A bill being under consideration “in the House as in Committee of the Whole,” an amendment in the nature of a substitute is in order only after the consideration of the bill by sections has been completed. Volume **IV**, sections **4933, 4934**.

(10) Voting on.

After an amendment in the nature of a substitute is agreed to, the question must then be taken on the original proposition as amended. Volume **II**, section **983**. Volume **V**, sections **5785** (footnote), **5799, 5800**.

The resolution before the House providing that a contestant have leave to withdraw, the mere adoption of an amendment to seat contestant does not thereby decide the case. Volume **II**, section **983**.

An amendment in the nature of a substitute having been proposed, amendments to the original text proposed to be stricken out are in order and are voted on before the question is taken on the substitute. Volume **V**, section **5753**. Volume **III**, sections **2861, 2894, 2895**.

When the four amendments in order under the rule are pending, the vote is taken first on the amendment to the amendment and then on the amendment to the substitute. Volume **VIII**, section **2892**.

An amendment in the nature of a substitute may be proposed before amendments to the original text have been acted on, but may not be voted on until such amendments have been disposed of. Volume **V**, section **5787**. Volume **VIII**, section **2896**.

Substitute resolutions offered as an amendment are not divisible. Volume **VIII**, section **3168**.

Substitute resolutions offered as an amendment are not divisible, but when agreed to a division of the original as amended may be demanded. Volume **V**, sections **6127, 6128**.

Under exceptional circumstances a substitute amendment to a bill which was being considered by paragraphs was once voted on before all the paragraphs had been read. Volume **V**, section **5789**.

The vote on a substitute and the vote on the original resolution as amended by the substitute, if the substitute entirely replaces the original resolution, is the same proposition within the practice prohibiting a second motion to reconsider the same proposition unless changed by amendment. Volume **VIII**, section **2788**.

Under a special order providing that a specified amendment “shall be voted on,” that particular amendment only must be voted on and no similar amendment or substitute, even though germane, is in order. Volume **VII**, section **782**.

(11) Between the Houses.

One House may amend a bill of the other by striking out all after the enacting clause and inserting a new text. Volume **V**, section **6321**.

SUBSTITUTE AMENDMENTS—Continued.**(11) Between the Houses—Continued.**

A motion being made to agree to an amendment of the other House with an amendment, it is in order to perfect that amendment by another amendment and a substitute. Volume **V**, section **6175**.

An instance of substitute amendments between the Houses carried to the furthest degree. Volume **V**, section **6178**.

Where one House strikes out all of the bill of the other after the enacting clause and inserts a new text and the differences over this substitute are referred to conference, the managers have a wide discretion in incorporating germane matters, and may even report a new bill on the subject. Volume **V**, sections **6421–6423**. Volume **VIII**, sections **3248, 3276**.

Where an entire bill has been stricken out and a new text inserted, the conferees exercise broad authority and may discard language occurring both in the bill and the substitute. Volume **VII**, section **3266**.

A Senate bill with a proposed committee amendment in the nature of a substitute being under consideration in Committee of the Whole, the bill was first read by sections for amendment and then the substitute was perfected. Volume **IV**, section **4741**.

Where a substitute has been proposed by one House for the entire bill passed by the other House, provisions in either the bill or the substitute are germane when offered in motion to instruct managers. Volume **VIII**, section **3230**.

Where an amendment of one House proposes to strike out a paragraph of a bill of the other, whether a substitute therefor is proposed or not, and the amendment has been disagreed to, the conferees have the whole subject before them and may report any provision germane thereto. Volume **VIII**, section **3288**.

Form of conference report wherein an entirely new text is reported in place of an amendment in the nature of a substitute. Volume **V**, section **6426**.

SUCCESSION TO THE PRESIDENCY.

Subjects relating to the succession of the office of President in case of his death, disability, etc., have been within the jurisdiction of the Committee on Election of President, Vice-President, and Representatives in Congress. Volume **IV**, section **4304**.

SUITS.

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

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

Suit having been filed against members of a joint committee, the House granted permission to the members on the part of the House to enter appearance in response to judicial process, while the Senate declared it to be an invasion of constitutional privilege and directed the Senate members of the committee to make no appearance in response thereto. Volume **VII**, section **2164**.

