

Chapter CCXLVIII.¹

THE MOTION TO ADJOURN.

1. Precedence of the motion to adjourn. Sections 2641–2643.
 2. In relation to pending business. Sections 2644, 2645.
 3. May not be made while a Member has the floor in debate. Section 2646.
 4. In order only in the simple form. Section 2647.
 5. Is not debatable. Section 2648.
-

2641. The motion to adjourn was held to have precedence of a motion privileged under the Constitution.

On March 19, 1910,² following the adoption of a resolution declaring the Speaker ineligible to membership on the Committee on Rules, the Speaker,³ addressing the House by unanimous consent, said:

Under the Constitution it is a question of the highest privilege for an actual majority of the House at any time to choose a new Speaker. The Chair is now ready to entertain such a motion.

Mr. George W. Norris, of Nebraska, moved that the House adjourn.

Mr. Albert S. Burleson, of Texas, offered, as preferential, the following resolution:

Resolved, That the office of Speaker of the House of Representatives is hereby declared to be vacant, and the House of Representatives shall at once proceed to the election of a Speaker.

The Speaker ruled:

The House will please be in order. The Chair desires to say this is a question of high constitutional privilege; but if in the consideration of that question the House should desire to adjourn, the Chair is of the opinion that the House can adjourn. A conference report was admitted to interrupt a roll call; but after having interrupted the roll call, and being presented, it did not prevent the House from adjourning. That was done in Speaker Carlisle's time; and it was held that that does not deprive the House of the power to adjourn. It can be presented and pending, and all questions under the rules of consideration raised and any parliamentary motion made, but the motion to adjourn would have to be entertained by the Speaker; otherwise the House might remain in session for a week. While the Chair would be glad for the resolution to be acted upon at once, yet the Chair can not help entertaining the motion to adjourn.

2642. In the absence of a quorum the motion to adjourn has precedence over the motion for a call of the House.

On February 17, 1911,⁴ the Committee of the Whole House rose and its Chairman reported that the Committee of the Whole, having under consideration bills

¹ Supplementary to Chapter CXVIII.

² Second session Sixty-first Congress, Record, p. 3437.

³ Joseph G. Cannon, of Illinois, Speaker.

⁴ Third session Sixty-first Congress, Record, p. 2804.

on the Private Calendar, had found itself without a quorum, and the roll being called 84 Members had answered to their names, not a quorum.

Mr. James R. Mann, of Illinois, submitted a motion that the House adjourn.

Mr. Charles R. Thomas, of North Carolina, moved a call of the House.

The Speaker pro tempore¹ said:

The motion to adjourn takes preference. The question is on the motion of the gentleman from Illinois that the House do now adjourn.

2643. The motion to adjourn takes precedence of a motion to dispense with further proceedings under a call of the House.

On January 4, 1922,² there being no business before the House, Mr. Finis J. Garrett, of Tennessee, made the point of order that there was not a quorum present.

Mr. Frank W. Mondell, of Wyoming, moved a call of the House which was ordered.

The roll was called and 272 Members having answered to their names, a quorum, Mr. Mondell moved to dispense with further proceedings under the call.

Mr. Garrett offered, as more highly privileged, a motion that the House adjourn.

The Speaker pro tempore³ held that the motion to adjourn took precedence over the motion to dispense with proceedings under the call of the House, and put the question on adjournment.

2644. During proceedings incident to the lack of a quorum the motion to adjourn is in order while the House is dividing.

On February 20, 1915,⁴ Mr. Swager Sherley, of Kentucky, moved that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering the fortifications appropriation bill.

Mr. Augustus P. Gardner, of Massachusetts, raised the question of a quorum.

There being no quorum present, Mr. Sherley moved a call of the House. The question was put, and on a division demanded by Mr. Gardner, the yeas were 33, noes 2.

Mr. Gardner, as a parliamentary inquiry, asked if the motion to adjourn was in order.

The Speaker⁵ held that it was and entertained a motion to adjourn offered by Mr. Gardner.

