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DAIRY.

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- Unanimous consent calendar. Volume **VII**, section **973**.
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- Yeas and nays. Volume **V**, section **6037**.

DAMAGES.

- An appropriation for payment of damage to lands and crops incurred in condemning right of way for irrigation projects was held to be authorized by law. Volume **VII**, section **1217**.
- The payment of a claim for unliquidated damages is unauthorized by law and not in order on an appropriation bill. Volume **VII**, section **1287**.

DAMS.

- The Committee on Interstate and Foreign Commerce considers bills relating to dams in navigable streams unless they are related to improvements under jurisdiction of the Committee on Rivers and Harbors. Volume **IV**, section **4100**.
- The Committee on Interstate and Foreign Commerce exercises jurisdiction over bills authorizing the construction of dams across navigable streams. Volume **VII**, section **1831**.
- The boundaries between the United States and foreign nations, and naval strength, bridges, and dams on waters along such boundaries are subjects with the jurisdiction of the Committee on Foreign Affairs. Volume **IV**, section **4166**.

DAMS—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**.

DANTZLER.

The South Carolina election case of Dantzler v. Lever in the Fifty-eighth Congress. Volume **II**, section **1134**.

The South Carolina election cases of Dantzler v. Lever, Prioleau v. Le gare, and Myers v. Patterson in the Sixtieth Congress. Volume **VI**, section **122**.

DARRALL.

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

The Louisiana election case of Breaux v. Darrall in the Forty-fourth Congress. Volume **II**, section **919**.

The Louisiana election case of Acklen v. Darrall, in the Forty-fifth Congress. Volume **II**, section **924**.

DAUGHERTY.

The investigation of charges against Attorney General Harry M. Daugherty. Volume **VI**, section **536**.

The case of M. S. Daugherty, in the Senate, in 1924. Volume **VI**, section **339**.

Discussion of the nature of impeachable offenses in minority views submitted in the Daugherty case. Volume **VI**, section **456**.

DAVENPORT.

The Oklahoma election case of Davenport v. Chandler in the Sixty-fifth Congress. Volume **VI**, section **149**.

DAVIDSON.

The Florida election case of Witherspoon v. Davidson in the Forty-seventh Congress. Volume **I**, section **753**.

The Alabama election case of McDuffie v. Davidson in the Fiftieth Congress. Volume **II**, sections **1007, 1008**.

The Senate election case of Davidson v. Call, from Florida, in the Fifty-second Congress. Volume **II**, section **1060**.

The Kentucky election case of Davidson v. Gilbert in the Fifty-sixth Congress. Volume **I**, section **313**.

DAVIS, DAVID, of Illinois, President pro tempore.

Decisions on questions of order relating to—

Conference. Volume **V**, sections **6337, 6406**.

Debate. Volume **V**, section **6406**.

Vetoed bill. Volume **IV**, section **3550**.

DAVIS, ELECTION CASES OF.

The Maryland election case of Brooks v. Davis in the Thirty-fifth Congress. Volume **I**, section **833**.

The Maryland election case of Harrison v. Davis in the Thirty-sixth Congress. Volume **I**, section **325**.

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

The Texas election case of Davis v. Culberson in the Fifty-fourth Congress. Volume **I**, section **755**.

The Tennessee election case of Davis v. Sims in the Fifty-eighth Congress. Volume **II**, sections **1132, 1133**.

DAVIS, ELECTION CASES OF—Continued.

The Illinois election case of Davis v. Williams in the Sixty-fourth Congress. Volume **VI**, section **112**.

DAVIS, JOHN W., of Indiana, Speaker.

Decisions on questions of order relating to—

- Adjourn, motion to. Volume **V**, sections **5361**.
- Amendments. Volume **IV**, section **4872**.
- Appeals. Volume **V**, section **6940**.
- Call of the House. Volume **IV**, sections **3032, 3033**.
- Conference. Volume **V**, section **6270**.
- Debates. Volume **II**, section **1437**. Volume **V**, sections **4992, 5044, 5992**.
- Division of question. Volume **IV**, section **4884**. Volume **V**, section **6129**.
- Hour of meeting. Volume **V**, section **114**.
- Journal. Volume **IV**, sections **2764, 2782, 2784, 2814, 2828**.
- Lay on the table, motion to. Volume **V**, sections **5405, 5410, 5411**.
- Motion, Volume **V**, section **5352**.
- Motions, precedence of. Volume **IV**, section **3087**.
- Personal explanation. Volume **V**, sections **5064, 5067, 5068**.
- Point of order. Volume **V**, section **6917**.
- Privilege. Volume **III**, sections **1893, 2526, 2590, 2642, 2658, 2718**.
- Quorum. Volume **IV**, sections **2950, 2955, 2956**.
- Read of papers. Volume **V**, section **5272**.
- Recede, motion to. Volume **V**, section **6270**.
- Reconsider, motion to. Volume **V**, sections **5619, 5622, 5636, 5668**.
- Rules. Volume **IV**, section **3177**.
- Special orders. Volume **IV**, section **3177**.
- Suspension of the rules. Volume **V**, section **6838**.
- Vetoed bills. Volume **IV**, section **3535**.
- Withdrawal of motions. Volume **V**, section **5350**.
- Yeas and nays. Volume **V**, sections **6030, 6039**.

DAWES, CHARLES G., of Illinois, Vice President

Decisions of question of order relating to—

- Ceremonies. Volume **VIII**, section **3532**.
- Conferees. Volume **VIII**, section **3266**.
- Debate. Volume **VIII**, section **2671**.
- Privilege. Volume **VII**, section **3365**.
- Reconsider, motion to. Volume **VIII**, section **2789**.

DAWS, HENRY L., of Massachusetts, Chairman.

Decisions on questions of order relating to—

- Division of the question. Volume **V**, section **6146**.
- Personal interest. Volume **V**, section **5955**.
- Suspension of the rules. Volume **V**, section **6835**.

DAWSON, ELECTION CASE OF.

The Pennsylvania election cases of Koonts v. Coffroth, and Fuller v. Dawson in the Thirty-ninth Congress. Volume **I**, sections **556–558**.

DAWSON, WILLIAM C., of Georgia, Chairman.

Decisions of questions of order relating to—

- Committee of the Whole. Volume **IV**, section **4722**. Volume **V**, section **6737**.
- Quorum. Volume **IV**, section **2977**.

DAYLIGHT SAVING.

Establishment of zones for standard time and provisions for daylight saving are subjects within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1828**.

DAYS.

- (1) **The legislative day.**
- (2) **Sunday.**
- (3) **The House adjourns for “not more than three days.”**
- (4) **Of meeting of Congress.**

(5) Of elections.**(1) The Legislative Day.**

In the contemplation of the rules and special orders of the House a day in the legislative day, and not a calendar day, and the two are not always the same. Volume **IV**, section **3192**.

Instance wherein the House held two legislative days within the limits of one calendar day (foot-note). Volume **V**, section **6724**.

The legislative day continues until terminated by an adjournment, irrespective of the passage of calendar days. Volume **V**, sections **6738, 6739**. Volume **VIII**, section **3356**.

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 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**.

A session of the Hours 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 through an erroneous announcement of the vote the House is declared adjourned and, in fact, disperses, when actually it has voted not to adjourn, the session when it next meets is nevertheless a new legislative day. Volume **V**, section **6734**.

A recess does not terminate a legislative day and a legislative day may not be terminated during recess. Volume **VIII**, section **3556**.

The legislative day and not the calendar day governs in determining the order of business. Volume **VI**, section **723**.

The House has adjourned for the holiday recess as of the legislative day. Volume **VIII**, section **3370**.

(2) Sunday.

In the ordinary practice of the House Sunday is regarded as a dies non. Volume **V**, section **7245**. By vote of the House Sunday has been made legislative day. Volume **V**, section **6732**.

Sunday has been made a legislative day by concurrent action of the two Houses. Volume **V**, section **6731**.

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**.

For many years the House has continued its session of Saturday into Sunday when under stress of business. Volume **V**, section **6728**.

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**.

In computing the days of session Sunday has not always been treated as a dies non. Volume **V**, section **6733**.

(3) The House Adjourns for “Not More Than Three Days.”

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

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

DAYS—Continued.**(3) The House Adjourns for “Not More Than Three Days”**—Continued.

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**.

On request of the House, the Senate agreed to a resolution granting its consent to the adjournment of the House for a period in excess of three days. Volume **VIII**, section **3366**.

A motion to take from the Speaker’s table a concurrent resolution providing for a recess of more than three days, while privileged, is not debatable. Volume **VIII**, section **3367**.

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 House has by standing order provided that it should meet on two days only of each week instead of daily. Volume **VIII**, section **3369**.

(4) Of Meeting of Congress.

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**. Volume **VIII**, section **3375**.

Early Congresses convened, either by proclamation or law, on a day earlier than the constitutional day remained in continuous session to a time beyond that day. Volume **I**, sections **10, 11**.

Early Congresses having by law met on a day earlier than the constitutional day, remained in continuous session to a time beyond that day. Volume **I**, sections **6–9**.

In the later but not the earlier practice the fact that Congress has met once within the year does not make uncertain the constitutional mandate to meet on the first Monday of December. Volume **I**, sections **10, 11**.

In 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**.

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**.

The early laws fixing the time for the meeting of Congress specified the day but not the hour. Volume **I**, sections **6–9**.

Instances of laws fixing the time of annual meeting of Congress. Volume **I**, section **5**.

Instance wherein a law convening Congress specified the hour as well as the day. Volume **I**, sections **10, 11**.

Instances wherein Congress has been convened by proclamations or by law. Volume **I**, sections **10, 11**.

(5) Of Elections.

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**.

No legal notice of election of a certain precinct being given, the poll was rejected by the committee, although the day of election was fixed by law. Volume **I**, section **317**.

Because a county was not legally organized, and the election was not held on the legal day, and nonresidents voted, the entire vote of the county was rejected by the committee. Volume **I**, section **616**.

DAYTON.

The investigation into the conduct of Alston G. Dayton, United States district judge for the northern district of West Virginia in 1915. Volume **VI**, section **529**.

DAYTON, JONATHAN, of New Jersey, Speaker.

Decisions on questions of order relating to—
Amendment of Journal. Volume **IV**, section **2781**.
Debate. Volume **V**, section **5137**.

DEAN.

The Massachusetts election case of Dean v. Field in the Forty-fifth Congress. Volume **II**, section **931**.

DEATH.

- (1) **Of a Member.—Announcement and resolutions.**
- (2) **Of a Member.—Funeral.**
- (3) **Of a Member.—Eulogies, etc.**
- (4) **Of a Member.—The vacancy.**
- (5) **Of Speaker or other officers.**
- (6) **Of a President or ex-President of the United States.**
- (7) **Of a candidate for President, as related to the electoral count.**
- (8) **Of Vice-President and other civil, military, and naval officers.**
- (9) **Of eminent citizens.**
- (10) **Of foreign personages.**

(1) Of a Member.—Announcement and Resolutions.

Form of resolutions offered at the death of a Member. Volume **V**, section **7107**.
The House takes notice of the death of a Member-elect as if he had been duly qualified. Volume **V**, sections **7134, 7135**. Volume **VIII**, section **3561**.
The death of a Member who has died in recess of Congress is announced at the beginning of the next session. Volume **V**, sections **7123–7128**.
Notice of the death of a Member is sometimes transmitted to the House by the executive of his State. Volume **V**, section **7130**.
Proceedings on the occasion of the death of a Member in the chamber. Volume **V**, sections **7121, 7122**. Volume **VIII**, section **3559**.
Early observances of the House at the decease of Members. Volume **V**, sections **7108–7120**.
At the request of a deceased Member the House did not appoint a committee or hold memorial exercises and the Senate was not informed of his death. Volume **V**, section **7170**.
Form of procedure when the Senate informs the House of the death of a Senator. Volume **V**, sections **7131–7133**.
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 **7219**.
A Senator having died while under conviction of crime, no announcement of his death was made to the Senate. Volume **IV**, section **4479**.
In rare instances action has been taken on the occasion of the decease of a former Member. Volume **V**, sections **7136–7138**. Volume **VIII**, sections **3560, 3562**.

(2) Of a Member.—Funeral.

The House sometimes authorizes the funeral of a deceased Member in the Hall. Volume **VIII**, section **3567**.
Ceremonies at funerals of Members in the Hall of the House in early days. Volume **V**, sections **7144–7147**.

DEATH—Continued.**(2) Of a Member.—Funeral—Continued.**

Later funeral ceremonies, including the elaborate observances at the burial of John Quincy Adams. Volume **V**, sections **7148–7151**.

Ceremonies at the funeral of William D. Kelley in 1890. Volume **V**, section **7152**.

The ceremonies at the state funeral of Nelson Dingley. Volume **V**, section **7153**.

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

Since the earliest days the expenses of the funerals of Members have been defrayed from the public funds. Volume **V**, sections **7142, 7143**.

History of the Congressional Cemetery. Volume **V**, section **7314**.

(3) Of a Member.—Eulogies, etc.

In later years the eulogies of deceased Members of the House and Senate have occurred after the announcement of the death. Volume **V**, sections **7164–7167**.

The eulogies of a deceased Member formerly occurred at the time of the announcement of his death and the adjournment of respect. Volume **V**, sections **7158–7163**.

Memorial addresses were published on the occasion of the death of John Quincy Adams in 1848. Volume **V**, section **7148**.

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

The later procedure substituting for individual service formerly held for deceased Members a general memorial service at the close of the Congress. Volume **VIII**, section **3571**.

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**.

(4) Of a Member.—The Vacancy.

The Clerk takes notice of the death or resignation of Members-elect and informs the House thereof at the time of organization. Volume **I**, sections **26–28**.

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 death of the person elected creates a vacancy, although no certificate may have been awarded. Volume **I**, section **323**.

A Member-elect producing credentials showing his election to fill the vacancy caused by the decease of his predecessor is sworn in at once, although no other notice of the decease may have been given to the House. Volume **I**, section **568**.

A Member whose seat had been contested dying, the House did not admit a claimant with credentials until contestant's claim was settled. Volume **I**, section **326**.

An election contest does not necessarily abate by reason of the death of contestant during the taking of testimony. Volume **I**, section **738**.

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

In the event of the death of a Member-elect from the State at large, the candidate receiving the next highest number of votes is not entitled to the seat. Volume **VI**, section **152**.

(5) Of Speaker or Other Officers.

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**.

The House has adjourned in memory of an ex-Speaker, who had ceased to be a Member. Volume **V**, sections **7139–7141**. Volume **VIII**, sections **3565, 3566**,

Form of resolution offered at the death of a former Speaker. Volume **VIII**, section **3564**.

The death of the Clerk being announced, the House adopted appropriate resolutions. Volume **V**, section **7171**.

DEATH—Continued.**(5) Of Speaker or Other Officers—Continued.**

The Clerk having died in the recess of Congress, the House was informed as soon as a quorum had been ascertained and new Members sworn in. Volume **I**, section **236**.

On the announcement of the death of the Doorkeeper the House took appropriate action. Volume **V**, section **7173**.

Resolution relating to the decease of an official reporter of debates. Volume **V**, section **7174**.

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

The death of the Sergeant-at-Arms being announced, the House passed appropriate resolutions and adjourned as a mark of respect. Volume **VI**, section **32**.

On the death of an employee of long service, the House appointed a committee to attend the funeral. Volume **VIII**, section **3573**.

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**.

(6) Of a President or ex-President of the United States.

Ceremonies upon the announcement of the death of George Washington. Volume **V**, section **7181**.

On the occasion of the death of George Washington Congress requested the people to hold public memorial meetings. Volume **V**, section **7181**.

Ceremonies in memory of President William Henry Harrison. Volume **V**, section **7176**.

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

Ceremonies in memory of President Abraham Lincoln. Volume **V**, section **7178**.

Ceremonies in memory of President James A. Garfield. Volume **V**, section **7179**.

Proceedings and exercises in memory of the late President McKinley. Volume **V**, section **7180**.

Ceremonies in memory of Woodrow Wilson. Volume **VIII**, section **3578**.

Ceremonies in memory of Calvin Coolidge. Volume **VIII**, section **3574**.

The House has by appropriate resolutions expressed its respect for the memories of deceased ex-Presidents of the United States. Volume **V**, sections **7185**, **7188**. Volume **VIII**, section **3576**.

In rare instances the House has noticed the decease of a member of the family of a President or ex-President. Volume **V**, sections **7182**, **7183**. Volume **VIII**, section **3580**.

By joint resolution Congress has expressed its condolence with the widow of a deceased President. Volume **V**, section **7176**.

(7) Of a Candidate for President, as Related to the Electoral Count.

In 1873 objection was made that the electoral vote of Georgia should not be counted, as it had been cast for Horace Greeley, who was dead, and the two Houses not agreeing the vote was not counted. Volume **III**, section **1967**.

(8) Of Vice-President and Other Civil, Military, and Naval Officers.

Ceremonies in memory of deceased Vice-Presidents. Volume **V**, sections **7189–7193**. Volume **VIII**, section **3585**.

Ceremonies on the occasion of the deaths of members of the President's Cabinet. Volume **V**, sections **7198–7200**.

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**.

Observances of the House on occasions of the deaths of distinguished officers of the Army and Navy. Volume **V**, Sections **7201–7207**. Volume **VIII**, section **3592**.

The House appointed a committee to attend the transfer of the remains of General Rosecrans. Volume **V**, section **7212**.

DEATH—Continued.**(8) Of Vice-President and Other Civil, Military, and Naval Officers**—Continued.

The House generally did not adjourn in tribute to the memories of high officers of the Revolution.
Volume V, section 7211.

Resolutions in memory of the Admiral of the Navy. Volume V, sections 7208–7210.

(9) Of Eminent Citizens.

In rare instances the House has taken notice of the decease of eminent citizens not of its membership. Volume V, sections 7213–7218. Volume VIII, section 3595.

(10) Of Foreign Personages.

The House paid honor to the memory of Lafayette by elaborate ceremonies. Volume V, section 7219.

The House has in a few cases paid honor to the memory of champions of liberty in foreign lands.
Volume V, sections 7220–7222.

Adjournment in memory of the deceased sovereign of a foreign nation. Volume V, section 7223.
Volume VIII, section 3597.

A resolution of the House expressing regret at the death of a statesman of a foreign country caused offense to the Government of that country. Volume V, section 7221.

DEBATE. For reports of “Debate” see “Congressional Record.”