Decision of Federal court maintaining jurisdiction of suit brought against Members in their official capacity. Volume **VII**, section **2164**.

A witness in the custody of the Sergeant at Arms having procured a writ of habeas corpus, the Senate requested the President to direct the Attorney General to defend the suit. Volume **VI**, section **339**.

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

An appropriation for expenses incurred in suits to determine the rights of Indians was held to be in order in an appropriation bill. Volume **VII**, section **1211**.

SULLIVAN.

The California election case of Sullivan v. Felton in the Fiftieth Congress. Volume **II**, sections **1016, 1017**.

SULZER.

The Alaska election case of Wickersham v. Sulzer and Grigsby in the Sixty-sixth Congress. Volume **VI**, section **113**.

The Alaska election case of Wickersham v. Sulzer in the Sixty-fifth Congress. Volume **VI**, section **147**.

SUMMONS.

(1) **As related to privilege of Members.**

(2) **Of witnesses.**

(1) As Related to Privilege of Members.

Jefferson's discussion of the privilege conferred on Members by the Constitution, especially as to arrest, summons, etc. Volume **III**, section **2672**.

The House has decided that the summons of a court to Members to attend and testify constitutes a breach of privilege, but sometimes gives the Members permission to attend. Volume **III**, sections **2660, 2661**.

A Member, being summoned before a Federal grand jury, presented the matter to the House as a question of personal privilege, expressing readiness to respond in event formal permission was granted by the House. Volume **VI**, section **586**.

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

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

A Senator declining to heed a summons to appear and testify before a Federal grand jury, the court held that if he failed to obey the subpoena voluntarily the court was without power to compel his attendance. Volume **VI**, section **588**.

(2) Of Witnesses.

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

Witnesses are summoned in pursuance and by virtue of the authority conferred on a committee to send for persons and papers. Volume **III**, section **1750**. Volume **VI**, section **394**.

The law for summoning and examining witnesses in an election case. Volume **I**, section **700**.

The rules provide for the rate of compensation of witnesses summoned to appear before the House or its committees. Volume **VI**, section **393**.

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

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

A committee asserted the power of the House to arrest and imprison recalcitrant Members in order to compel obedience to its summons. Volume **VI**, section **537**.

SUMNER.

Enunciation of Mr. Senator Sumner's theory that the Senate was not a court and the Senators were not constrained by the obligations of judges in an impeachment trial. Volume **III**, section **2057**.

SUMNERS, HATTON W., of Texas, Chairman.

Decisions on questions of order relating to—
Debate. Volume **VIII**, section **2592**.

SUNDAY.

- (1) **Usually a dies non.**
- (2) **May be made a legislative day.**
- (3) **When Saturday's session is prolonged into.**

(1) Usually a Dies Non.

In the ordinary practice of the House Sunday is regarded as a dies non. Volume **V**, section **7245**. In computing the days of a session Sunday has not always been treated as a dies non. Volume **V**, section **6733**.

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

A bill not returned by the President within ten days (Sundays excepted) becomes a law as if signed, unless Congress by adjournment prevents its return. Volume **IV**, section **3520**.

Sundays and legal holidays are not excluded in computing the forty days allowed for taking testimony in an election case. Volume **I**, section **685**.

In counting the three days required under the consent rule, Sunday is not included. Volume **VII**, section **995**.

The Senate is required by rule to continue in session from day to day (Sundays excepted) during impeachment trials, unless otherwise ordered. Volume **III**, section **2079**.

When March 4 falls on Sunday the inauguration of the President of the United States occurs at noon March 5. Volume **III**, section **1996**.

When the inaugural date falls on Sunday the inauguration of the President of the United States occurs at noon, the following day. Volume **VI**, section **449**.

(2) May be Made a Legislative Day.

Sunday may be a legislative day. Volume **V**, section **7246**.

By vote of the House Sunday has been made a legislative day. Volume **V**, section **6732**.

Sunday has been made a legislative day for eulogies of deceased Members. Volume **V**, sections **7168**, **7169**.

Sunday has been made a legislative day by concurrent action of the two Houses. Volume **V**, section **6731**.

(3) When Saturday's Session is Prolonged Into.

The House has declined to affirm that it may not transact business on Sunday. Volume **V**, section **6730**.