2645. A motion to adjourn may be made pending the report from the Committee of the Whole.

On April 27, 1921,⁶ the Committee of the Whole having had under consideration the bill H. R. 4810, the prohibition enforcement bill, rose to report thereon.

Before Mr. McArthur, of Oregon, the Chairman of the Committee of the Whole, could submit his report, Mr. Manuel Herrick, of Oklahoma, moved that the House adjourn.

¹ Marlin E. Olmsted, of Pennsylvania, Chairman.

² Second session Sixty-seventh Congress, Record, p. 784.

³ Joseph Walsh, of Massachusetts, Speaker pro tempore.

⁴ Third session Sixty-third Congress, Record, p. 4240.

⁵ Champ Clark, of Missouri, Speaker.

⁶ First session Sixty-seventh Congress, Record, p. 740.

The Speaker¹ recognized the motion to adjourn as preferential, and submitted the motion to the House.

2646. A Member may not make a motion to adjourn while another Member is in possession of the floor.

There is no appeal from a decision by the Speaker on a question of recognition.

On February 28, 1919,² the House was debating the conference report on the bill (S. 1419) to regulate the construction of dams across navigable waters.

While Mr. Thetus W. Sims, of Tennessee, had the floor in debate, Mr. William E. Mason, of Illinois, rose to a parliamentary inquiry, and being recognized, offered a motion to adjourn.

The Speaker pro tempore³ held:

The motion to adjourn is always in order when a gentleman gets recognition to make it; but the gentleman from Tennessee has the floor and has an hour. The Chair did not recognize the gentleman, and can not recognize him in the time of the gentleman from Tennessee. The gentleman from Tennessee has this hour and the right to parcel it out as he chooses. The gentleman from Tennessee will proceed.

Mr. Mason proposed to appeal from the decision of the Chair.

The Speaker declined to entertain an appeal from the decision of the Chair on the question of recognition.

2647. The motion to adjourn is in order only in its simple form.

It is not in order to preface a motion to adjourn with preamble or argument touching reason or purpose of the proposed adjournment.

On August 28, 1919,⁴ following the passage of the bill (H. R. 7594) authorizing the President to confer upon General Pershing the highest Army rank, Mr. Thomas L. Blanton, of Texas, asked recognition to move adjournment and said:

Mr. Speaker, I want to make a motion to adjourn in honor of our brave private soldiers, sailors, and marines and as a further mark of esteem to them, it apparently being impossible to do anything else for them.

Mr. Speaker, I ask that that motion may be read by the Clerk. My motion is in writing, and under the rules of the House I ask my written motion to adjourn in honor of privates be read from the Clerk's desk.

The Speaker⁵ declined to entertain the motion as presented and recognized Mr. Blanton to move to adjourn.

2648. Under the custom of the House, which differs somewhat from the general parliamentary law, the motion to fix the day to which the House shall adjourn is not debatable.

¹ Frederick H. Gillett, of Massachusetts, Speaker.

² Third session Sixty-fifth Congress, Record, p. 4640.

³ Finist J. Garrett, of Tennessee, Speaker pro tempore.

⁴ First session Sixty-sixth Congress, Record, p. 4469.

⁵ Frederick H. Gillett, of Massachusetts, Speakers.

On December 12, 1929,¹ Mr. John Q. Tilson, of Connecticut, called up from the Speaker's table the concurrent resolution (S. Con. Res. 20), as follows:

Resolved by the Senate (the House of Representatives concurring). That when the two Houses of Congress adjourn on Saturday, December 21, 1929, they stand adjourned until 12 o'clock meridian, Monday, January 6, 1930.

Mr. John N. Garner, of Texas, as a parliamentary inquiry, asked if the resolution was debatable.

The Speaker² held that it was subject to debate and put the question on agreeing to the resolution.

¹Second session Seventy-first Congress, Record, p. 545.

²Nicholas Longworth, of Ohio, Speaker.