- (1) **Constitutional privilege of the Member as to.**
- (2) **Rights of Member in.—When expulsion, censure, etc., are proposed.**
- (3) **Rights of Member in.—Questions of personal privilege.**
- (4) **Rights of Member in.—Personal explanations.**
- (5) **Rights of Delegates, etc., in.**
- (6) **Rights of returned Member and contestant in an election case.**
- (7) **Recognition of Member for.—Speaker’s power.**
- (8) **Recognition of Member for.—No appeal from Speaker’s decision.**
- (9) **Recognition of Member for.—Speaker governed by usages of House.**
- (10) **Recognition of Member for.—Alternation of.**
- (11) **Recognition of Member for.—In general.**
- (12) **Motion must be made and stated before.**
- (13) **Conduct of Member in.—Manner of address.**
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- (15) **Conduct of Member in.—Relevancy in Committee of the Whole.**
- (16) **Conduct of Member in.—Reading of papers.**
- (17) **Conduct of Member in.—Reflections on the House.**
- (18) **Conduct of Member in.—References to other Members.**
- (19) **Conduct of Member in.—Accusations of falsehood.**
- (20) **Conduct of Member in.—Criticism of Speaker.**
- (21) **Conduct of Member in.—References to committees.**
- (22) **Conduct of Member in.—References to action or debate in the Senate.**
- (23) **Conduct of Member in.—Criticism of the Senate or its Members.**
- (24) **Conduct of Member in.—Replies to criticisms in the other House.**
- (25) **Conduct of Member in.—References to the President.**
- (26) **Conduct of Member in.—Disorderly words and acts.**
- (27) **Conduct of Member in.—Treasonable words.**
- (28) **Conduct of Member in.—Disorderly words in the Record.**
- (29) **Conduct of Member in.—In general.**
- (30) **The call to order.—Duty of the Speaker and Members.**
- (31) **The call to order.—Words taken down.**
- (32) **The call to order.—Member sits down, but may be permitted to explain or proceed.**
- (33) **The call to order.—Journal record of.**

DEBATE—Continued.

- (34) **The call to order.—In an impeachment trial.**
- (35) **Restrictions on.—The hour rule.**
- (36) **Restrictions on.—Member speaks but once unless he have the closing.**
- (37) **Restrictions on.—Yielding for motions, etc.**
- (38) **Restrictions on.—Yielding for debate.**
- (39) **Restrictions on.—Conditions of yielding for amendment.**
- (40) **Restrictions on.—Precluded by division or beginning of yea-and-nay call.**
- (41) **Restrictions on.—The previous question.**
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- (43) **Restrictions on.—By special orders.**
- (44) **Speaker's participation in.—From the chair.**
- (45) **Speaker's participation in.—From the floor.**
- (46) **Speaker's participation in.—Addresses by.**
- (47) **In Committee of the Whole.—The motion to close general debate.**
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- (49) **In Committee of the Whole.—Early practice as to closing general debate.**
- (50) **In Committee of the Whole.—The five-minute debate.**
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- (52) **In Committee of the Whole.—Relations to certain motions in.**
- (53) **In Committee of the Whole.—In general.**
- (54) **Control and distribution of time for.**
- (55) **On Calendar Wednesday, District Monday, and Consent Day.**
- (56) **In "House as in Committee of the Whole."**
- (57) **In standing and select committees.**
- (58) **Presence of a quorum necessary during.**
- (59) **At the election of Speaker and organization.**
- (60) **On certain motions.—To adjourn and fix the day.**
- (61) **On certain motions.—To lay on the table.**
- (62) **On certain motions.—Refer, commit, recommit.**
- (63) **On certain motions.—To postpone.**
- (64) **On certain motions.—To strike out the enacting clause.**
- (65) **On certain motions.—To reconsider.**
- (66) **On certain motions.—To go into Committee of the Whole.**
- (67) **On certain motions.—To discharge a committee.**
- (68) **On certain motions.—Those relating to the order of business generally.**
- (69) **On certain motions.—To suspend the rules.**
- (70) **On certain motions.—Appeals.**
- (71) **On certain motions.—In general.**
- (72) **Relation to certain privileged motions.**
- (73) **Relation to question of consideration.**
- (74) **Relation of, to points of order.**
- (75) **Conference reports in order during.**
- (76) **Messages received during.**
- (77) **Participation by persons not Members.—Officers.**
- (78) **Participation by persons not Members.—Delegates, etc.**
- (79) **Participation by persons not Members.—Counsel in election cases.**
- (80) **Participation by persons not Members.—In general.**
- (81) **During the electoral count.**
- (82) **During impeachment trials.—Required to be in secret session.**
- (83) **During impeachment trials.—General requirements as to.**
- (84) **During impeachment trials.—Decorum of managers and counsel.**
- (85) **During impeachment trials.—Arguments on incidental questions.**

DEBATE—Continued.

(86) During impeachment trials.—Opening and final arguments.

(87) In Senate.

(1) Constitutional Privilege of the Member as to.

The Constitution guards Members from being questioned outside of the House for speech or debate in the House. Volume **III**, section **2670**.

The constitutional privilege as to “any speech or debate” applies generally to “things done in a session of the House by one of its Members in relation to the business before it.” Volume **III**, section **2675**.

The constitutional immunity for words spoken in debate guarantees exemption from questioning not only within but also without the courts. Volume **VI**, section **332**.

Discussion of the offense of questioning a Member “in any other place” for words spoken in debate. Volume **II**, section **1655**.

Privilege as to speech or debate, as in Parliament, is limited by certain conditions. Volume **III**, section **2671**.

A Member who had in a hostile manner sent to another Member a demand for explanation of words spoken in debate was held by a committee of the House to have violated privilege. Volume **II**, section **1644**.

The House, after declining to expel, censured a Member for contempt in assaulting another Member for words spoken in debate. Volume **II**, section **1656**.

It not being clear that a Member had been insulted by officers of the military establishment for words spoken in debate, the House declined to act on his complaint. Volume **III**, section **2680**.

A proposition to investigate as to duels occurring on account of words spoken in debate was admitted as a question of privilege. Volume **III**, section **2679**.

The complaint of a Member that he had been assaulted for words spoken in debate was made in the form of a letter to the Speaker, accompanied by an affidavit. Volume **II**, section **1616**.

A Member may not be required to give the authority of any respectful statement which he may quote in debate. Volume **V**, section **5172**.

It being doubtful whether or not an assault on a Member had been for words spoken in debate no action was taken. Volume **II**, section **1620**.

An explanation having been demanded of a Member by a person not a member for a question asked of the latter when a witness before the House, the matter was considered but not pressed as a breach of privilege. Volume **III**, section **2681**.

It is an invasion of privilege for a Member in debate to read a letter from a person not a member calling in question the acts of another Member. Volume **III**, section **2686**.

A communication addressed to the House by an official in an Executive Department calling in question words uttered by a Member in debate was criticised as disrespectful and a breach of privilege and was withdrawn. Volume **III**, section **2684**.

A letter from a person supposed to have been assailed by a Member in debate, asking properly and without menace if the speech was correctly reported, was held to involve no question of personal privilege. Volume **III**, section **2682**.

The House has declared that a communication from a person not a member criticising words spoken in debate by a Member should not be received. Volume **III**, section **2683**.

Members have been summoned before committees to testify as to statements made by them in debate, but in one case a Member formally protested that it was an invasion of his constitutional privilege. Volume **III**, sections **1777**, **1778**. Volume **VI**, section **537**.

(2) Rights of Member in.—When Expulsion, Censure, etc., Are Proposed.

A Member against whom was pending a resolution of expulsion was permitted to address the House by unanimous consent. Volume **II**, section **1275**.

DEBATE—Continued.**(2) Rights of Member in.—When Expulsion, Censure, etc., Are Proposed—Continued.**

A Member against whom a resolution of expulsion was pending was permitted to address the House as a matter of right. Volume **II**, section **1286**.

A Member whose expulsion was proposed was permitted to present a written defense, but not to dispute Another Member to speak in his behalf. Volume **II**, section **1273**.

A Member against whom a resolution of censure was pending participated in the debate. Volume **II**, section **1246**.

A Member against whom a resolution of censure was pending was asked by the Speaker if he desired to be heard. Volume **VI**, section **236**.

Pending consideration of a resolution to censure a Member, the Speaker informed the Member that he should retire. Volume **II**, section **1366**.

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**.

A Member against whom a resolution of censure was pending addressed the House without permission being asked or given. Volume **II**, section **1253**.

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

The House having ordered a Member to be censured, he was allowed by unanimous consent to make explanation before the execution of the order. Volume **II**, section **1656**.

A Member charged with acceptance of an incompatible office was heard in his own behalf during the debate. Volume **I**, section **486**.

The right of Brigham H. Roberts to take the oath and his seat being under consideration, he was permitted to speak by unanimous consent. Volume **I**, section **474**.

Two Senators declared by the Senate to be in contempt were allowed to speak only after permission had been given by the Senate. Volume **II**, section **1665**.

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**.

A Senator was present during consideration of a resolution for his own expulsion and participated in the debate. Volume **II**, section **1269**.

(3) Rights of Member in.—Questions of Personal Privilege.

A Member rising to a question of personal privilege was not permitted to take from the floor another Member who had been recognized for debate. Volume **V**, section **5002**. Volume **VIII**, sections **2459**, **2528**.

In speaking to a question of privilege, a Member is restricted to discussion of those specific charges on which his question is based and may not discuss collateral issues. Volume **V**, section **5078**, Volume **VI**, sections **576**, **606**, **608**, **621**.

While the Member must confine himself to the question under debate, a certain latitude is permitted in the refutation of charges reflected upon him in his representative capacity. Volume **VIII**, section **2479**.

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

A Member speaking to a question of personal privilege was held out of order in reading a letter germane to the question but reflecting on his calumniator. Volume **VIII**, section **2601**.

DEBATE—Continued.**(3) Rights of Member in.—Questions of Personal Privilege**—Continued.

In speaking to a question of personal privilege a Member is required to confine his remarks to the question involved, but is entitled to enter into a discussion of related matters showing motives which prompted the charges giving rise to the question of privilege. Volume **VI**, section **619**.

In presenting a case of personal privilege arising out of charges made against him, the Member must confine himself to the charges and may not take advantage of the privilege to prefer charges against others. Volume **VIII**, sections **2481, 2482**.

A Member in addressing the House on a question of privilege is presumed to confine his remarks to limits within the spirit of the rule and not to use the privilege as a vehicle for discussions otherwise not in order. Volume **VIII**, section **2448**.

While a Member rising to a question of personal privilege may be allowed some latitude in developing the case, yet the rule requiring the Member to confine himself to the subject holds in this as in other cases. Volume **V**, sections **5075, 5076**.

In presenting a case of personal privilege, arising out of charges made against him, the Member must confine himself to the charges. Volume **V**, section **5077**.

A difference of opinion as to historical facts, a Member not having made a false statement knowingly with intent to deceive the House, does not give rise to a question of personal privilege. Volume **III**, section **2721**.

A Member may discuss questions arising out of a pair by unanimous consent or by raising a question of personal privilege. Volume **VIII**, section **3088**.

A Member recognized to discuss a question of privilege may not yield for debate. Volume **VI**, sections **563, 617**.

A Member may present a question of privilege involving words spoken in debate notwithstanding the rule affording another method of procedure such circumstances. Volume **VI**, section **561**.

Having presented one question of privilege, a Member, before discussing it, may submit a second question of privilege related to the first and discuss both on one recognition. Volume **VI**, section **562**.

Although the previous question had been ordered on a pending resolution, it was held that a question of privilege might be debated. Volume **VI**, section **561**.

It is in order to debate a question of personal privilege after the previous question has been ordered on a pending question. Volume **VIII**, section **2688**.

A statement by a Member in debate that he would “need a crooked spine to walk in the crooked paths” in which a colleague would lead him was ruled not to entitle the latter to recognition on a question of privilege. Volume **VI**, section **555**.

A newspaper statement that remarks of a Member on the floor “were said at the White House” to be inspired by the President’s opposition to a measure favored by the Member was held not to give rise to a question of privilege. Volume **VIII**, section **2499**.

An employee of the House having in a newspaper charged a Member with falsehood in debate, a resolution relating thereto was entertained as a question of privilege. Volume **III**, section **2718**.

No question of privilege arises from the fact that a newspaper has attributed to a Member certain remarks which he denies having used. Volume **III**, section **2708**.

A newspaper article criticizing a Member personally and not in his representative capacity does not present a question of privilege. Volume **VI**, section **569**.

Quotations by newspapers of statements made on the floor may not be made the basis of a question of privilege. Volume **VI**, section **807**.

A pamphlet charging falsehood in connection with statements made in debate was held to support a question of personal privilege. Volume **VI**, section **618**.

Wide latitude is allowed the press in the criticism of Members of Congress, and such criticism, unless reflecting on a Member in his representative capacity, does not present a question of privilege. Volume **VI**, section **611**.

DEBATE—Continued.**(3) Rights of Member in.—Questions of Personal Privilege—Continued.**

Misrepresentations in newspapers reports of remarks in the House do not maintain a question of privilege. Volume **VI**, section **612**.

Newspaper charges impugning the veracity of a Member in statements made on the floor support a question of privilege. Volume **VI**, section **613**.

Newspaper assertions that statements made on the floor are false do not give rise to a question of privilege unless imputing dishonorable motives. Volume **VI**, section **616**.

(4) Rights of Members in.—Personal Explanations.

Personal explanations are allowed only by unanimous consent. Volume **VIII**, section **2484**.

Debate is not admitted after roll call has begun and it is not in order for a Member to explain or otherwise discuss his vote. Volume **VIII**, section **3068**.

Unanimous consent having been given for a personal explanation, the Member may not be interrupted by a single objection. Volume **V**, section **5065**.

A Member in making a personal explanation has the largest latitude, but must confine himself to the point on which he has been criticised and may not yield time for debate to another. Volume **V**, section **5074**.

In 1861 the House, overruling the Speaker, established the new rule that a Member making a personal explanation should confine his remarks to that which was personal to himself. Volume **V**, sections **5071–5073**.

A Member having the floor to make a personal explanation may not be interrupted while he keeps within parliamentary bounds. Volume **V**, section **5066**.

(5) Rights of Delegates, etc., in.

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

The privileges of the floor with the right to debate were extended to Resident Commissioners in the Sixtieth Congress. Volume **VI**, section **244**.

By general acquiescence the Resident Commissioners of the Philippine Islands have been permitted the privilege of debating. Volume **VI**, section **246**.

Determination by a committee that a Delegate as a member of the committee has the right to debate but not to vote. Volume **VI**, section **243**.

(6) Rights of Returned Member and Contestant in an Election Case.

The House in 1841 indicated its opinion that the returned Member might speak of right in his own election case, but that the contestant needed the consent of the House. Volume **I**, section **666**.

A returned Member, whose seat was contested in the First Congress, debated the question as a matter of right. Volume **I**, section **757**.

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

The contestant in an election case is sometimes permitted to address the House in his own behalf. Volume **I**, section **662**.

A contestant admitted to be heard in an election case is governed by the hour rule of debate. Volume **I**, section **811**.

A contestant for a seat, being heard on the floor in his own behalf, is subject to all the rules of debate applying to the Member. Volume **II**, section **1368**.

A contestant having the privilege of the floor with leave to speak "to the merits of said contest and the report thereon," was permitted to speak on a preliminary question. Volume **I**, section **668**.

Instance in which the contestant in an election case was permitted to address the House in his own behalf, and closed the debate. Volume **VI**, section **160**.

An instance wherein a contestant in an election case participated in debate on incidental questions arising out of the said case. Volume **I**, section **490**.

DEBATE—Continued.**(6) Rights of Returned Member and Contestant in an Election Case**—Continued.

The House in one case included the right to speak to the merits with a general permission to contestants to enjoy the privileges of the floor. Volume **I**, section **669**.

The House in early years gave the privileges of the floor to contestants during discussion of the reports on their cases, with leave to speak on the merits. Volume **I**, sections **663–665**.

Form of resolution used in 1848 to give to a contestant the right to be heard in person at the bar of the House. Volume **I**, section **667**.

The Senate has declined to permit a contestant to be heard on the floor of the Senate in his own case. Volume **I**, section **392**.

The right of a Senator elect to take the oath having been denied pending an investigation, the Senate by resolution conferred on him the privilege of appearing on the floor in his own behalf. Volume **VI**, section **180**.

(7) Recognition of Member for.—Speaker's Power.

The rule as to recognition by the Speaker. Volume **II**, section **1419**.

The rule of recognition and the hour rule for debate. Volume **V**, section **4978**.

The old parliamentary rule of recognition. Volume **II**, sections **1420, 1421**.

Under the rules the Speaker recognizes the Members who address the House. Volume **V**, section **5003**.

Rule regulating the act of the Member in seeking recognition for debate. Volume **V**, section **4979**.

The Speaker has authority to name the Member who is entitled to the floor. Volume **II**, sections **1422, 1423**.

Discretion as to recognition must be lodged with the Presiding Officer. Volume **II**, section **1424**.

Reference to the early practice as to recognition. Volume **II**, section **1421**.

The Speaker may inquire for what purpose a Member rises and then deny recognition. Volume **VI**, section **289**.

An inquiry to ascertain for what purpose a Member arises does not constitute recognition. Volume **VI**, section **293**.

(8) Recognition of Member for.—No Appeal from Speaker's Decision.

Under the earlier practice of the House there was an appeal from a decision of the Speaker on a question of recognition. Volume **II**, sections **1429–1434**.

There is no appeal from a decision by the Speaker on a question of recognition. Volume **II**, sections **1425–1412**, Volume **VIII**, sections **2429, 2646**.

The Chair having used his discretion in recognizing a Member for debate on a point of order, declined to entertain an appeal from this recognition. Volume **V**, section **6946**.

(9) Recognition of Member for.—Speaker Governed by Usages of House.

In awarding recognition the Speaker is ordinarily controlled by the usages of the House. Volume **II**, section **1469**.

The member of the committee reporting a bill is entitled to precedence in recognition for its discussion when it is taken up for consideration in the House. Volume **VI**, sections **307, 514**.

The members of the committee reporting the bill have precedence in the discussion. Volume **II**, section **1438**, Volume **VI**, section **306**.

Members of the committee reporting a bill are entitled to priority of recognition for debate. Volume **II**, section **1448**.

The Member on whose motion a subject is brought before the House is first entitled to the floor in debate. Volume **II**, section **1446**. Volume **VI**, sections **302, 417**. Volume **VIII**, sections **2454, 3231**.

DEBATE—Continued.**(9) Recognition of Member for.—Speaker Governed by Usages of House—Continued.**

The chairman of a committee, having in committee opposed a bill, must in the House yield prior recognition to a member of his committee who has favored the bill. Volume **II**, section **1449**.

A Member opposed to the pending bill is entitled to recognition to move the previous question on a motion to postpone consideration in preference to the Member in charge claiming the floor in debate. Volume **VIII**, section **2685**.

The Member in charge of the bill is recognized anew after he has presented the bill and it has been read at the Clerk's desk. Volume **II**, section **1451**.