For many years the House has continued its session of Saturday into Sunday when under stress of business. Volume **V**, section **6728**.

An adjournment does not necessarily take place at 12 p.m. Saturday, the House having power to continue in session on Sunday if it be so pleased. Volume **V**, sections **6728**, **6729**.

Instance of an early protest against prolonging a session into the hours of Sunday. Volume **V**, section **5946**.

The propriety of continuing a session into Sunday does not constitute a question of order for the Speaker, who may not adjourn the House against its will. Volume **V**, section **6728**.

Whether the House shall continue the legislative day into Sunday is not a question for the decision of the Speaker. Volume **V**, section **6695**.

SUNDRY CIVIL APPROPRIATION BILL.

River and harbor improvements not authorized or placed under contract may not be appropriated for in the sundry civil appropriation bill. Volume **IV**, sections **4122–4124**.

An amendment providing for the construction of the Nicaraguan Canal was held not to be germane to the sundry civil appropriation bill. Volume **IV**, section **3782**.

An appropriation for repairs and improvements of the House of Representatives was ruled to be in order on the sundry civil appropriation bill. Volume **IV**, section **4039**.

SUNDRY CIVIL APPROPRIATION BILL—Continued.

The appointment of managers for the National Home for Disabled Volunteer Soldiers being vested by law in Congress, a paragraph making such appointment was held in order on the sundry civil appropriation bill. Volume **IV**, section **4052**.

The Committee on Appropriations has jurisdiction of legislative, executive, judicial, and sundry civil expenses of the Government. Volume **IV**, section **4032**.

SUPERINTENDENT OF THE CAPITOL

The Secretary and Sergeant-at-Arms of the Senate, Superintendent of the Capitol, the Librarian of Congress, and his assistant in the law library have the privilege of the floor. Volume **V**, section **7283**. Volume **VIII**, section **3634**.

The electrician and laborers connected with the lighting, heating, and ventilating of the House are under direction of the superintendent, subject to the control of the Speaker. Volume **V**, section **7312**.

The care, preservation, and orderly keeping of the House Wing of the Capitol devolve on the Superintendent, under regulations prescribed by the Speaker. Volume **V**, section **7312**.

SUPERINTENDENTS.

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

SUPERVISING ARCHITECT.

Legislation relating to the office of the Supervising Architect of the Treasury is within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV**, section **4232**.

SUPERVISORS.

Discussion as to the clause of the Constitution under which Federal supervisors of elections acted. Volume **II**, section **931**.

The House rejected a return of State election officers on the evidence of the returns of United States supervisor of elections. Volume **I**, section **736**.

Discussion as to whether or not a result corroborated by Federal supervisors might be set aside by a recount by State officials. Volume **II**, section **931**.

Reference to a discussion of the return of United States supervisors as evidence of the vote cast. Volume **II**, section **960**.

The regular returns being lost or invalidated and not canvassed, the House took into account a statement of the United States supervisors as to the state of the vote. Volume **II**, section **1014**.

SUPREME COURT.

The justices of the Supreme Court have the privilege of the floor. Volume **V**, section **7283**. Volume **VIII**, section **3634**.

The Speaker is required to set aside a portion of the west gallery for the use of the President, members of his Cabinet, justices of the Supreme Court, and foreign ministers and suites, and their respective families. Volume **V**, section **7302**.

A newly appointed Chief Justice of the United States Supreme Court was received informally by the House. Volume **V**, section **7080**.

Ceremonies on the occasion of the deaths of a Chief Justice and associate justices of the Supreme Court of the United States. Volume **V**, sections **7194–7197**. Volume **VIII**, section **3586**.

Summaries showing number of bills introduced, number of reports submitted by committees, number of laws enacted, and number of acts of Congress declared unconstitutional by the Supreme Court. Volume **VII**, section **1028**.

The Supreme Court, and not Congress, is the proper tribunal to determine the constitutionality of a State's election system. Volume **VI**, section **128**.

SUPREME COURT—Continued.

The pocket-veto case decided by the Supreme Court in 1929. Volume **VII**, section **1115**.
 Jefferson's Manual and Hinds' Precedents are cited by the Supreme Court as authorities in parliamentary procedure. Volume **VI**, section **343**.