The chairman of the committee which reported a bill is entitled to prior recognition when the Senate amendments thereto are debated. Volume **II**, section **1452**.

The Chairman of the Committee of the Whole which last reports a bill does not thereby become entitled to prior recognition in debate. Volume **II**, section **1453**.

The Member on whose motion the enacting clause of a bill is stricken out in Committee of the Whole is entitled to prior recognition when the bill is reported to the House. Volume **V**, section **5337**.

The House having disagreed to the recommendation of the committee reporting a resolution, the Speaker recognized an opponent of the committee, but not the original proposer of the resolution. Volume **II**, sections **1469–1472**.

The adoption of an amendment against the advice of the Member in charge of the bill does not cause him to lose his right to prior recognition. Volume **II**, section **1479**.

A Member submitting a privileged resolution proposing impeachment is entitled to recognition for one hour in which to debate it. Volume **VI**, section **468**.

Upon the presentation of a privileged report embodying no recommendations, any Member offering a motion for its disposition is entitled to recognition for one hour's debate thereon. Volume **VI**, section **379**.

(10) Recognition of Member for.—Alternation of.

In recognizing for general debate the Chair alternates between those favoring and those opposed, preferring members of the committee reporting the bill. Volume **II**, sections **1439–1441**.

In recognizing for debate on an appeal in the Committee of the Whole the Chairman alternates between those favoring and those opposing. Volume **VIII**, section **3455**.

Recognitions are alternated between the majority and minority sides of the pending question. Volume **II**, section **1443**.

Recognitions are alternated according to differences on the pending question rather than on account of political differences. Volume **II**, section **1444**.

In general debate the Speaker recognizes with the purpose of securing alternation of the two sides, but this principle is not insisted on rigidly where a limited time is controlled by Members, as in the forty minutes' debate under section 3 of Rule XXVIII. Volume **II**, section **1442**.

A member of the committee having occupied the floor in favor of a measure, a Member opposing should be recognized, even though he be not a member of the committee. Volume **II**, section **1445**.

The time of debate having been divided and assigned to the control of the two sides, it must be assigned to Members in accordance with the rules, no Member being allowed more than one hour. Volume **V**, sections **5004, 5005**.

(11) Recognition of Members for.—In General.

Under the rules only the Speaker or Chairman may recognize for debate, but by unanimous consent the time is sometimes controlled by the two Members in charge of the two contentions on the floor. Volume **V**, section **5003**.

The Speaker being officially notified that a Member who was addressing the House has resigned caused him to cease and declined to recognize him further. Volume **II**, section **1273**.

DEBATE—Continued.**(11) Recognition of Member for.—In General—Continued.**

At the organization of the House a person whose name is not on the Clerk's roll may not be recognized. Volume **I**, section **86**.

A Member may lose his right to the floor if he neglects to claim it before another Member has been recognized. Volume **II**, sections **1435**, **1436**.

A Member who resumes his seat after being called to order loses his claim to prior right of recognition. Volume **V**, section **5016**.

After a Member has proceeded with his remarks it is too late to challenge his right to the floor. Volume **II**, section **1437**. Volume **VI**, section **295**.

An attempt of a Member to speak when debate is not in order is not noticed in the Journal. Volume **IV**, sections **2861**, **2862**.

A Member recognized to present a privileged resolution may not be taken from the floor by a motion to refer. Volume **VI**, section **468**.

A Member may not by reserving the right to object to a request for unanimous consent secure the floor for debate. Volume **VI**, section **287**.

A Member on his feet and requesting recognition at the time, was recognized to demand that words be taken down although brief debate had intervened. Volume **VIII**, section **2528**.

A resolution to expunge from the Record material inserted without authorization is privileged and entitles the proponent to recognition to debate it. Volume **VIII**, section **3479**.

A Member was held not to have yielded the floor until he resumed his seat. Volume **VIII**, section **2451**.

After a Member has offered a motion the House has the right, before debate begins, to determine whether it will consider it or not. Volume **V**, section **4986**.

Under the latest rulings a motion to lay a proposition on the table is in order before the Member entitled to prior recognition for debate has begun his remarks. Volume **V**, sections **5391–5395**.

A Member who resumes his seat while a paper is being read in his time does not thereby lose his right to proceed. Volume **V**, section **5015**.

In a debate on an appeal no Member may speak more than once unless by permission of the House. Volume **V**, section **6938**.

(12) Motion Must be Made and Stated Before.

A Member must submit his proposition and it must be stated by the Chair before it is in order for debate to proceed. Volume **V**, section **4937**.

A motion must be made before the Member may proceed in debate. Volume **V**, sections **4984**, **4985**.

A communication or a report being before the House may be debated before any specific motion has been made in relation to it. Volume **V**, sections **4987**, **4988**.

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**.

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**.

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**.

The withdrawal of a matter precludes further debate on it. Volume **V**, section **4989**.

(13) Conduct of Member in.—Manner of Address.

A Member in addressing the House must address the Chair. Volume **V**, section **4980**.

Instance wherein a Member addressed the House from the Clerk's desk. Volume **V**, section **4981**.

In order to interrupt a Member having the floor, it is necessary first to address the Chair. Volume **VI**, section **193**.

DEBATE—Continued.**(14) Conduct of Member in.—Must Confine Himself to Subject in the House.**

It has always been held, and generally quite strictly, that in the House the Member must confine himself to the subject under debate. Volume **V**, sections **5043–5048**.

Rule requiring the Member to confine himself to the question. Volume **V**, section **4979**.

The Member shall confine himself to the question under debate, avoiding personality. Volume **V**, section **5042**. Volume **VIII**, sections **2481, 2534**.

It has been held not in order during debate in the House to answer an argument made in Committee of the Whole. Volume **V**, section **5052**.

It is not in order in debate to refer to a bill not yet reported from a committee. Volume **V**, section **5053**.

To a proposition to censure a Member of presenting a petition on the subject of slavery debate on the opinions of statesmen of former times on the general subject of slavery was held to be irrelevant. Volume **V**, section **5195**.

On a proposition relating to the abolition of slavery in a particular locality or country debate at large on the subject of slavery was held not to be relevant. Volume **V**, sections **5200, 5201**.

On a motion to amend the debate in the House is confined to the amendment and may not include the general merits of the proposition. Volume **V**, sections **5049–5051**.

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**, section **5056–5063**.

A Member desiring to interrupt another in debate should address the Chair for permission of the Member speaking. Volume **V**, section **5006**.

It is entirely within the discretion of the Member occupying the floor in debate to determine when and by whom he shall be interrupted. Volume **V**, sections **5007, 5008**.

(15) Conduct of Member in.—Relevancy in Committee of the Whole.

It is the rule, well established in the practice of the House for many years, that the Member need not confine himself to the subject during general debate in the Committee of the Whole House on the state of the Union. Volume **V**, sections **5233–5238**. Volume **VIII**, section **2590**.

In general debate in Committee of the Whole House the Member must confine himself to the subject. Volume **V**, section **5239**. Volume **VIII**, section **2590**.

In debate under the five-minute rule the Member must confine himself to the subject. Volume **V**, sections **5240–5256**.

A Member required to yield the floor because of persistent irrelevancy in debate was held not to have forfeited the right to propose and debate amendments to subsequent paragraphs. Volume **VIII**, section **2595**.

(16) Conduct of Member in.—Reading of Papers.

A Member in debate usually reads or has read by the Clerk such papers as he pleases, but this privilege is subject to the authority of the House if another Member objects. Volume **V**, sections **5285–5288**. Volume **VIII**, section **2602**.

When a Member objects to the reading of a paper other than one on which the House is to give a final vote, the question as to the reading is determined by vote without debate. Volume **V**, section **5257**.

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**.

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**.

The reading of a report is in the nature of debate. Volume **V**, section **5292**.

A Member may not have a report read at the Clerk's desk in his own time, if objection be made, without leave of the House, and even has been debarred from reading it himself in his place. Volume **V**, section **5293**.

Debate—Continued.**(16) Conduct of Member in.—Reading of Papers—Continued.**

- As part of a personal explanation relating to matter excluded from the Congressional Record as out of order, a Member may read the matter, subject, however, to a point of order if the reading should develop anything in violation of the rules of debate. Volume **V**, section **5079**.
- Before the adoption of rules, while the House was proceeding under general parliamentary law, the Speaker held that a Member in debate on an election case might not have read as a matter of right the record of testimony. Volume **V**, section **5259**.
- The rule prohibiting the reading of papers in debate was held to apply to the exhibition of articles as evidence or in exemplification in debate. Volume **VIII**, section **2452**.
- The anonymity of a letter proposed to be read by a Member in debate is not taken into consideration in determining its admissibility. Volume **VIII**, section **2598**.
- A motion to authorize the reading of a paper is not debatable. Volume **VIII**, section **2598**.
- A motion that a Member having the floor be permitted to read paper objected to in debate is privileged. Volume **VIII**, section **2605**.
- The reading of papers in debate is subject to the authority of the House, but a motion that a Member having the floor be permitted to read such papers as a part of his remarks is privileged. Volume **VIII**, section **2604**.

(17) Conduct of Member in.—Reflection on the House.

- Indecent language against the proceedings of the House or reflections on its prior determinations are not in order in debate. Volume **V**, section **5131**.
- It is not in order in debate to cast reflections on either the House or its membership or its decisions, whether present or past. Volume **V**, sections **5132–5138**.
- A Member who had used offensive words against the character of the House, and who declined to explain when called to order, was censured by order of the House. Volume **VII**, section **1247**.
- Words spoken in debate impeaching the loyalty of a portion of the membership of the House were ruled out of order. Volume **V**, section **5139**.
- The House took action as to a Member who reiterated on the floor certain published charges against the House, although other business had intervened. Volume **III**, section **2637**.
- The publication by a Member of alleged false and scandalous charges against the House and its Members, which he also reiterated in debate, was held to involve a question of privilege. Volume **III**, section **2637**.
- A question of the privilege of the House is properly raised through presentation of a resolution. Volume **VIII**, section **2497**.
- In presenting a question of the privilege of the House, a Member is required to submit a resolution and may not proceed in debate until the resolution has been read at the desk. Volume **VI**, section **580**.

(18) Conduct of Member in.—References to Other Members.

- In debate a Member should not address another in the second person or refer to him by name or call upon him to answer. Volume **V**, sections **5140–5143**. Volume **VI**, section **600**. Volume **VIII**, sections **2526, 2529**.
- It is not in order in debate to call a Member by name and comment on his action in a preceding Congress. Volume **V**, section **5146**.
- Mentioning a Member by name, arraigning the motives of Members, and personalities generally are not in order in debate. Volume **V**, section **5131**.
- It is not in order in debate to mention a Member by name or indulge in personalities. Volume **V**, section **5145**.
- It is improper in debate to arraign the motives of Members. Volume **V**, sections **5147–5151**.
- 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**.

DEBATE—Continued.**(18) Conduct of Member in.—References to Other Members—Continued.**

An inquiry as to whether a Member defended the owners of bonds in a “rotten, obsolete canal” proposed to be sold to the Government was held by the House not to be unparliamentary. Volume **VIII**, section **2465**.

Rule governing the Member in debate, forbidding personalities. Volume **V**, section **4979**.

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**.

Questions involving the distinction between general language and personalities in debate Volume **V**, section **5153**.

Personalities aimed at a Member in a capacity other than that of Representative are not in order. Volume **V**, section **5152**.

Examples of personal and recriminating remarks held out of order in debate by the Speaker. Volume **V**, sections **5163**, **5169**.

Denunciation of the spirit in which a Member had spoken was held out of order as a personality in debate. Volume **V**, section **6981**.

A distinction has been drawn between charges made by one Member against another in a newspaper and the same made in debate on the floor. Volume **III**, section **2691**.

It is not in order in debate for one Member to accuse another of an offense not connected with the representative capacity of the latter. Volume **V**, section **5153**.

It is the duty of the Speaker to suppress personalities in debate. Volume **V**, section **5131**.

Instance of personalities in debate in the Senate. Volume **V**, section **5156**.

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**.

Language tending to hold a Member up to contempt is not in order in debate. Volume **VIII**, section **2527**.

Characterization of the conduct of a Member as beneath the dignity of a pothouse politician was held subject to a point of order. Volume **VIII**, section **2527**.

Reference in debate to a Member as “the General who won the war” was held not to constitute a breach of order. Volume **VIII**, section **2528**.

Reference in debate to action of a Member in no way connected with his official duties or capacity was considered by the House a breach of the privilege of debate. Volume **VIII**, section **2542**.

Remarks questioning the statesmanship of a Member do not constitute a breach of order. Volume **VIII**, section **2527**.

Mere criticism of a Member, even though in his representative capacity, does not present a question of privilege. Volume **VI**, section **580**.

A Member may not in debate refer to another Member by name. Volume **V**, section **5144**.

(19) Conduct of Member in.—Accusations of Falsehood.

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**, sections **5157–5160**.

A Member in debate having declared the words of another Member “a base lie,” the Speaker declared the words out of order and the House inflicted censure on the offender. Volume **II**, section **1249**.

A declaration by a Member in debate that another Member has knowingly stated that which is false in unparliamentary and censurable. Volume **II**, section **1305**.

A declaration on the floor of the House that a statement made by a Member on his own responsibility is false presents a question of privilege. Volume **III**, section **2717**.

Statements charging falsehood in debate involve a question of privilege. Volume **VI**, section **607**.

DEBATE—Continued.**(19) Conduct of Member in.—Accusation of Falsehood—Continued.**

Charges of deliberate misrepresentation are not in order in debate. Volume **VIII**, section **2545**. Charges of falsehood made in debate against one not a Member of the House were held not to constitute a breach of order. Volume **VIII**, section **2532**.

(20) Conduct of Member in.—Criticism of Speaker.

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**.

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**.

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**.

The Speaker remained in the chair and ruled as to the relevance of language criticizing his conduct as Speaker. Volume **V**, section **5188**.

The Speaker called a Member to the chair during consideration of a resolution criticizing his official conduct. Volume **VI**, section **565**.

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**.

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**.

(21) Conduct of Member in.—Reference to Committees.

It is not in order in debate to refer to the proceedings of a committee unless the committee have formally reported their proceedings to the House. Volume **V**, sections **5080–5083**. Volume **VIII**, sections **2269, 2485**.

The rule prohibiting reference in debate to proceedings of a committee not reported to the House applies to proceedings in Committee of the Whole as well as in other committees. Volume **VIII**, section **2494**.

Instance wherein a committee reported its proceedings, which thereby became a proper subject of debate (footnote). Volume **I**, section **817**.

Even where the action of a committee is called in question its records may not be produced in the House. Volume **V**, sections **5084, 5085**.

It is not in order for the minority to present to the House the records of a committee to show that the committee is disregarding its duty. Volume **IV**, section **4619**.

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**.

Instance in which a Member rising to a question of privilege was permitted in refutation of charges made against him to detail happenings in committee not reported to the House. Volume **VIII**, section **2495**.

While it is in order to discuss proceedings of conference committees, it has been held improper to criticize the conferees of the other House in such a matter as to reflect on them in their official capacity. Volume **VI**, section **568**.

It is not in order in the House to refer to the proceedings of a committee or to read from the records thereof except by the authority of the committee. Volume **V**, sections **5080–5083**.

(22) Conduct of Member in.—References in Action or Debate in the Senate.

It is a breach of order in debate to refer to debate to votes on the same subject in the other House. Volume **V**, sections **5095–5097**. Volume **VIII**, sections **2501, 2504, 2505**.

DEBATE—Continued.**(22) Conduct of Member in.—References to Action or Debate in the Senate—Continued.**

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**.

It is not in order in debate to refer to the actual or probable action of the Senate. Volume **V**, sections **5101–5105**. Volume **VIII**, section **2515**.

It is not in order in debate to read from the record of the proceedings of the Senate or to refer in terms to action taken in the Senate. Volume **VIII**, section **2506**.

It is a breach of order in debate to refer to proceedings in the other House whether reported in the Congressional Record or elsewhere. Volume **VIII**, section **2503**.

It is permissible in debate to refer to proceedings of the other House, provided such reference be within the prohibitions of the rules. Volume **V**, section **5099**.

It is permissible, however, in discussing questions of order to refer to parliamentary decisions of the Senate. Volume **VIII**, section **2518**.

The inhibition against the reading in debate of the Record of proceedings in the other House does not extend to decisions of presiding officers on questions of procedure and parliamentary law or to proceedings in another Congress. Volume **VIII**, section **2507**.

Discussion as to the extent to which the proceedings of one House may be read in the other. Volume **V**, sections **5107–5111**.

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**.

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

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

A resolution offered in the House requesting the Senate to expunge from the Record statements in criticism of a Member of the House was to be in violation of the rule prohibiting reference to the Senate in debate. Volume **VIII**, section **2519**.

Interpretation of the rule prohibiting reference in debate to what has been said on the subject in the other House. Volume **V**, section **5098**.

A Member may not, in debate in the House, read the record of speeches and votes of Senators in such connection of comment or criticisms as might be expected to lead to recriminations. Volume **V**, sections **5107–5111**.

It is not in order in debate to criticism words spoken in the Senate, even by one not a Member of that body and during an impeachment trial. Volume **V**, section **5106**.

A Member of the House was permitted to read in debate a speech made in the Senate by one no longer a Member of the body. Volume **V**, section **5113**.

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**.

(23) Conduct of Member in.—Criticism of the Senate or Its Members.

Members may not in debate reflect upon the actions or speeches or Senators, or upon the proceedings of the Senate. Volume **VIII**, section **2518**.

While the Senate may be referred to properly in debate, it is not in order to discuss its functions or criticism its acts. Volume **V**, sections **5114–5120**.

Discussion of the importance of suppressing debate causing reflections of the other House or its Member. Volume **V**, section **5129**.

After examination by a committee a speech reflecting of the character of the Senate was ordered to be stricken from the Record. Volume **V**, section **5129**.

DEBATE—Continued.**(23) Conduct of Member in.—Criticism of the Senate or Its Members—Continued.**

- It is not in order in debate to refer to a Senator in terms of personal criticism. Volume **V**, sections **5121, 5122**.
- It is not in order in debate to criticize actions of Members of the Senate in connection with their legislative duties. Volume **VIII**, section **2518**.
- It is not in order in debate for a Member to impugn the motives or criticize the actions of Members of the Senate. Volume **VIII**, section **2520**.
- It is not in order in debate for a Member to refer to a Member of the Senate by name, nor may the Speaker entertain a request for unanimous consent to proceed in violation of this rule. Volume **VIII**, section **2519**.
- It is not in order to refer to a Member of the other House even for the purpose of complimenting him. Volume **VIII**, section **2509**.
- It is not in order in debate to name a Senator in terms of personal criticism of actions outside the Senate but connected with his representative capacity. Volume **VIII**, section **2515**.
- It is not in order in debate to criticize Members of the other body, but such rule does not apply to criticism of statements made by Members of the other body outside the Chamber. Volume **VI**, section **568**.
- The rule against criticism of Senators in debate applies only to words spoken on the floor and does not extend to speeches and interviews outside the House. Volume **VIII**, section **2519**.
- A Member may not, in the course of debate, read a paper criticizing a Member of the Senate. Volume **V**, section **5127**.
- The resignation of a Senator for a public reason was debated in the House without question. Volume **V**, section **5128**.
- It is the duty of the Speaker to prevent expression offensive to the other House. Volume **V**, section **5130**. 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**.
- It is the duty of the Chairman of the Committee of the Whole to call to order a Member violating the privileges of debate in criticism of the Senate or its Members. Volume **VIII**, section **2515**.
- 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**.
- 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**.
- 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**.
- The rule interdicting criticism of Members of the Senate in debate also applies to remarks extended in the Record. Volume **VIII**, section **2519**.
- Reference to a Member of the Senate in terms of criticism is not in order even though the Senator referred to is not mentioned by name. Volume **VIII**, section **2512**.
- A statement by a Member in debate that “a gentleman in another body” had made an “unwise and unwarranted attack on the Commander in Chief of the Army and Navy” was held to be a breach of order. Volume **VIII**, section **2512**.

DEBATE—Continued.**(23) Conduct of Member in.—Criticism of the Senate or Its Members—Continued.**

A manager on the part of the House on the disagreeing votes of the two Houses on a bill in conference having addressed the House in criticism of the Senate members of the committee of conference, the Senate notified the House that conferees on the part of the Senate had been excused from further service on the committee. Volume **VIII**, section **2514**.

Criticism of a Senator by a Member in debate was held by the House to be in violation of its rules and the Public Printer was directed to exclude it from the permanent Record. Volume **VIII**, section **2514**.

Reference to reprints inserted in the Senate proceedings involves reference to Senate debates, and is not in order. Volume **VIII**, section **2503**.

A communication from the Senate designating as “unture” statements made by a Member of the House in debate and requesting action upon the part of the House relative thereto, was respectfully returned to the Senate with a message characterizing its as a breach of privilege. Volume **VIII**, section **2514**.

(24) Conduct of Member in.—Replies to Criticisms in the other House.

A Senator in debate in the Senate having assailed a Member of the House, the Member was allowed, as a matter of privilege, to explain to the House his own conduct, but not to assail the Senator in his capacity as Senator. Volume **V**, sections **5125**, **5126**.

A Member whose motives have been impugned in the Senate may refer to proceedings in that body sufficiently to explain his own motives, but may not, under the rights of privilege, bring into discussion the whole merits of the controversy. Volume **V**, sections **5123**, **5124**.

A Senator having assailed a Member in debate, the House massaged to the Senate a resolution declaring the language a breach of privilege. Volume **VIII**, section **2516**.

A Senator in debate in the Senate having assailed the Speaker, a resolution declaring the language of the Senator a breach of the privilege of the House was treated as a matter of privilege. Volume **VI**, section **584**.

A Member having referred to the Senate in a public address, it was held in order to reply on the floor of the Senate, avoiding personalities and criticism of the other House. Volume **VIII**, section **2510**.

(25) Conduct of Member in.—Referencess to the President.

The law of Parliament, evidently inapplicable to the House of Representatives, forbids the member from speaking “irreverently or seditiously against the King.” Volume **V**, section **5986**.

It is in order in debate to refer to the President of the United States or his opinions, either with approval or criticism, provided that such reference be relevant to the subject under discussion and otherwise conformable to the rules of the House. Volume **V**, sections **5087–5091**. Volume **VIII**, sections **2497**, **2500**.

A reference in debate to the probable action of the President of the United States was held to involve no breach of order. Volume **V**, section **5092**.

Criticism of the manner in which the President discharged the duties of his office was decided by the House not to violate the rules of decorum in debate. Volume **VIII**, section **2499**.

Debate in the House may refer to the motives of the President but personal criticism, innuendo or ridicule are not in order. Volume **VIII**, section **2497**.

The principles of decorum and courtesy governing the relations of the two Houses should extend to the relations of the House with the President. Volume **VIII**, section **2497**.

Mr. Speaker Colfax held that a Member, in debating a proposition to impeach the President, should abstain from language personally offensive. Volume **V**, section **5094**.

In debating a proposition to impeach the President of the United States a wide latitude was permitted to a Member in preferring changes. Volume **V**, section **5093**.

DEBATE—Continued**(25) Conduct of Member in.—References to the President**—Continued.

A resolution providing for investigation of the propriety of language referring to the President of the United States and said to violate the privileges of debate was considered as privileged. Volume **VIII**, section **2499**.

A statement made in debate to the effect that the President considered himself the Government and used pork as the crude material of his administration was held not to involve a breach of order. Volume **VIII**, section **2499**.

It is a breach of order in debate to refer to the President disrespectfully. Volume **VIII**, section **2498**.

Remarks in debate charging the President with “persistent defamation” of an officer was held by the House to constitute a breach of order. Volume **VIII**, section **2497**.

It is not in order in debate to refer to the President of the United States in terms of opprobrium. Volume **VIII**, section **2497**.

(26) Conduct of Member in.—Disorderly Words and Acts.

Parliamentary law as to offenses committed by a Member in the House, especially in debate. Volume **II**, section **1244**.

From Members between whom warm words or an assault has passed on the floor, the House has exacted apologies. Volume **II**, sections **1646, 1647**.

The House has frequently allowed personal difficulties arising in debate, and even violent assaults, to pass without notice, the Members concerned making apologies either personally or through other Members. Volume **II**, sections **1658–1662**.

An instance in which Members called to order for words spoken in debate apologized and were thereupon excused without further action on the part of the House. Volume **VIII**, section **2530**.

A Delegate who had used insulting language in debate and declined to retract it, was, by order of the House, arrested, brought to the bar, and censured by the Speaker. Volume **II**, section **1305**.

When a Member is called to order for words spoken in debate in Committee of the Whole the Chairman is without discretion and is constrained to recognize for that purpose. Volume **VIII**, section **2532**.

For an assault during debate in Committee of the Whole, the House, after expulsion had been suggested, exacted apologies from a Member. Volume **II**, sections **1650, 1657**.

Members who had indulged in unparliamentary language in Committee of the Whole, escaped the censure of the House by making apologies. Volume **II**, sections **1257–1258**.

For parliamentary language in Committee of the Whole William D. Bynum was censured by the House. Volume **II**, section **1259**.

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**.

It is not in order as a question of privilege in the House to propose censure of a Member for disorderly words spoken in Committee of the Whole, but not taken down or reported therefrom. Volume **V**, section **5202**.

For unparliamentary language and an assault two Senators were declared in contempt and later were censured. Volume **II**, section **1665**.

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

A Member is allowed a wide latitude in debate relating to a contumacious witness at the bar of the House. Volume **V**, section **5170**.

A Member in debate may impeach the testimony of a witness before a Committee. Volume **V**, section **5171**.

A Member having concluded his remarks and yielded the floor was not required to answer for words objected to as unparliamentary. Volume **VIII**, section **2536**.

DEBATE—Continued.**(26) Conduct of Member in.—Disorderly Words and Acts—Continued.**

The issue raised by the questioning of a Member for words spoken in debate was referred to the Judiciary Committee. Volume **VI**, section **553**.

A select committee appointed to consider the propriety of remarks made by a Member in debate invited him to submit suggestions in writing. Volume **VIII**, section **2497**.

A select committee appointed to consider the propriety of remarks delivered in the House reported that they contained no language in violation of the privileges of debate, and asked to be discharged. Volume **VIII**, section **2499**.

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**.

(27) Conduct of Member in.—Treasonable Words.

Questions of order have been raised when language used in debate has been such as to suggest the dissolution of the Government. Volume **V**, sections **5173**, **5174**.

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

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

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

(28) Conduct of Member in.—Disorderly Words in the Record.

The House condemned as unparliamentary a printed speech for its reflections on Members, Committees of the House, and the House itself, and for its reference to alleged occurrences in a committee of the Senate. Volume **V**, section **7017**.

A Member having uttered disorderly words on the floor without objection, the House was not thereby precluded from action, when after being withheld for revision, the words were printed in the Record. Volume **V**, sections **6979**, **6980**.

While the Committee of the Whole does not control the Record, the Chairman in the preservation of order may direct the exclusion of disorderly words spoken by a Member after he has been called to order. Volume **V**, section **6987**.

Instance wherein the House struck from the Record a speech containing language reflecting personally on the President of the United States. Volume **VIII**, section **2497**.

(29) Conduct of Members in.—In General.

By rule the Member is restricted as to his movements during business or debate, and as to wearing his hat and smoking. Volume **VI**, section **190**.

The display of exhibits in debate by way of illustration is subject to the will of the House and any Member may object. Volume **VIII**, section **2452**.

The introduction of exhibits, demonstrations, or other unusual adjuncts to debate are subject to the will of the House. Volume **VIII**, section **2453**.

It is a breach of order to refer in disparaging terms to a State of the Union. Volume **VIII**, section **2522**.

A Member may not be required to give the authority of any respectful statement which he may quote in debate. Volume **V**, section **5172**.

A Member in debate may impeach the testimony of a witness before a committee. Volume **V**, section **5171**.

A Member is allowed a wide latitude in debate relating to a contumacious witness at the bar of the House. Volume **V**, section **5170**.

An attempt of a Member to speak when debate is not in order is not noticed in the Journal. Volume **IV**, sections **2861**, **2862**.

(30) The Call to Order.—Duty of the Speaker and Members.

If a Member in debate transgresses the rules it is the duty of the Speaker to intervene and require that he proceed in order. Volume **VIII**, section **3479**.

DEBATE—Continued.**(30) The Call to Order.—Duty of the Speaker and Members**—Continued.

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 of otherwise. Volume **V**, section **5175**.

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**.

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 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**, section **5163**.

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**.

The explanation of a Member being referred to by another Member in debate “as worthy of a Nero or a Jefferys,” the Speaker intervened and the language was withdrawn. Volume **V**, section **5154**.

A Delegate may call a Member to order in debate. Volume **II**, section **1295**.

Reference to an early criticism of the rules as too strict in relation to freedom of debate (footnote). Volume **V**, section **5043**.

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**.

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

(31) The Call to Order.—Words Taken Down.

When a Member is called to order for words spoken in debate the words are to be taken down at once, and he shall not be held to answer or be subject to censure if debate or business intervene. Volume **V**, section **5177**.

The demand that disorderly words be taken down must be made at once, before debate intervenes. Volume **V**, section **5178**. Volume **VIII**, sections **2536**, **2537**.

The demand that words spoken in debate be taken down it is not necessary that they be quoted verbatim. Volume **VIII**, section **2540**.

A request having been made that words objected to as unparliamentary be taken down, no motion is in order until the words have been read from the desk. Volume **VIII**, section **2540**.

When a Member who has been called to order in debate denies that the words taken down are the exact words used by himself the question as to the words is put to the House for decision. Volume **V**, sections **5179**, **5180**.

The words of a Member having been excepted to but not taken down when delivered, and having afterwards been investigated by a committee, it was held in order to propose censure of the Member. Volume **II**, section **1655**.

After a demand has been made that words spoken in debate be taken down explanation of the meaning or proper interpretation of the words is not in order. Volume **VIII**, section **2532**.

A Member having explained that by disorderly words which had been taken down he had intended no disrespect to the House, a resolution of censure was withdrawn. Volume **II**, section **1250**.

The rule requiring words spoken out of order to be taken down at once does not apply to an occurrence of disorder constituting a breach of privilege. Volume **II**, section **1657**.

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**.

DEBATE—Continued.**(31) The Call to Order.—Words Taken Down**—Continued.

If the point of order is made against words spoken in debate without the demand that they be taken down, the Chair ordinarily admonishes the offender and, if he continues to transgress the rules, stops him. Volume **VIII**, section **2465**.

If a Member transgress the rules of the House in speaking the Chair may call him to order, but in the later practice the Speaker does not pass upon the question as to whether words requested to be taken down in debate are within the rule. Volume **VIII**, section **2465**.

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**.

It is not within the province of a Member assailed in debate to object to such language being taken down under the rule. Volume **VIII**, section **2542**.

Words demanded to be taken down under the rule may be withdrawn by unanimous consent only. Volume **VIII**, sections **2528**, **2543**.

A request that a Member uttering objectionable words yield does not forfeit the right to demand that the words be taken down. Volume **VIII**, section **2528**.

A motion to expunge words taken down having been rejected, the Member called to order proceeds from the point of interruption. Volume **VIII**, section **2541**.

Time consumed in proceedings incident to taking down disorderly words is not charged to time allotted the Member when he resumes the floor. Volume **VIII**, section **2540**.

Strictures in debate do not give rise to a question of privilege but are properly contravened by a demand that the words be taken down. Volume **VIII**, section **2537**.

A Member may withdraw words objected to in debate in Committee of the Whole by unanimous consent only. Volume **VIII**, section **2538**.

When a demand is made in Committee of the Whole that words spoken in debate be taken down no further business is in order and the Committee rises automatically to report to the House. Volume **VIII**, sections **2533**, **2539**.

Demand being made that words spoken in debate be taken down as unparliamentary, it is in order to demand that words spoken by other Members in the same colloquy also be taken down to be simultaneously reported to the House when the committee rises. Volume **VIII**, section **2538**.

Demand for the taking down of additional words, or words spoken by others, may be made at any time before the committee rises and the point of order may not be made that the demand comes too late because made after the words first objected to have been read at the desk. Volume **VIII**, section **2538**.

A portion of a letter having been taken down on demand in Committee of the Whole and reported to the House, a motion to expunge the entire letter from the Record was held to be in order. Volume **VIII**, section **2539**.

Disorderly words spoken in Committee of the Whole are to be taken down as in the House, but are to be reported to the House, which alone may punish. Volume **II**, section **1348**.

Unparliamentary words spoken in Committee of the Whole are taken down and read, whereupon the committee rises and reports them to the House. Volume **II**, sections **1257**, **1258**.

Unparliamentary language used in Committee of the Whole was taken down and read at the Clerk's desk, and thereupon the committee voted to rise and report it to the House. Volume **II**, section **1259**.

A Member requesting that words spoken in debate in Committee of the Whole be taken down may withdraw that request at any time before the Committee rises to report to the House. Volume **VIII**, section **2532**.

Words spoken in debate having been taken down and read from the desk, the committee rises automatically under the rule and a motion to rise is not required. Volume **VIII**, section **2538**.

DEBATE—Continued.**(31) The Call to Order.—Words Taken Down—Continued.**

Under the practice of the House it was held that the Committee of the Whole might, at its option, take action on a point of order against words spoken in debate or might rise and report them to the House. Volume **VIII**, section **2497**.

When the Committee of the Whole rises to report words objected to in debate no business is in order until the language reported has been read from the desk. Volume **VIII**, section **2538**. 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**.

Action in the House on words taken down and reported from Committee of the Whole is limited to the words reported. Volume **VIII**, section **2528**.

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**.

Words taken down and read at the desk in Committee of the Whole are again read from the desk when reported to the House. Volume **VIII**, section **2538**.

Words taken down and reported to the House by the Committee of the Whole are summarily disposed of by a motion to strike them from the Record with a demand for the previous question on the motion. Volume **VIII**, section **2538**.

It is not in order as a question of privilege in the House to propose censure of a Member for disorderly words spoken in Committee of the Whole but not taken down or reported therefrom. Volume **V**, section **5202**.

The House took action as to a Member who reiterated on the floor certain published charges against the House, although other business had intervened. Volume **III**, section **2637**.

(32) The Call to Order.—Member Sits Down, But May Be Permitted to Explain or Proceed.

A Member called to order in debate must take his seat. Volume **VIII**, sections **2528**, **2534**, **2538**, **2542**.

A Member called to order for words spoken in debate is required to take his seat and may not proceed unless permitted to do so on motion. Volume **VIII**, section **2540**.

A Member called to order in debate must take his seat and may not proceed unless permitted by the House on motion, but such disability does not extend beyond consideration of the point immediately under discussion, and a Member so called to order was permitted to demand the yeas and nays on the question under consideration at the time he was required to be seated. Volume **VIII**, section **2546**.

A Member called to order shall immediately sit down, unless the House on motion, but without debate, shall permit him to explain or proceed in order. Volume **V**, section **5175**.

A Member called to order in debate must take his seat, although he may be permitted by the House to proceed in order or explain, even after his words have been taken down. Volume **V**, sections **5181–5184**.

Words spoken being held out of order and the House having permitted the Member to explain, it is then in order to move that he be permitted to proceed. Volume **V**, sections **5185**, **5186**.

The words of a Member having been taken down and the Speaker having decided that they were not in order, it was held that a motion that the Member be permitted to explain had precedence of a motion that he be permitted to proceed in order. Volume **V**, section **5187**.

When a Member is called to order for violation of the rules of debate it is the practice to test the opinion of the House by a motion "that the gentleman be allowed to proceed in order." Volume **V**, sections **5188**, **5189**.

DEBATE—Continued.**(32) The Call to Order.—Member Sits Down, But May Be Permitted to Explain or Proceed—Continued.**

A motion that a Member called to order for words spoken in debate be allowed to proceed in order being rejected, the Member was required to take his seat. Volume **VIII**, section **2497**.

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**.

The House often votes that a Member who has been decided out of order in debate shall be allowed to proceed in order. Volume **V**, sections **5191–5193**.

A Member who has been called to order in debate and granted leave to proceed must still confine himself within the rules governing debate. Volume **V**, section **5195**. Volume **VIII**, section **2534**.

A Member who has been called to order in debate and decided out of order loses the floor, and another may be recognized. Volume **V**, sections **5196–5199**.

A Member who has been called to order in debate and directed to sit down may not proceed on yielded time. Volume **V**, section **5147**.

A Member required to take his seat because of unparliamentary language may not be recognized to present a point of order against ensuing proceedings. Volume **VIII**, section **2545**.

While a Member called to order for words spoken in debate is required to relinquish the floor he may not be deprived of his constitutional right to demand a quorum. Volume **VIII**, section **2547**.

A Member called to order for words spoken in debate having withdrawn the language objected to, no further action was taken by the House. Volume **VIII**, section **2542**.

A Member having been allowed by general consent to proceed in debate after he had been called to order, it was held that a vote of the House on the question might not be demanded. Volume **V**, section **5194**.

A Member whose remarks have been decided out of order as irrelevant may not proceed, under the rule, except with the permission of the House expressly granted. Volume **V**, sections **5200**, **5201**.

The Speaker having decided that words spoken in debate on a pending appeal were out of order, declined to entertain an appeal from the latter decision. Volume **V**, section **6944**.