SURETIES.

The accusation being of misdemeanor only the respondent, under the English usage, does not answer the summons in custody, but the Lords may commit him until he finds sureties for his future appearance. Volume **III**, section **2120**.

SURPLUS AGRICULTURAL PRODUCTS.

The cooperative marketing and distribution of farm products, the disposition of surplus agricultural products abroad, proposed legislation for the the stablization and control of prices of foodstuffs, and for the establishment of governmental agencies for the administration of such legislation are within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1871**.

SURREJOINDER.

Forms of rejoinder, surrejoinder, and similter filed in the Belknap trial. Volume **III**, section **2455**.
 The surrejoinder of the House of Representatives in the Belknap trial was signed by the Speaker and attested by the Clerk. Volume **III**, section **2455**.

SURVEYS.

Respective jurisdictions of Committees on Appropriations and Naval Affairs over appropriations for ocean and lake surveys. Volume **IV**, sections **4040**, **4041**.

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

The Committee on Interstate and Foreign Commerce's former jurisdiction over legislation relating to the navigation, commerce, shipping facilities, and pollution of the Great Lakes, and the survey and improvement of navigation therefrom to the Sea via the St. Lawrence River has been transferred to the Commerce on Merchant Marine and Fisheries. Volume **VII**, section **1809**.

The Committee on Naval Affairs has exercised limited jurisdiction over bills relating to the Coast and Geodetic Survey. Volume **VII**, section **1910**.

Legislative propositions relating to the work of the Geological Survey have been reported by the Committee on Mines and Mining. Volume **VII**, section **1960**.

The investigation of watersheds of streams under improvement and the survey and investigation of dams on such streams are subjects within the jurisdiction of the Committee on Rivers and Harbors. Volume **VII**, section **1833**.

The Committee on Flood Control has reported legislation authorizing surveys and construction with a view to flood control. Volume **VII**, section **2070**.

Bills providing for preliminary surveys of rivers and harbors are classed as private bills. Volume **VII**, section **1027**.

The continuing of a topographical survey was held to be the continuation of a public work. Volume **VII**, section **1382**.

A statute authorizing the President, within his discretion, to order survey of agricultural lands was held not to authorize a survey by the Interior Department of certain Indian lands. Volume **VII**, section **1208**.

SUSPENSION.

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

SUSPENSION—Continued.

Two Senators have been declared in contempt, a question was raised as to the right to suspend their functions as Senators, including their right to vote, but was not decided. Volume **II**, section **1665**.

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

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

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

SUSPENSION OF THE RULES, MOTION FOR. See "Rules."**SUTHERLAND.**

The Senate case of Howard Sutherland, of West Virginia, in the Sixty-fifth Congress. Volume **VI**, section **82**.

SUTHERLAND, JOEL B., of Pennsylvania, Chairman.

Decision on question of order relating to quorum. Volume **II**, section **1653**.

SWANK, FLETCHER B., of Oklahoma, Chairman.

Decisions on questions of order relating to—
Holman rule. Volume **VII**, section **1508**.

SWANSON.

The Virginia election case of Cornet v. Swanson in the Fifty-fourth Congress. Volume **II**, section **1071**.

The Virginia election case of Brown v. Swanson in the Fifty-fifth Congress. Volume **II**, sections **1108, 1109**.

SWAYNE.

The impeachment and trial of Charles Swayne, judge of the northern district of Florida. Volume **III**, sections **2469–2485**.

SWITZLER.

The Missouri election case of Switzler v. Anderson in the Fortieth Congress. Volume **II**, sections **867, 868**.

The Missouri election case of Switzler v. Dyer in the Forty-first Congress. Volume **II**, section **873**.

SYKES.

The Senate case of Sykes v. Spencer, from Alabama, in the Forty-third Congress. Volume **I**, sections **342–344**.

SYMES.

The Kentucky election case of Symes v. Trimble in the Fortieth Congress. Volume **I**, section **452**.

SYPHER.

The Louisiana election case of Sypher v. St. Martin in the Forty-first Congress. Volume **I**, sections **328–336**.

The Louisiana election case of Lawrence v. Sypher in the Forty-third Congress. Volume **I**, sections **623–626**.