A Member who resumes his seat after being called to order loses his claim to prior right of recognition. Volume **V**, section **5016**.

A Member who has been called to order in debate and granted leave to proceed must still confine himself within the rules governing debate. Volume **V**, section **5195**.

(33) The Call to Order.—Journal Record of.

The Journal does not always give in full disorderly words spoken in debate and ordered to be taken down. Volume **II**, section **1251**.

The Journal may record the simple fact that a Member makes an explanation, but it does not record the act of the Speaker in calling him to order for irrelevancy. Volume **IV**, section **2837**.

When the Speaker calls a Member to order for irrelevancy in debate, and the House votes that the Member may proceed, the Journal should contain a record of the transaction. Volume **IV**, section **2839**.

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**.

(34) The Call to Order.—In an Impeachment Trial.

Mr. Justice Chase, in asking time to prepare his answer to the articles, was called to order by the Vice-President for expressions used. Volume **III**, section **2349**.

DEBATE—Continued.**(35) Restrictions on.—The Hour Rule.**

The hour rule for debate. Volume **V**, section **4978**.

The hour rule applies to debate on a question of privilege as well as to debate on other questions. Volume **V**, section **4990**. Volume **VIII**, section **2448**.

The member in charge of a bill under consideration in the House is recognized for an hour, during which he may move the previous question or yield time, but in yielding to a Member to offer an amendment he surrenders the floor. Volume **VII**, section **1053**.

In the House the Member reporting a measure is entitled to recognition for one hour during which he may yield to other as he may choose, and at the close of which, unless the previous question is moved, the ranking Member in opposition may be recognized for an hour with the same privilege, after which other Members favoring and opposing the measure are recognized alternately, preference being given Members of the committee reporting the measure. Volume **VIII**, section **2460**.

A committee having been discharged from the further consideration of a resolution of inquiry, debate is in order under the hour rule unless the previous question is ordered. Volume **VI**, section **416**.

Debate on Senate amendments reported in disagreement by managers on the part of the House is under the hour rule, but the Member in charge is entitled to prior recognition and may move the previous question. Volume **VII**, section **1572**.

The House having adopted a special order susceptible of an interpretation waiving the rule limiting Members to one hour in debate, the Speaker held the rule to remain in force unless specifically abrogated. Volume **VII**, section **766**.

Before the election of a Speaker the House has adopted a rule regulating debate. Volume **I**, sections **94**, **95**.

Early reference to the use of debate as a method of obstruction. Volume **IV**, section **3061**.

(36) Restrictions on.—Member Speaks But Once Unless He Have the Closing.

No member may speak more than once to the same question unless he be the mover or proposer, in which case he may speak in reply after all choosing to speak have spoken. Volume **V**, section **4991**.

A Member may not speak more than once on an appeal, except by permission of the House. Volume **II**, section **1313**. Volume **V**, section **6938**.

A Member who has spoken once to the main question may speak again to an amendment. Volume **V**, sections **4993**, **4994**.

It is too late to make the point of order that a Member has spoken already if no one claims the floor until he has made some progress in his speech. Volume **V**, section **4992**.

The Member reporting the measure under consideration may open and close where general debate is had, and may have an additional hour to close if debate extend beyond a day. Volume **V**, section **4996**.

In the later practice of the House the Member reporting the matter under consideration may not exercise his right to close after the previous question is ordered. Volume **V**, sections **4997**–**5000**.

In the earlier practice of the House the right of the mover to close the debate might not be cut off by the previous question. Volume **V**, section **4995**.

The earlier practice as to the right to close debate permitted its exercise after the time for terminating general debate to Committee of the Whole as well as after the ordering of the previous question. Volume **V**, section **4997**.

The right of the “mover, proposer, or introducer of the matter pending” to close debate does not belong to a Member who has merely moved to reconsider the vote on a bill which he did not report. Volume **V**, section **4995**.

Discussion as to the rights of a contestant who is permitted to address the House to close debate in a contested election case. Volume **V**, section **5001**.

DEBATE—Continued.**(37) Restrictions on.—Yielding for Motions, etc.**

In the House a Member may yield the floor for a motion to adjourn without losing his right to continue when the subject shall be considered again. Volume **V**, sections **5009, 5010**.

A Member who has yielded the floor for a motion to adjourn is entitled to prior recognition after that motion is decided in the negative. Volume **V**, section **5011**.

A Member having the floor in debate in Committee of the Whole may yield for a motion that the committee rise without losing his right to continue at the next sitting. Volume **V**, sections **5012, 5013**.

A Member who had yielded the floor to enable the subject to be postponed to a day certain was held to be entitled to prior recognition when the subject was again considered. Volume **V**, section **5014**.

A Member who resumes his seat while a paper is being read in his time does not thereby lose his right to proceed. Volume **V**, section **5015**.

A Member who, having the floor, moved the previous question, was permitted to resume the floor on withdrawing the motion. Volume **V**, section **5474**.

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**.

In the House a Member may not yield even temporarily for other business without losing the floor. Volume **VIII**, section **2468**.

While the Member in charge must yield for preferential motions, a Member may not by offering such motion deprive the Member in charge of the floor. Volume **VIII**, section **3259**.

A Member may not prefer a parliamentary inquiry while another Member is in possession of the floor. Volume **VIII**, section **2455**.

(38) Restriction on.—Yielding for Debate.

According to the later practice a Member having time for debate may yield such portion of it as he may choose to another. Volume **V**, sections **5018–5020**.

It is entirely within the discretion of the Member occupying the floor in debate to determine when and by whom he shall be interrupted. Volume **V**, sections **5007, 5008**. Volume **VIII**, section **2463**.

A Member desiring to interrupt another in debate should address the Chair for permission of the Member speaking, but the latter may exercise his own discretion as to yielding. Volume **VIII**, section **2465**.

The right of a Member to yield of his time has been modified by the principle that members of the committee reporting the subject are entitled to prior recognition. Volume **V**, section **5028**.

A Member who receives time in debate from another may yield of it to a third only with the consent of the original possessor. Volume **V**, sections **5033, 5034**. Volume **VIII**, sections **2470, 2471**.

Members may not yield time during the five-minute debate. Volume **V**, sections **5035–5037**.

In the earlier practice of the House a Member having the floor in debate might yield only for an explanation. Volume **V**, sections **5023, 5024**.

The practice of yielding time in debate grew up in the House after the establishment of the hour rule had made it practicable (footnote). Volume **V**, section **5021**.

A Member recognized for an hour may yield time to others at will until the entire hour is consumed, although another demands recognition in his own right. Volume **VIII**, section **2472**.

The practice of permitting a Member to yield time within his control for debate to another Member began about 1852, but was questioned as late as 1879. Volume **V**, sections **5021–5027**.

Before the adoption of rules, while the House was proceeding under general parliamentary law, it was held that a Member having the floor in debate might not yield the floor to another without losing the right to resume. Volume **V**, sections **5038–5040**.

DEBATE—Continued.**(38) Restrictions on.—Yielding for Debate—Continued.**

Under general parliamentary usage a Member having the floor may yield time for debate to others and retain the right to resume debate or move the previous question. Volume **VIII**, section **3383**.

In the Senate a Senator may not take the floor and then yield periods of time to other Senators. Volume **V**, section **5041**.

A Member may not offer an amendment in time secured for debate only. Volume **VIII**, section **2474**.

If a Member having the floor yields for interruption the remarks of the Member yielded to must appear in the Record, but if the Member having the floor declines to yield he may strike from copy for the Record remarks so interjected. Volume **VIII**, section **2465**.

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

Time yielded by a Member in control of half of the 40 minutes of debate on a motion to suspend the rules may not be reserved or yielded to a third Member. Volume **VIII**, section **3417**.

(39) Restrictions on.—Conditions of Yielding for Amendment.

A Member may control the time allowed him by the rules, yielding time to others for debate but not for amendment. Volume **V**, sections **5029**, **5030**.

When a Member yields of his time for debate an amendment may not be offered in the yielded time without his consent. Volume **V**, section **5032**.

A Member who has the floor in debate may not yield to another Member to offer an amendment without losing control of his time. Volume **V**, section **5021**.

A Member who yields the floor to another to offer an amendment loses his right to reoccupy it. Volume **V**, sections **5030**, **5031**.

Amendments may not be offered in time yielded for debate only, and a Member yielding to another to propose an amendment loses the floor. Volume **VIII**, section **3187**.

A Member may yield time for amendment in the House, but a Member yielding relinquishes the floor. Volume **VIII**, section **2470**.

A Member who, having the floor in debate, yields to another to offer an amendment loses his right to resume, and the Member to whom the floor is yielded is recognized for one hour. Volume **V**, section **5031**. Volume **VIII**, section **2478**.

A Member having control of the time may not yield for an amendment without losing the floor, and is not entitled to a second hour if another demands recognition. Volume **VIII**, section **2476**.

A Member in charge may yield for debate and retain control of the remainder of the time allotted, but in yielding for amendments thereby relinquishes the floor. Volume **VII**, section **801**.

A Member may yield to permit an amendment to be read for information, or to be voted upon at the close of general debate, without losing control of his time. Volume **VIII**, section **2477**.

(40) Restrictions on.—Precluded by Division on Beginning of Yea-and-Nay Call.

A division having commenced debate is thereby precluded. Volume **V**, sections **5928**, **5929**.

Debate may continue, the previous question not having been ordered, until the Speaker has put the negative side of the question. Volume **V**, section **5925**.

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**, sections **6101–6105**.

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 been 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**.

DEBATE—Continued.**(41) Restrictions on.—The Previous Question.**

The only motion used for closing debate in the House (as distinguished from the Committee of the Whole) is the motion for the previous question. Volume **V**, section **5456**. Volume **VIII**, section **2662**.

The motion for the previous question when agreed to has the effect of cutting of all debate (except forty minutes on questions not before debated) and of bringing the House to a vote. Volume **V**, sections **5443**, **5444**.

After the previous question is moved there may be no further debate, not even the asking of a question. Volume **V**, section **5481**.

The reading of a report, being in the nature of a debate, is not in order after the previous question is ordered. Volume **V**, sections **5294–5295**.

After the motion is made for the previous question all incidental questions of order, whether on appeal or otherwise, are decided without debate. Volume **V**, sections **5448**, **5449**.

A member may not demand the previous question if the Member in charge of the bill claims the floor in debate. Volume **II**, section **1458**.

A Member opposed to a bill, having the floor, may make a motion for the previous question although the effect of the motion may be to deprive the Member in charge of the control of the bill. Volume **V**, section **5476**.

The development through which the previous question has become a flexible, reasonable, and efficient instrumentality for restricting debate and forwarding business. Volume **V**, section **5446**.

When a vote taken under the operation of the previous question is reconsidered the main question stands divested of the previous question and may be debated and amended without reconsideration of the motion for the previous question (Speaker overruled). Volume **V**, sections **5491**, **5492**.

When the previous question has been ordered on a series of motions and its force has not been exhausted, the reconsideration of the vote on one of the motions does not throw it open to debate or amendment. Volume **V**, section **5493**.

Although the previous question had been ordered on a motion to reconsider, it was held that a question of privilege might be debated. Volume **III**, section **2532**.

The motion to commit, made after the previous question is ordered, is not debatable. Volume **V**, section **5582**.

The motion to commit under section 1 of Rule XVII is not debatable, but is amendable unless the previous question is ordered on it. Volume **V**, sections **5570**, **5571**.

The right to debate and amend a bill reported from the Committee of the Whole depends upon the will of the House. Volume **IV**, section **4895**.

The Member in charge of the bill is entitled to prior recognition to move the previous questions even after he has surrendered the floor for debate. Volume **VIII**, section **2682**.

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

History of the process by which the House changed the previous question of Parliament into an instrument for closing debate and bringing a vote on the pending question. Volume **VIII**, section **2661**.

(42) Restrictions on.—Forty Minutes After Previous Question Is Ordered.

When the previous question is ordered “on any proposition on which there has been no debate” forty minutes are to be divided in debate. Volume **V**, section **5495**.

When the previous question is ordered on the motion to close debate, the rule providing for forty minute debate on propositions on which the previous question has been ordered without prior debate does not apply, and no debate is in order. Volume **VIII**, section **2555**.

Forty minutes of debate are allowed whenever the previous question is ordered on a proposition on which there has been no debate. Volume **V**, section **6821**.

DEBATE—Continued.**(42) Restrictions on.—Forty Minutes After Previous Question Is Ordered**—Continued.

Forty minutes of debate are allowed on a proposition on which the previous question is ordered without debate, one-half for those favoring and one-half for those opposing, and where it developed, after recognition, that both favored the proposition the Speaker required each to yield half his time to those opposing the motion. Volume **VIII**, section **2689**.

If there has been debate, even though brief, before the previous question is ordered, the forty minutes of debate provided for in Rule XXVIII is precluded. Volume **V**, sections **5499–5501**.

The debate which justifies a refusal of the right to the forty minutes after the previous question is ordered should be on the merits. Volume **V**, section **5502**.

The word “proposition” in the rule providing as to debate after the previous question is ordered means the main question and does not refer to incidental motions. Volume **V**, sections **5497, 5498**.

Where the previous question is ordered on a proposition which has been debated in Committee of the Whole the rule permitting forty minutes of debate does not apply. Volume **V**, section **5505**.

The rule for the forty minutes of debate does not apply to an amendment on which there has been no debate in a case wherein the motion for the previous question covers both the amendment and the original proposition, which has been debated. Volume **V**, section **5504**.

The rule permitting forty minutes of debate was held to apply to an amendment on which the previous question had been ordered before there had been debate either in the House or in Committee of the Whole. Volume **V**, section **5503**.

The rule permitting forty minutes of debate does not apply when the question on which the previous question is ordered without debate is otherwise undebatable. Volume **VIII**, section **2690**.

When the previous question is ordered on a conference report which has not been debated, the forty minutes of debate is not allowed if the subject-matter of the report was debated before being sent to conference. Volume **V**, sections **5506, 5507**.

The previous question having been ordered on a resolution to correct an error in an enrolled bill the forty minutes of debate was not allowed. Volume **V**, section **5508**.

Before the adoption of rules the previous question of general parliamentary law does not permit forty minutes of debate on questions on which there has been no debate. Volume **V**, section **5509**.

The forty minutes of debate allowed in certain cases after the previous question is ordered should be demanded before division on the main question has begun. Volume **V**, section **5496**.

Prior to adoption of rules, the motion for the previous question is admissible under general parliamentary law, but if ordered without prior debate the 40 minutes’ debate prescribed by the rules of the previous Congress is not in order. Volume **VIII**, section **3386**.

(43) Restrictions on.—By Special Orders.

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**.

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 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**.

DEBATE—Continued.**(43) Restrictions on.—By Special Orders—Continued.**

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**.

Where a special order divides time for debate equally between those favoring and those opposing a proposition, the Members recognized to control time are recognized for one-half the time even when in excess of the hour to which one Member is limited under the general rules of debate. Volume **VII**, section **785**.

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**.

The provision for two hours' debate and equal division of time under the Calendar Wednesday rule applies to Union Calendar bills only and not to House bills. Volume **VII**, section **955**.

The time of a debate having been divided and assigned to the control of the two sides, it must be allotted to Members in accordance with the rules, no Member being allowed more than one hour. Volume **VIII**, section **2462**.

Time consumed in discussion of incidental points of order is not taken from time allotted for debate under the rule. Volume **VI**, section **606**. Volume **VIII**, sections **2505**, **2556**.

(44) Speaker's Participation in.—From the Chair.

The Speaker may of right speak from the chair on questions of order and be first heard. Volume **II**, section **1367**.

Except on questions of order the Speaker may speak from the chair only by leave of the House and on questions of fact. Volume **II**, section **1367**.

The Speaker sits while rendering decisions on points of order or when participating in debate thereon (footnote). Volume **II**, section **1367**.

The Speaker sometimes makes a brief explanation from the chair without asking the assent of the House. Volume **II**, sections **1373**, **1374**.

The Speaker asks consent to address the House even on a question of order. Volume **IV**, section **3043**.

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**.

The Speaker, by unanimous consent, addressed the House on a subject relating to his election. Volume **II**, section **1360**.

The Speaker has spoken briefly from the chair on a question of privilege relating to himself. Volume **II**, section **1370**.

A Member having criticised 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**.

(45) Speaker's Participation in.—From the Floor.

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**.

DEBATE—Continued.**(45) Speaker's Participation in.—From the Floor**—Continued.

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**.

Instance wherein the Speaker debated a point of 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**.

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**.

(46) Speaker's Participation in.—Addresses by.

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 Speaker, having announced his resignation, made a farewell address and left the chair. Volume **I**, section **233**.

The Speaker having appealed to the House for an investigation, the House ordered his address to be entered on the Journal. Volume **II**, section **1362**.

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**.

(47) In Committee of the Whole.—The Motion to Close General Debate.

A motion to limit general debate in Committee of the Whole is not in order in the House until after such debate has begun. Volume **V**, sections **5204–5206**.

The motion to close general debate in the Committee of the Whole is made in the House and is not in order until debate has begun in the committee. Volume **VIII**, section **2554**.

The motion to close general debate in Committee of the Whole is made pending the motion that the House resolve itself into committee, and, though not debatable, the previous question is sometimes asked to prevent attempts at amendment of the motion. Volume **V**, section **5203**.

A motion to close debate in the Committee of the Whole is in order at any time after debate has begun and may propose to close debate instanter or at the expiration of any designated time. Volume **VIII**, section **2572**.

A motion to close debate in Committee of the Whole is in order at any time after the five-minute debate begins and is not precluded because there has been no debate in opposition to the pending amendment. Volume **VIII**, section **2578**.

The previous question may be applied to the nondebatable motion to limit general debate in Committee of the Whole in order to prevent amendment. Volume **V**, section **5473**.

Form of motion made in the House to limit general debate in Committee of the Whole (footnote). Volume **V**, section **5207**.

The motion in the House to limit general debate on a bill in Committee of the Whole must apply to the whole and not a part of the bill. Volume **V**, section **5207**.

The right to limit debate in the Committee of the Whole on the pending section of a bill was held not to admit a motion to close debate on the entire bill after the last section had been read. Volume **VIII**, section **2585**.

After the vote has been taken on the motion to go into Committee of the Whole it is too late to offer a motion to close general debate in the Committee of the Whole. Volume **V**, section **5208**.

The motion to close general debate may not be made in Committee of the Whole. Volume **V**, section **5217**.

While the motion to close general debate is not in order in the Committee of the Whole, the committee may, in the absence of an order by the House, close debate by unanimous consent. Volume **VIII**, section **2554**.

A proposition for a division of time is not in order as a part of a motion to limit general debate in Committee of the Whole. Volume **V**, sections **5210, 5211**.

DEBATE—Continued.**(47) In Committee of the Whole.—The Motion to Close General Debate**—Continued.

General debate in Committee of the Whole may not be limited on a series of bills by one motion. Volume **V**, section **5209**.

The committee having voted to close debate at a stated hour the Chair announces the close of debate at that time notwithstanding intervening time has been consumed without debate. Volume **VIII**, section **2325**.

Debate in Committee of the Whole may be closed by order of the House at any time after debate has begun in the committee, regardless of whether the opposition has occupied time in debate. Volume **VIII**, section **2548**.

The rule allowing proponents to close debate does not apply in Committee of the Whole. Volume **VIII**, section **2581**.

A motion to close debate on the pending section and amendments thereto does not apply to amendments proposing a new section. Volume **VIII**, section **2582**.

An order of Committee of the Whole closing debate on the pending section and amendments thereto is not applicable to a motion to strike out the enacting clause. Volume **VIII**, section **2632**.

(48) In Committee of the Whole.—General Principles as to Closing General Debate.

The rule for closing general debate in Committee of the Whole applies to messages of the President as well as bills, and may be applied to a particular portion of a message. Volume **V**, section **5218**.

Time for debate having been fixed by the House, the Committee of the Whole may not, even by unanimous consent, extend it. Volume **V**, sections **5212–5216**. Volume **VIII**, section **2321**.

The time for general debate having been fixed by the House, it is not in order in Committee of the Whole to entertain a request for unanimous consent for alteration of such order. Volume **VIII**, section **2550**.

In Committee of the Whole, no Member desiring to participate in general debate, the reading of the bill for amendment begins. Volume **IV**, section **4745**.

General debate in Committee of the Whole is not necessarily closed by failure of those entitled to the floor to proceed in debate. Volume **V**, section **5219**.

The time occupied in reading a bill in Committee of the Whole does not come out of the time allowed for general debate. Volume **V**, section **5220**.

In the absence of a rule by the House itself the Committee of the Whole may, by unanimous consent, permit general debate during consideration of the bill for amendment. Volume **V**, section **5232**.

In the absence of an order by the House, the Committee of the Whole may limit general debate by unanimous consent. Volume **VIII**, section **2553**.

The rules contemplate that general debate in Committee of the Whole shall be closed by order of the House before amendments may be offered. Volume **V**, section **5221**.

(49) In Committee of the Whole.—Early Practice as to Closing General Debate.

In the early days of the House the times for general debate and amendment in Committee of the Whole were not so rigidly fixed as at present. Volume **IV**, section **4760**.

The early method of closing general debate in Committee of the Whole. Volume **V**, section **5205**. Illustration of the early method of closing general debate in Committee of the Whole. Volume **V**, section **6820**.

Form of the resolution by which general debate was closed in Committee of the Whole in former years. Volume **V**, section **6738**.

(50) In Committee of the Whole.—The Five-Minute Debate.

The rule governing the five-minute debate on amendments in Committee of the Whole. Volume **V**, section **5221**.

DEBATE—Continued.**(50) In Committee of the Whole.—The Five-Minute Debate**—Continued.

Debate under the five-minute rule is had in the Committee of the Whole or in the “House as in Committee of the Whole” but not in the House. Volume **VIII**, section **2565**.

A Member who has occupied five minutes on a pro forma amendment may not, by making another pro forma amendment, lengthen his time. Volume **V**, section **5222**. Volume **VIII**, section **2560**.

In debate under the five-minute rule the Member must confine himself to the subject, even on pro forma amendments. Volume **VIII**, section **2591**.

A Member proposing an amendment may offer an amendment to such amendment during the five minutes allotted him under the rule but may not thereby secure additional time for debate. Volume **VIII**, section **2562**.

During the five-minute debate resolutions are not necessarily alternated between the political divisions of the House, but are governed by conditions relating to the pending question. Volume **V**, section **5223**.

Under the 5-minute rule, time for debate may be fixed but may not be allotted even by unanimous consent. Volume **VIII**, section **2559**.

A proposition for control or division of time is not in order as a part of a motion to limit debate under the five-minute rule. Volume **VIII**, section **2570**.

When time for debate under the five-minute rule is limited in Committee of the Whole without provision for its control, the Chairman divides the time, where practicable, between those favoring and those opposing the proposition. Volume **VIII**, section **2558**.

When, after a speech in favor of an amendment under the five-minute rule, no one claimed the floor in opposition, the Chairman recognized another Member favoring the amendment. Volume **VIII**, section **2557**.

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**.

A point of order against a paragraph of a bill being read for amendment under the five-minute rule comes too late after the reading of the following paragraph. Volume **VIII**, section **2351**.

A 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**.

The Member in charge, and not the proponent, is entitled to close debate on an amendment in the Committee of the Whole. Volume **VIII**, section **2581**.

Debate under the five-minute rule, however brief, was held to exhaust the time allotted and another Member was denied recognition for the unexpired time. Volume **VIII**, section **2571**.

If objection is entered or reserved 10 minutes debate is allowed and unless three Members then object the bill is considered under the 5-minute rule. Volume **VII**, section **846**.

(51) In Committee of the Whole.—Closing Five-Minute Debate.

The Committee of the Whole may, after the five-minute debate has begun, close debate on the section, paragraph, or pending amendments; but this does not preclude further amendment. Volume **V**, section **5224**. Volume **VIII**, section **2566**.

A motion to close debate under the five-minute rule is not in order until such debate has begun. Volume **V**, section **5225**.

The five-minute debate may be closed after one speech of five minutes. Volume **V**, section **5226**.

The five-minute debate may be closed after one speech, however brief, and it is not necessary that an entire five minutes be consumed to make the motion to close debate in order. Volume **VIII**, section **2573**.

The motion to close the five-minute debate is not debatable. Volume **VIII**, section **2575**.

DEBATE—Continued.**(15) In Committee of the Whole.—Closing Five-Minute Debate—Continued.**

The motion to close the five-minute debate, while not debatable, is amendable. Volume **V**, section **5227**. Volume **VIII**, section **2578**.

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**.

Closing debate under the five-minute rule on a section does not preclude the offering of amendments. Volume **VIII**, section **2579**.

The closing of debate on a section and all amendments thereto applies to amendments offered subsequently. Volume **VIII**, section **2580**.

An order having been adopted by the Committee of the Whole closing all debate on a section, the chairman declined to entertain request for unanimous consent to amend the order. Volume **VIII**, section **2589**.

A motion is not in order in the House to close debate on a paragraph of a bill in Committee of the Whole until such debate has begun. Volume **V**, section **5231**.

The right to limit debate on the pending section of a bill pending in the Committee of the whole under the five-minute rule may be exercised by the House as well as by the Committee of the Whole. Volume **V**, section **5229**.

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**.

After debate under the five-minute rule has begun on an amendment the motion to close debate is privileged. Volume **VIII**, section **2567**.

In considering a bill for amendment under the five-minute rule an amendment offered as a separate paragraph or section is not in order until the pending paragraph has been perfected and disposed of. Volume **VIII**, section **2356**.

The committee having by vote fixed the time for closing debate on a pending section and amendments thereto, a motion to change such time is not in order. Volume **VIII**, section **2588**.

Consideration of an amendment offered as a new section closes debate and amendment on the section pending at the time the new section is offered. Volume **VIII**, section **2582**.

(52) In Committee of the Whole.—Relations to Certain Motions in.

A motion that the Committee of the Whole rise is not in order while a Member has the floor in debate. Volume **IV**, section **4769**. Volume **VIII**, section **2325**.

A motion that the Committee of the Whole rise is not debatable. Volume **IV**, sections **4767**, **4768**. In Committee of the Whole the motion to rise and report is not debatable. Volume **IV**, section **4766**.

The motion in the Committee of the Whole House to take up a bill out of its order is not debatable. Volume **VIII**, section **2331**.

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

Reading of a bill for amendments being concluded in Committee of the Whole, motions ordering it to be reported are not debatable. Volume **IV**, section **4782**.

The motion to lay a bill aside in Committee of the Whole is not debatable. Volume **IV**, sections **4763**, **4764**.

In Committee of the Whole the motion that a bill be laid aside with a favorable recommendation is not debatable. Volume **IV**, section **4774**.

In Committee of the Whole the motion to strike out the enacting clause is debatable, and in later usage is governed by the five-minute rule. Volume **V**, sections **5333–5335**.

DEBATE—Continued.**(52) Committee of the Whole.—Relations to Certain Motions in**—Continued.

In Committee of the Whole the motion to strike out the enacting clause is debatable under the five-minute rule even after debate has been closed by motion on the pending section and amendments thereto. Volume **VIII**, sections **2628, 2630**.

Debate in the Committee of the Whole on the motion to strike out the enacting clause is under the five-minute rule and is limited to two speeches of five minutes each. Volume **VIII**, section **2629**.

Five minutes having been consumed in debate in favor of a motion to strike out the enacting clause in Committee of the Whole and five minutes against the motion, further debate was held to be precluded by a demand for the regular order. Volume **VIII**, section **2627**.

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**.

A motion in the Committee of the Whole House to take up for consideration a designated bill is not subject to amendment and is not debatable. Volume **VIII**, section **2865**.

(53) In Committee of the Whole.—In General.

In the absence of a rule to the contrary, the practice governing debate in the House is followed in the committee. Volume **VIII**, section **2553**.

Debate on an appeal in Committee of the Whole has been limited by the committee itself, on motion put and carried, or by the committee rising to enable the House to limit it. Volume **V**, sections **6947–6950**.

In Committee of the Whole, as well as in the House, a Member may speak but once on an appeal. Volume **V**, section **6951**.

Recent instance wherein the House has resolved itself into Committee of the Whole House on the state of the Union for debate on the President's message. Volume **V**, sections **6623, 6624**.

Senate amendments considered in Committee of the Whole are each subject to general debate and amendment under the five-minute rule. Volume **V**, section **6196**.

A Member persisting in irrelevant debate in Committee of the Whole House on the state of the Union after being called to order by the Chairman was required to relinquish the floor. Volume **VIII**, section **2594**.

An instance wherein the House resolved into the Committee of the Whole House on the state of the Union without designating a specific subject for consideration, in preference to engaging in general debate in the House. Volume **VIII**, section **2318**.

(54) Control and Distribution of Time for.

A proposition for control or division of time is not in order as part of a motion to limit debate under the five-minute rule. Volume **VIII**, section **2570**.

Following a roll call on resolving into Committee of the Whole precipitated by a point of no quorum, and before the announcement of the result, the Speaker may entertain a unanimous-consent request to limit or control time for debate, but after the result of the vote has been announced the House resolves at once into Committee of the Whole and no request relating to time for debate or other intermediate business is in order. Volume **VI**, section **665**.

A Member recognized for general debate in the Committee of the Whole has one hour, any portion of which he may yield to another, who in turn may yield to a third with the consent of the original possessor. Volume **VIII**, section **2553**.

Unless otherwise provided a Member recognized for general debate in Committee of the Whole is recognized for one hour and may yield all or any portion of that time even though the Member to whom he yields has just occupied an hour in his own right and objection is made to his continuing. Volume **VIII**, section **2470**.

A Member being recognized for debate may consume a portion of the time allotted to him and reserve the remainder, but such reservation must be made at the time the floor is yielded. Volume **VIII**, section **2450**.

DEBATE—Continued.**(54) Control and Distribution of Time for—Continued.**

In the absence of an order by the House, the Committee of the Whole may be unanimous consent divide the time allotted for general debate. Volume **VIII**, section **2549**.

Division of the time for debate under the rule in accordance with the attitude of Members on the pending motion and party lines are not recognized. Volume **VII**, section **1010**.

A division of time for debate between those “for and against” a proposition does not necessarily provide for such division between the majority and minority parties of the House but between those actually favoring and opposing the measure. Volume **VII**, section **766**.

The time of a debate having been divided and assigned to the control of the two sides, it must be allotted to Members in accordance with the rules, no Member being allowed more than one hour. Volume **VIII**, section **2462**.

Time for general debate in Committee of the Whole having been fixed by the House without provision for its control is dispensed under the rules governing debate in the House and each Member recognized by the Chairman is entitled to our hour. Volume **VIII**, section **2549**.

A Member desiring time in general debate in opposition to a bill may accept time from one favoring the measure or he may decline to accept such time, and if the latter does not yield to another or consume the time himself, may demand recognition in this own right. Volume **VIII**, section **2471**.

When resolution is brought directly before the House independently of a committee the proponent’s right to prior recognition for debate takes precedence over the motion to refer. Volume **VI**, section **86**.

The Member in charge of the bill is entitled at all stages to prior recognition for allowable motions intended to expedite the bill. Volume **VI**, section **300**.

The Member in charge of a measure may not be deprived of the floor by a Member proposing a preferential motion. Volume **VIII**, section **2454**.

A member having control of time for debate can not exclude the preferential motion to recede and concur, but may not be deprived of the floor by such motion. Volume **VIII**, section **3197**.

The Member in charge of a bill in the House does not lose the floor by offering an amendment. Volume **VIII**, section **2469**.

The Member in charge of the bill is entitled to prior recognition to offer amendments. Volume **VI**, section **296**.

A Member who has spoken once to the main question may speak again to an amendment. Volume **VIII**, section **2449**.

In the allotment of time for debate on a motion to suspend the rules and pass a bill, a member of the committee reporting the bills prior to right to recognition over one not a member of the committee. Volume **VIII**, section **3415**.

(55) Calendar Wednesday, District Monday, and Consent Day.

Debate on bills called up on Calendar Wednesday is limited to two hours to be divided equally between those for the against the measure. Volume **VII**, section **959**.

The Member calling up a House bill on Calendar Wednesday is recognized for one hour and may move the previous question, for the purpose of preventing debate or amendment, at any time. Volume **VII**, section **955**.

In recognizing for debate under the Calendar Wednesday rule, preference is given Members of the committee reporting the bill; if no Member of the committee claims the time in opposition, the Chair may recognize any Member for the half of the time. Volume **VII**, section **959**.

When a bill previously debated is called up for the first time on Calendar Wednesday, consideration proceeds as if there had been no previous debate. Volume **VII**, section **954**.

DEBATE—Continued.**(55) Calendar Wednesday, District Monday, and Consent Day**—Continued.

- When a Union Calendar bill comes up as the unfinished business on Calendar Wednesday the House automatically resolves into the Committee of the Whole and debate is resumed from the point at which it was discontinued on the previous Wednesday. Volume **VII**, section **966**.
- The previous question may be ordered on a bill on the House Calendar on Calendar Wednesday prior to the expiration of debate allotted under the rule. Volume **VIII**, section **2680**.
- On motion to dispense with proceedings in order on Wednesday, debate is limited to 10 minutes, to be divided not to exceed 5 minutes for the 5 minutes in opposition to the motion. Volume **VII**, section **917**.
- The provision for two hours' debate and equal division of time under the Calendar Wednesday rule applies to Union Calendar bills only and not to House bills. Volume **VII**, section **955**.
- Debate on District Monday is general debate and is not confined to the bill under consideration. Volume **VII**, section **875**.
- Members of the committee on the District of Columbia have precedence in recognition for debate on days claimed by the committee for the consideration of District business. Volume **VII**, section **875**.
- On District of Columbia days debate in the Committee of the Whole is not limited and, unless otherwise provided by the House or the Committee, a Member securing the floor is recognized for one hour. Volume **VII**, section **874**.
- Debate in the Committee of the Whole on District day properly alternates between those favoring and those opposing the pending proposition and to insure alternation the chairman sometimes ascertains the attitude of members seeking recognition. Volume **VII**, section **875**.
- Objection to consideration of a bill on consent day comes too late after debate has begun. Volume **VII**, section **998**.
- Where the proponent of a motion to suspend the rules is opposed to the proposition, a member who favors it will be recognized to control the 20 minutes of debate on that side. Volume **VIII**, section **3416**.
- The objection by three Members when a bill is first called on Private Calendar Saturday precludes debates thereon the bill is referred to the deferred list forthwith. Volume **VII**, section **849**.
- The rule providing for consideration of the Private Calendar on Saturdays divides the time for debate between the Member objecting and the chairman of the committee reporting the bill and neither may yield time to another. Volume **VII**, section **847**.

(56) In "House as in Committee of the Whole."

- Under the latest ruling, when a bill is considered in the House as in Committee of the Whole it is considered under the five-minute rule without general debate. Volume **IV**, sections **4924**, **4925**.
- The only distinction between consideration in the House and consideration in the House as in Committee of the Whole is that in the latter, debate proceeds under the five-minute rule and there is not general debate. Volume **VI**, section **639**.
- Consideration "in the House as in Committee of the Whole" comprises reading for amendment and debate under the five-minute rule without general debate. Volume **VIII**, section **2431**.
- 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**.
- 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**.

DEBATE—Continued.**(57) In Standing and Select Committees.**

A committee may limit the time of debate in the committee. Volume **IV**, section **4573**.

(58) Presence of a Quorum Necessary During.

According to the earlier and later practice of the House, the presence of a quorum is necessary during debate and other business. Volume **IV**, sections **2935–2949**.

The absence of a quorum being ascertained, debate is not in order. Volume **VI**, section **659**.

In the Senate the presence of a quorum was held to be necessary during debate. Volume **VI**, section **643**.

(59) At the Election of Speaker and Organization.

The motion that the House proceed to elect a Speaker is debatable unless the previous question is ordered. Volume **I**, section **213**.

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**.

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**.

When Members-elect are challenged at the time of taking the oath motions and debate are in order on the questions involved in the challenge, and in a few cases other business has intervened by unanimous consent. Volume **I**, sections **149, 150**.

(60) On Certain Motions.—To Adjourn and Fix the Day.

The motions to adjourn, lay on the table, and for the previous question are not debatable and have precedence in the order named. Volume **V**, section **5301**.

The motion to adjourn is not debatable in the House. Volume **V**, section **5359**.

When privileged the motion to fix the day to which the House should adjourn was not debatable. Volume **V**, section **5305**.

Under the custom of the House, which differs somewhat from the general parliamentary law, the motion to fix the day to which the House shall adjourn is not debatable. Volume **V**, sections **5379, 5380**. Volume **VIII**, section **2648**.

As to the extent of debate under the general parliamentary law on a motion to fix the day to which the House shall adjourn. Volume **V**, sections **5379, 5380**.

The motion to postpone to a day certain does not admit debate on the merits of the pending proposition. Volume **VIII**, section **2616**.

The motion to postpone to a day certain is debatable within narrow limits only and does not admit discussion of the merits of the pending proposition. Volume **VIII**, section **2640**.

(61) On Certain Motions.—To Lay on the Table.

The motion to lay on the table is not debatable. Volume **V**, section **5301**. Volume **VI**, section **415**. Volume **VIII**, sections **2465, 2649**.

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

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

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

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

Under the latest rulings a motion to lay a proposition on the table is in order before the Member entitled to prior recognition for debate has begun his remarks. Volume **V**, sections **5391–5395**.

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

DEBATE—Continued.**(61) On Certain Motions.—To Lay on the Table**—Continued.

The motions to lay aside a bill in Committee of the Whole is not debatable. Volume **VIII**, section **2366**.

(62) On Certain Motions.—Refer, Commit, Recommit.

The simple motion to refer or commit is debatable, but the merits of the proposition which it is proposed to refer may not be brought into the debate. Volume **V**, sections **5564–5568**. Volume **VIII**, section **2740**.

A former rule of the House provided that a motion to refer should not be debatable (footnote). Volume **V**, section **5564**.

The motion to refer is debatable in narrow limits only and does not admit discussion of the merits of the proposition sought to be referred. Volume **VI**, section **549**.

On a motion to recommit the latitude of debate is not large. Volume **V**, section **5054**.

The motion to recommit with instructions is debatable. Volume **V**, section **5561**.

The motion to recommit may not be made while another has the floor, and a Member proposing a resolution is entitled to one hour for debate, during which time the motion may not be offered without his consent. Volume **VIII**, section **2742**.

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 unanimous-consent agreement to close debate and vote at a specific time is in effect an order for the previous question, and the motion to recommit is in order under Rule XVI. Volume **VIII**, section **2758**.

The ordering of the previous question on a bill and all amendments to final passage precludes debate on a motion to recommit but does not exclude amendments to such motion. Volume **VIII**, section **2741**.

The proponent of a proposition to refer impeachment charges to a committee is entitled to one hour in debate exclusive of the time required for the reading of the charges. Volume **VI**, section **549**.

(63) On Certain Motions.—To Postpone.

The motion to postpone to a day certain is debatable within very narrow limits only. Volume **V**, sections **5309, 5310**.

On a motion to postpone to a day certain the merits of the bill may not be debated. Volume **V**, sections **5311–5315**.

Debate on the motions to postpone to a day certain is confined to the advisability of postponement and does not extend to the merits of the question under consideration. Volume **VIII**, sections **2372, 2615**.

A motion to postpone indefinitely opens to debate all the merits of the proposition. Volume **V**, section **5316**.

(64) On Certain Motions.—To Strike Out the Enacting Clause.

On a motion to strike out the enacting clause a Member may debate the merits of the bill, but must confine himself to its provisions. Volume **V**, section **5336**.

A bill being reported from the Committee of the Whole with recommendation that the enacting words be stricken out, the motion to concur is debatable in the House. Volume **V**, sections **5337–5340**.

The motion to strike out the enacting clause is debatable and debate thereon is under the five-minute rule and may be closed on motion at any time after debate has begun. Volume **VIII**, section **2631**.

The motion to strike out the enacting clause is in the nature of an amendment and debate on the motion is under the five-minute rule and may be closed at any time after debate has begun. Volume **VIII** section **2618**.

DEBATE—Continued.**(64) On Certain Motions.—To Strike Out the Enacting Clause—Continued.**

The motion to strike out the enacting clause has the status of a motion to amend and is governed by the same rules of debate. Volume **VIII**, section **2627**.

A point of order against the motion to strike out the enacting clause must be made before debate has begun. Volume **VIII**, section **3442**.

Debate having been exhausted in Committee of the Whole on a proposed recommendation to strike out the enacting clause, a motion to strike out the last word of the motion is not in order, and additional time for debate may not be secured by offering a pro forma amendment. Volume **VIII**, section **2629**.

(65) On Certain Motions.—To Reconsider.

A motion to reconsider is debatable if the motion proposed to be reconsidered was debatable and the previous question is not operating. Volume **VIII**, sections **2437**, **2792**.

A motion to reconsider is not debatable if the motion proposed to be reconsidered was not debatable. Volume **V**, sections **5694–5699**.

As to whether or not it is in order to debate the motion to reconsider a vote taken under the operation of the previous question. Volume **V**, sections **5700**, **5701**.

The previous question is exhausted by the vote on the motion on which it is ordered, and consequently a motion to reconsider the vote on the main question is debatable. Volume **V**, section **5494**.

A motion to reconsider the vote on the third reading of a bill may be made and acted on after a motion for the previous question on the passage has been made, but the motion to reconsider may not be debated. Volume **V**, section **5656**.

(66) On Certain Motions.—To Go Into Committee of the Whole.

A motion to go into Committee of the Whole is not debatable. Volume **IV**, sections **3062**, **3063**. Volume **VI**, section **716**.

The motion to resolve into Committee of the Whole to consider a privileged bill is not amendable or debatable. Volume **IV**, sections **3078**, **3079**.

(67) On Certain Motions.—To Discharge a Committee.

A motion to discharge a committee from the consideration of a matter, when in order, is not debatable. Volume **IV**, section **4695**.

The motion to discharge a committee from the consideration of a resolution of inquiry is not debatable. Volume **III**, section **1868**. Volume **VI**, section **415**. Volume **VIII**, section **2651**.

The motion to discharge a committee from the consideration of a resolution of inquiry is not debatable, but the motion having been agreed to, the resolution is before the House and subject to debate under the hour rule. Volume **VI**, section **417**.

A motion to discharge a committee having been agreed to, its proponents are entitled to prior recognition in debate and for allowable motions to expedite consideration. Volume **VII**, section **1012**.

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

While the motion to discharge a committee is not debatable, the motion to discharge a committee and pass a measure before them is subject to debate if undivided. Volume **VI**, section **410**.

Debate on the motion to discharge a committee is limited by the rule and the Speaker is constrained to deny recognition for requests to extend the time. Volume **VII**, section **1010**.

The proponents of a motion to discharge a committee are entitled to open and close debate thereon. Volume **VII**, section **1010a**.

DEBATE—Continued.**(67) On Certain Motions.—To Discharge a Committee**—Continued.

On a motion to discharge a committee the merits of the main question may not be debated. Volume **IV**, section **4696**.

(68) On Certain Motions.—Those Relating to the Order of Business Generally.

A motion relating to the order of business is not debatable. Volume **IV**, sections **3062, 3063**. Questions relating to the priority of business are decided without debate. Volume **IV**, section **3061**. Motions incidental to a call of the House are not debatable. Volume **VI**, section **688**.

(69) On Certain Motions.—To Suspend the Rules.

Forty minutes of debate are allowed on a motion to suspend the rules, one-half for those favoring and one-half for those opposing. Volume **V**, section **6821**.

Debate on a motion to suspend the rules is limited to 20 minutes on each side, and if adjournment is taken before the 40 minutes have been consumed, the time remaining is available when the motion is again considered. Volume **VIII**, section **3412**.

Instance in which the 40 minutes of debate allowed on a motion to suspend the rules were increased by unanimous consent. Volume **VIII**, section **3414**.

Where the time allowed for debate on a motion to suspend the rules was extended by unanimous consent, the Speaker divided the additional time on the ratio governing division of the original 40 minutes provided by the rule. Volume **VIII**, section **3415**.

On a motion to suspend the rules the forty minutes of debate are allowed, although the proposition presented may not be debatable otherwise. Volume **V**, section **6822**.

Except as specially provided by rule, the motion to suspend the rules is not debatable. Volume **V**, section **6820**.

The motion to suspend the rules was not debatable before the rule was made to allow the forty minutes of debate. Volume **V**, section **5405**.

A motion to suspend the rules may not be debated until a second is ordered. Volume **V**, section **6799**.

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**.

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

(70) On Certain Motions.—Appeals.

On an appeal from a decision of the Chair it is not in order to debate the merits of the measure under consideration when the question of order was raised. Volume **V**, section **5055**.

It was formerly held that appeals on questions relating to priority of business were not debatable. Volume **V**, section **6952**.

An appeal from the decision of the Chair is debatable both in the House and in the Committee of the Whole, but debate may be closed in the House by a motion to lay on the table and in the Committee of the Whole by a motion to close debate or to rise and report. Volume **VIII**, section **3453**.

Debate on an appeal in the Committee of the Whole is under the five-minute rule. Volume **VII**, section **1608**. Volume **VIII**, sections **2375, 2556a, 3454**.

Debate on appeal in the Committee of the Whole is under the five-minute rule, and is within the discretion of the Chair. Volume **VIII**, section **2347**.

Debate on an appeal in the Committee of the Whole is under the 5-minute rule subject to the will of the Committee. Volume **VIII**, sections **3453, 3455**.

DEBATE—Continued.**(71) On Certain Motions.—In General.**

The request of a Member that he be excused from committee service has generally been treated as privileged, but as debatable to a very limited extent only. Volume **IV**, sections **4508–4510**. Motions to change the reference of public bills are not debatable. Volume **VII**, sections **2126–2128**. Motions to change the reference of public bills are not open to debate or subject to amendment. Volume **IV**, section **4378**.

The Speaker has declined to entertain debate or appeal on a question as to dilatoriness of a motion. Volume **V**, section **5731**.

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

While the names of absentees are being called for excuses on call of the House, neither a motion to excuse nor an incidental appeal is debatable. Volume **IV**, section **2999**.

A motion to instruct the managers of a conference is debatable. Volume **VIII**, section **2675**.

The motion to instruct conferees is subject to amendment and is debatable under the hour rule unless the previous question is ordered. Volume **VIII**, section **3240**.

Debate on a motion to expunge from the record is confined to the motion proper. Volume **VIII**, section **2539**.

Motions for the election of Members to committees are debatable and are subject to amendment. Volume **VIII**, section **2172**.

The motion to strike from the Record is not debatable. Volume **VI**, section **617**.

A decision holding that a motion relating to a question of the Senate sitting as a court of impeachment is not debatable. Volume **VI**, section **515**.

A motion for a call of the House is not debatable. Volume **VI**, section **683**.

A resolution authorizing the Sergeant at Arms to arrest absentees is not debatable. Volume **VI**, section **686**.

The motion to take up a bill out of its order in the consideration of business on the Private Calendar is not debatable and may not be amended. Volume **VIII**, section **2333**.

A resolution providing for a sine die adjournment is not debatable. Volume **VIII**, section **3372**.

The previous question may be moved on a portion of the amendments to a bill reported from the Committee of the Whole, leaving the remaining amendments open to debate and amendment. Volume **VIII**, section **2679**.

Debate may continue, the previous question not having been ordered, until the Speaker has put the negative side of the question. Volume **VIII**, section **3065**.

After the Chair has put the affirmative, debate is still in order before the negative is put unless the previous question has been ordered. Volume **VIII**, section **3066**.

(72) Relation to Certain Privileged Motions.

When a question is under debate certain motions only are received and their precedence is governed by rule. Volume **V**, section **5301**.

An opinion that the rule relating to motions in order, when a question is under debate, does not apply to a condition when there is no question under debate. Volume **V**, section **5379**.

The rules of the House give the motion to adjourn the place of highest privilege when a question is under debate. Volume **V**, section **5359**.

No question being under debate, a motion to fix the day to which the House should adjourn, already made, was held not to give way to a motion to adjourn. Volume **V**, section **5381**.

A Member may not make a motion to adjourn while another Member is in possession of the floor. Volume **V**, sections **5369, 5370**.

DEBATE—Continued.**(27) Relation to Certain Privileged Motions.**—Continued.

While a motion to adjourn takes precedence of other motions, yet it may not be put while the House is voting on another motion or while a Member has the floor in debate. Volume **V**, section **5360**.

A motion to adjourn may be repeated after debate, although no question may have been put or decided in the meantime. Volume **V**, section **5374**.

A motion to take from the Speaker's table a concurrent resolution providing for a recess of more than three days, while privileged, is not debatable. Volume **VIII**, section **3367**.

A Member may not by offering a motion of higher privilege than the pending motion deprive the Member of the committee in charge of the bill of the floor. Volume **VI**, section **297**.

A decision by the Chairman that a motion to rise is in order after a Member has been recognized for debate but before he has begun to speak, was overruled by the Committee. Volume **VIII**, section **2370**.

(73) Relation to Question of Consideration.

The question of consideration is not debatable. Volume **VIII**, section **2447**.

After a Member has offered a motion the House has the right, before debate begins, to determine whether it will consider it or not. Volume **V**, section **4986**.

A Member may demand the question of consideration although the Member in charge of the bill may claim the floor for debate, but the previous question may not be demanded in a similar way Volume **V**, sections **4944**, **4945**. Volume **VI**, section **404**.

The question of consideration may not be demanded as to a proposition after debate has begun. Volume **V**, sections **4937–4939**. Volume **VIII**, section **3440**.

(74) Relation of, to Points of Order.

Under the practice of the house a point of order may not be made as to a proposition after debate has begun on it. Volume **V**, sections **6891–6900**.

Although a point of order may not be made after debate has begun, yet the Chair does not permit a few sentences of debate to preclude a point of order made by a Member who has shown due diligence. Volume **V**, section **6906**.

To preclude a point of order debate should be on the merits of the proposition. Volume **V**, section **6901**.

When a point of order is reserved the pending proposition may be debated on its merits unless some Member demands of the question of order. Volume **V**, section **6868**.

Where discussion on the merits proceeds while a point of order is reserved, it precludes the making of a second point of order after a decision as to the first. Volume **V**, section **6876**.

Debate on a point of order is for the information of the Chair, and therefore within his discretion. Volume **V**, sections **6919**, **6920**.

Debate on a point of order is at the discretion of the Chair and members may speak as often as recognized. Volume **VIII**, sections **3446**, **3448**.

A Member having the floor for debate may be interrupted for the presentation of a proper point of order. Volume **VIII**, section **2466**.

An amendment against which a question of order has been raised may not be debated until the point of order has been disposed of. Volume **VIII**, section **2556**.

A point of order as to a conference report should be made before debate begins. Volume **VIII**, section **3286**.

A point of order when reserved is not subject to debate. Volume **VIII**, section **3429**.

A point of order being reserved, the pending question may be debated on its merits if no Member demands the regular order. Volume **VIII**, section **3428**.

Debate under reservation of a point of order is by unanimous consent and may be terminated at any time by a demand for the regular order. Volume **VIII**, section **3430**.

In discussing questions of order the rule of relevancy is strictly construed and debate is confined to the point of order and does not admit reference to the merits of the pending proposition. Volume **VIII**, section **3449**.

DEBATE—Continued.**(75) Conference Reports in Order During.**

A conference report may be presented for consideration while a Member is occupying the floor in debate. Volume **V**, section **6451**.

A conference report displaces consideration of a report from a special committee and may interrupt debate, but a Member so taken from the floor is entitled to recognition when the privileged matter has been disposed. Volume **VIII**, section **3294**.

A report when presented is not debatable unless privileged for immediate consideration. Volume **VIII**, section **2312**.

(76) Messages Received During.

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

(77) Participation by Persons Not Members.—Officers.

By unanimous consent, on request put through the Speaker, the Clerk was permitted to address the House on a question relating to its organization. Volume **V**, section **7297**.

The Clerk being arraigned to answer charges, leave was given him to address the House. Volume **I**, section **287**.

A Clerk, presiding at the organization, having proposed to read a paper explaining his reasons for certain acts, the Members-elect declined to permit him to do so. Volume **I**, section **67**.

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**.

(78) Participation by Persons Not Members.—Delegates, Etc.

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

In 1794 the House admitted a Delegate on the theory that it might admit to the floor for debate merely anybody whom it might choose. Volume **I**, section **400**.

The House declined to allow a Delegate to introduce an interpreter on the floor. Volume **II**, section **1296**.

The Resident Commissioner of Porto Rico has on the floor the status of a Delegate, with the privilege of debating but not of voting. Volume **II**, section **1306**.

Determination by a committee that a Delegate as a Member of the committee has the right to debate but not to vote. Volume **VI**, section **243**.

By general acquiescence the Resident Commissioners of the Philippine Islands have been permitted the privilege of debating. Volume **VI**, section **246**.

The privileges of the floor with the right to debate were extended to Resident Commissioners in the Sixtieth Congress. Volume **VI**, section **244**.

(79) Participation by Persons Not Members.—Counsel in Election Cases.

In 1792, 1804, and 1841 the House permitted parties in election cases to be heard by attorneys at the bar of the House. Volume **I**, sections **657–659**.

The House in 1803 permitted a contestant in an election case to be heard by counsel at the bar of the House (footnote). Volume **I**, section **765**.

In 1836 the House, after full discussion, declined to permit the contestant in an election case to be heard by counsel at the bar of the House. Volume **I**, section **660**.

The House in 1856 declined to permit a contestant who could not speak the English language to be heard by counsel at the bar of the House. Volume **I**, section **661**.

(80) Participation by Persons Not Members.—In General.

Persons not Members and not claiming to be Members have been permitted to address the House only in early and rare instances. Volume **V**, sections **7296–7301**.

At a special session of the House, Charles Stuart Parnell was introduced by the Speaker and addressed the House. Volume **V**, section **7084**.

Judge Peck, threatened with impeachment, was permitted to make to the House a written or oral argument. Volume **III**, section **2366**.

DEBATE—Continued.**(81) During the Electoral Count.**

In the joint meeting for the count of the electoral vote no debate is allowed and no question is put by the Presiding Officer except to either House on a motion to withdraw. Volume **III**, section **1921**.

When the two Houses separate to pass on a question arising during the electoral count, there may be two hours of debate, each Member or Senator being confined to five minutes. Volume **III**, section **1922**.

The electoral law of 1877 providing for putting “the main question without debate,” the Speaker held that this admitted any motions pertaining to the main question. Volume **III**, section **1955**.

(82) During Impeachment Trials.—Required to be in Secret Session.

The orders and decisions of the Senate in impeachment cases are without debate, unless in secret session. Volume **III**, section **2094**.

The rule of the Pickering trial required all decisions to be in open court, by yeas and nays, and without debate. Volume **III**, section **2331**.

Rigid enforcement of the rule that decisions of the Senate sitting for an impeachment trial shall be without debate. Volume **III**, section **2088**.

Rule XXIII prohibiting debate in open Senate sitting for an impeachment trial was held by the Chief Justice not to apply to a question arising during organization. Volume **III**, sections **2100–2102**.

The Senate in the Belknap trial declined to renounce the practice of deliberating in secret session. Volume **VIII**, section **2466**.

In the Swayne trial Senators were permitted a freedom of debate greater than usual. Volume **III**, section **2154**.

The Senate finally decided in the Swayne trial that under the rule debate on the admissibility of evidence might not take place in open Senate. Volume **III**, section **196**.

On an order presented by a Senator in the course of an impeachment trial it was held that Senators might debate only in secret session. Volume **III**, section **2207**.

The Senate deliberated in secret session on the application of President Johnson for time to prepare his answer. Volume **III**, section **2425**.

The proceedings of secret sessions of the Senate in the Johnson trial appear in the Journal, but the debates were not recorded. Volume **III**, section **2425**.

The proceedings in the Senate consultation chamber during the Johnson trial appear in the Journal and Globe, but the debates are not given (footnote). Volume **III**, section **2430**.

The Senate retired to consider President Johnson’s application for time to prepare for trial. Volume **III**, section **2430**.

The Senate considered in secret session the protest of respondent in the Belknap impeachment. Volume **III**, section **2461**.

In the Belknap trial the Senate declined to permit the debates in secret session to be recorded. Volume **III**, section **2459**.

Debate in secret session of the Senate sitting on impeachment trials is limited by rule. Volume **III**, section **2094**.

On the decision of the final question in an impeachment case debate in secret session of the Senate is limited to fifteen minutes to each Senator. Volume **III**, section **2094**.

The Senate proceeded to judgment in the Peck case without prior deliberation in secret session. Volume **III**, section **2383**.

The Senate declined to make public its debates in secret session on the final judgment in the Johnson trial. Volume **III**, section **2436**.

Deliberation having been had in secret session, the Senate voted on the articles of impeachment in the Johnson case without debate. Volume **III**, section **2437**.

While the deliberations on the final question in the Johnson trial were secret, the Senators were permitted to file written options. Volume **III**, section **2437**.

DEBATE—Continued.**(83) During Impeachment Trials.—General Requirements as to.**

In the Senate, sitting for an impeachment trial, no debate is in order pending a question of adjournment. Volume **III**, section **2073**.

The Chief Justice ruled in the Johnson trial that debate must be confined to the pending question. Volume **III**, sections **2100–2102**.

During an impeachment trial an order proposed by a Senator is debatable by managers and counsel, but not by Senators. Volume **III**, section **2148**.

While managers or counsel may argue in objection to a question put a witness by a Senator in an impeachment trial, the Senate may not reply. Volume **III**, section **2188**.

Rule in the Swayne trial governing Senators as to colloquies and questions addressed by them to managers, counsel, or other Senators. Volume **III**, section **2154**.

It was held that a motion relating to the sitting of the Senate in an impeachment trial might be argued by counsel. Volume **III**, section **2142**.

The Chief Justice held in the Johnson impeachment that both managers and counsel might be heard on a motion of a Senator to fix the time for the trial to begin. Volume **III**, section **2426**.

A Member proposing impeachment is required to present definite charges before proceeding in debate. Volume **VI**, section **536**.

The voting on the articles in the Archibald impeachment was without debate but each Senator was permitted to file an opinion to be published in the printed proceedings. Volume **VI**, section **511**.

(84) During Impeachment Trials.—Decorum of Managers and Council.

During an impeachment trial the managers and counsel for the respondent are required to rise and address the Chair before speaking. Volume **III**, section **2146**.

Instance of action by the Senate as to improper language used by counsel for respondent in an impeachment trial. Volume **III**, sections **2140, 2151**.

The Presiding Officer at an impeachment trial exercises authority to call to order counsel using improper language. Volume **III**, sections **2140, 2141**.

Instance wherein counsel for respondent in the Swayne trial was called to order for language reflecting on the conduct of the managers. Volume **III**, section **2169**.

(85) During Impeachment Trials.—Arguments on Incidental Questions.

Argument on incidental questions arising during the trial of an impeachment is properly confined to an opening, a reply, and a conclusion. Volume **VI**, section **474**.

Questions of order raised in the course of an impeachment trial are decided without debate. Volume **VI**, section **522**.

Questions as to admissibility of evidence in impeachment trials are not debatable. Volume **VI**, section **490**.

Questions relating to impeachment while of high privilege must be submitted in the form of a resolution to entitle the proponent to recognition for debate. Volume **VI**, section **470**.

Articles of impeachment having been presented, debate is in order only on debatable motions related thereto. Volume **VI**, section **549**.

In an impeachment trial all preliminary or interlocutory questions and all motions are argued not over an hour on a side. Volume **III**, sections **2091–2093**.

The rule limiting the time of arguments on interlocutory questions in impeachment trials does not limit the number of persons speaking. Volume **III**, sections **2091–2093**.

The Senate declined to sanction unlimited argument on interlocutory questions in impeachment trials. Volume **III**, sections **2091–2093**.

The Senate, by order, may extend the time for the argument of motions and interlocutory questions in impeachment trials. Volume **III**, sections **2091–2093**.

Instance wherein the Senate, sitting for an impeachment trial, fixed the number of managers and counsel to argue on an incidental question. Volume **III**, sections **2136–2139**.

DEBATE—continued.**(85) During Impeachment Trials.—Arguments on Incidental Questions**—continued.

In arguing interlocutory questions in impeachment trials the opening and closing belong to the side making the motion or objection. Volume **III**, sections **2091–2093**.

In the Blount impeachment it was arranged that the managers should open and close in arguing respondent's plea in demurrer. Volume **III**, section **2312**.

After elaborate investigation, it was held that the opening and closing arguments on incidental questions in impeachment trials belong to the side making the motion or objection. Volume **III**, sections **2136–2139**.

Discussion of the technical forms of pleading in an impeachment trial as related to right of opening and closing arguments on an incidental question. Volume **III**, sections **2136–2139**.

The claim of the managers to the closing of all arguments arising in course of an impeachment trial has been denied after examination of American and English precedents. Volume **III**, sections **2136–2139**.

Each Senator was permitted to file a written opinion on the question of jurisdiction in the Belknap trial. Volume **III**, section **2459**.

(86) During Impeachment Trials.—Opening and Final Arguments.

In an impeachment trial the case is opened by one person on each side. Volume **III**, section **2132**. The final argument on the merits in an impeachment trial is opened and closed by the House of Representatives. Volume **III**, section **2132**.

The final arguments on the merits in an impeachment trial are made by two persons on each side, unless ordered otherwise upon application. Volume **III**, section **2132**.

Those making the final arguments of the Chase trial were limited neither as to time nor numbers. Volume **III**, section **2355**.

In the final argument in the Johnson trial the conclusion was required to be by one manager. Volume **III**, section **2135**.

At the trial of President Johnson both managers and counsel for respondent objected successfully to the rule limiting the number speaking in final argument. Volume **III**, section **2135**.

The voting on the articles in the Belknap impeachment was without debate, but each Senator was permitted to file an opinion. Volume **III**, section **2466**.

The privilege of submitting a written instead of an oral argument in the final summing up was allowed in the Johnson trial. Volume **III**, section **2135**.

In the Chase impeachment, by agreement, the managers had the opening and close of the final arguments. Volume **III**, section **2355**.

On the final arguments in the Peck trial the managers had the opening and closing. Volume **III**, section **2378**.

(87) In Senate.

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 Senator having referred without innuendo to debate in the House and a point of order being made that it was not permissible to refer to proceedings in the other branch of the Congress it was held that respectful reference to such proceeding was within the discretion of Senators. Volume **VIII**, section **2517**.

It was held out of order in the Senate to refer to a Member of the House in approbrious terms or to impute to him improper conduct or unworthy motives. Volume **VIII**, section **2513**.

A message received from the House protesting against unparliamentary references to one of its Members in Senate debate was not acted upon by the Senate, but the language objected to was subsequently stricken from the Record. Volume **VIII**, section **2516**.

DÉBRIS.

The subject of mining débris in California has been within the jurisdiction of the Committee on Mines and Mining. Volume **IV**, section **4230**.

DEBT.

The rules confer on the Ways and Means Committee the jurisdiction of subjects relating to the revenue and bonded debt of the United States. Volume **IV**, section **4020**. Volume **VII**, section **1723**.

The term “raising revenue,” while broadly construed to cover bills relating to the revenue, does not apply to bills remotely affecting the revenue, as bills extending time of payment of foreign debts. Volume **VIII**, section **2278**.

An appropriation for interest and sinking fund on the funded debt of the District of Columbia to be paid jointly from the Federal Treasury and District revenues is authorized by law. Volume **VII**, section **1183**.

DECEASE. “See Death.”**DECISIONS.**

(1) **On questions of order.—General principles.**

(2) **On questions of order.—Functions of the Speaker.**

(3) **In impeachment trials.—In general.**

(4) **In impeachment trials.—Rulings of Presiding Officer.**

(1) On Questions of Order.—General Principles.

A question of order arising out of any other question must be decided before that question. Volume **V**, section **6864**.

A point of order relating to a proposition against which the question of consideration had been demanded was held in abeyance until the House had decided the question of consideration. Volume **VIII**, section **2439**.

After the motion is made for the previous question all incidental questions of order, whether on appeal or otherwise, are decided without debate. Volume **V**, sections **5448**, **5449**.

A decision of the Chair on a question of order is such intervening business as permits the repetition of a motion to adjourn. Volume **V**, section **5378**.

Mr. Speaker Henderson on the advantage of following precedents. Volume **IV**, section **4045**.

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

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

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**.

Discussion as to time at which the point of order may be made. Volume **VII**, section **2149**.

A point of order having been reserved and withdrawn, the chairman maintained the right as a member of the committee to renew and rule upon it. Volume **VIII**, section **2898**.

An appeal from the decision of the Chair is in order during a call of the House. Volume **VI**, section **681**.

An appeal from the decision of the Chair is debatable both in the House and in the Committee of the Whole, but debate may be closed in the House by a motion to lay on the table and in the Committee of the Whole by a motion to close debate or to rise and report. Volume **VIII**, section **3453**.

It is within the discretion of the Chairman as to whether he will vacate the chair on an appeal from his decision. Volume **VIII**, section **3101**.

An instance wherein the Chair after announcing a decision subsequently reversed the opinion. Volume **VIII**, section **3435**.

It is permissible in discussing questions of order to refer to parliamentary decisions of the Senate. Volume **VIII**, section **2518**.

DECISIONS—Continued.**(1) On Questions of Order.—General Principles—Continued.**

While the Chair in passing upon a point of order may not speculate as to the effect of legislation, he is authorized to take judicial cognizance of statutory law. Volume **VII**, section **1535**.

In passing upon a point of order it is not within the province of the Chair to consider contingencies which might subsequently affect the question presented. Volume **VII**, section **1409**.

(2) On Questions of Order.—Functions of the Speaker.

The Speaker decides questions of order. Volume **V**, section **6863**.

It is not the duty of the Speaker to decide any question which is not directly presented in the course of the proceedings of the House. Volume **II**, section **1314**.

It is not the duty of the Speaker to decide a hypothetical question. Volume **VI**, section **253**.

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 question of inconsistency of pending legislation with existing law is not passed upon by the Chair. Volume **VII**, section **2112**.

The effect or purport of a proposition is not a question to be passed on by the Chair. Volume **VI**, section **254**.

It is for the House and not for the Speaker to decide on the legislative effect of a proposition. Volume **VII**, section **2112**.

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**.

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 Speaker sits while rendering decisions on points of order or when participating in debate thereon (footnote). Volume **II**, section **1367**.

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**.

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**.

Before the completion of the organization of the House in 1923 the Clerk decided questions of order and enforced, in as far as applicable, the rules of the preceding Congress. Volume **VI**, section **623**.

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**.

Instances wherein the Speaker submitted the decision of questions of order to the House. Volume **V**, sections **5323**, **5403**, **5855**. Volume **VI**, section **565**. Volume **VIII**, section **3405**.

Instances in which Speakers have reserved rulings on points of order. Volume **VI**, section **432**. Volume **VII**, section **2106**. Volume **VIII**, sections **2174**, **2396**, **3475**.

Instance wherein the Speaker reversed as erroneous a decision made in a previous session. Volume **VIII**, section **2794**.

An appeal may not be taken from a response of the Speaker to a parliamentary inquiry. Volume **VIII**, section **2457**.

The Speaker declined to entertain an appeal from his decision refusing recapitulation of a vote. Volume **VIII**, section **3128**.

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**.

DECISIONS—Continued.**(2) On Questions of Order.—Functions of the Speaker—Continued.**

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**.

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**.

(3) In Impeachment Trials.—In General.

The orders and decisions of the Senate in impeachment cases are without debate. Volume **III**, section **2094**. Volume **VI**, section **522**.

Rigid enforcement of the rule that decisions of the Senate, sitting for an impeachment trial, shall be without debate. Volume **III**, section **2088**.

A decision holding that a motion relating to a question of the Senate sitting as a court of impeachment is not debatable. Volume **VI**, section **515**.

In impeachment trials all orders and decisions of the Senate, with specified exceptions, are by the yeas and nays. Volume **III**, section **2094**. Volume **VI**, section **475**.

Questions as to admissibility of evidence in a trial of impeachment are by long-established custom, submitted by the Presiding Officer to the Senate for decision. Volume **VI**, section **491**.

Form of judgment pronounced by the Vice-President in the Blount impeachment. Volume **III**, section **2318**.

The Senate notified the House that it had made a decision in the Blount case and set a time for receiving the managers and rendering judgment. Volume **III**, section **2318**.

The House did not attend its managers during the Blount impeachment, even at the judgment. Volume **III**, section **2318**.

The Senate delivered to the managers for transmission to the House an attested copy of its judgment in the Blount case. Volume **III**, section **2318**.

The decision of the court on the articles in the Humphrey case was guilty as to a portion of the articles. Volume **III**, section **2396**.

(4) In Impeachment Trials.—Rulings of Presiding Officer.

The Presiding Officer on an impeachment trial may make preliminary rulings on questions of evidence and incidental questions or may submit such questions to the Senate at once. Volume **III**, section **2084**.

The Presiding Officer during an impeachment trial sometimes rules preliminarily on evidence and cautions or interrogates witnesses. Volume **III**, sections **2085–2087**.

Discussion of the propriety of the Presiding Officer on an impeachment making a preliminary decision on questions of evidence. Volume **III**, section **2084**.

Discussions of the function of the Chief Justice in decisions as to evidence in an impeachment trial. Volume **III**, section **2084**.

Rulings of the Presiding Officer on an impeachment trial stand as the judgments of the Senate unless some Senator requires a vote. Volume **III**, section **2084**. Volume **VI**, section **519**.

The right to ask a decision of the Senate after the Presiding Officer has ruled preliminarily on evidence belongs to a Senator, but not to counsel. Volume **III**, section **2195**.

In the Johnson trial Chief Justice Chase held that the managers might not appeal from a decision of the Presiding Officer as to evidence. Volume **III**, section **2084**.

Instance of an appeal from a ruling of the President pro tempore in the Senate sitting for an impeachment trial. Volume **III**, section **2179**.

Instance of an appeal from the decision of the Chief Justice on a question of order arising during the Johnson trial. Volume **III**, sections **2100–2102**.

DECLARATIONS.

(1) **By the House as to its prerogatives.**

(2) **By the House on questions of public policy.**

DECLARATIONS—Continued.

- (3) **Of war.**
 - (4) **In enacting words of a bill.**
 - (5) **Of the state of the electoral vote.**
 - (6) **Of the voter as to his vote.**
 - (7) **In presenting impeachments.**
 - (8) **Evidence of, by respondent in an impeachment.**
- (1) **By the House as to Its Prerogatives.**
 In 1871 the House asserted its right to a voice in carrying into effect treaties on subjects submitted by the Constitution to the power of Congress. Volume **II**, section **1523**.
 In 1796 the House affirmed that when a treaty related to subjects within the power of Congress it was the constitutional duty of the House to deliberate on the expediency of carrying such treaty into effect. Volume **II**, section **1509**.
 In 1880 the House declared that the negotiation of a treaty affecting the revenues was an invasion of its prerogatives. Volume **II**, section **1524**.
 The House has at times advised the Executive in regard to treaties affecting the revenue. Volume **II**, sections **1520–1522**.
 The House declared in 1796 that its constitutional requests of the Executive for information need not be accompanied by a statement of purposes. Volume **II**, section **1509**.
- (2) **By the House on Questions of Public Policy.**
 The House has by resolution extended its sympathy to foreign peoples desirous of greater liberty. Volume **II**, sections **1553–1555**.
 In 1825 the House after long discussion declined to make a declaration of policy or give express approval of a diplomatic service instituted by the President. Volume **II**, sections **1546, 1547**.
 In 1811 the House originated and the Senate agreed to a resolution declaring the attitude of the United States on a question of foreign policy. Volume **II**, section **1538**.
 Instance wherein a committee of the House reported a resolution declaring the attitude of the United States on a question of foreign policy. Volume **VI**, section **328**.
- (3) **Of War.**
 Forms and conditions of bills making declarations of war. Volume **IV**, section **3368**. Volume **VII**, section **1038**.
 Resolutions of intervention abroad and declarations of war are within the jurisdiction of the Committee on Foreign Affairs. Volume **IV**, section **4164**. Volume **VII**, section **1880**.
- (4) **In Enacting Words of a Bill.**
 An instance wherein the enacting words of a bill were declaratory as well as legislative in form. Volume **II**, section **1506**.
- (5) **Of the State of the Electoral Vote.**
 The two Houses by concurrent resolution provide for the meeting to count the electoral vote, for the appointment of tellers, and for the declaration of the state of the vote. Volume **III**, section **1961**.
 At the conclusion of the electoral count the President of the Senate merely announces the state of the vote. Volume **III**, section **1918**.
 At the electoral count of 1885 the President pro tempore, in announcing the result, disclaimed an authority in law to declare any legal conclusion whatever. Volume **III**, section **1958**.
 At the electoral count of 1873 the Vice-President, in accordance with the previous practice, not only announced the state of the vote but declared those elected. Volume **III**, section **1952**.

DECLARATIONS—Continued.**(6) Of the Voter as to his Vote.**

Discussion of the English and American rules of evidence as applied to the declaration of the voter. Volume **II**, section **885**.

Discussion of the value as evidence of a party's declaration as to his vote, whether a part of the *res gestae* or not. Volume **II**, section **885**.

Discussion as to whether or not the voters are parties to an election case in the sense that their declarations are admissible to prove their votes. Volume **II**, section **988**.

Declarations of the voter as to his vote must be clear and satisfactory and clearly proven. Volume **II**, section **885**.

Discussion of the value in proving bribery of testimony as to statements of voters after they have voted. Volume **II**, section **1086**.

Testimony as to statement of a voter a considerable time after the act of voting was not admitted to prove how he voted. Volume **II**, section **861**.

Evidence of declarations of voters after the election as to how they voted was rejected as hearsay. Volume **II**, section **988**.

Where the ballot was secret, testimony of an acquaintance as to voter's declaration before election was accepted as proof *aliunde*. Volume **II**, section **1131**.

Evidence of declarations of voters when they took their tickets and went to the box availed to discredit returns of election officers of doubtful honesty. Volume **II**, section **1030**.

Discussion of a signed statement of an elector whose vote has been refused in relation to the doctrine of *res gestae*. Volume **II**, section **1126**.

An affidavit of a voter as to how he intended to vote, made at the time the vote was rejected, was accepted as a valid declaration and part of the *res gestae*. Volume **II**, section **900**.

Instance wherein evidence of declarations of voters and their affidavits as to their votes were not accepted as showing the state of the poll. Volume **II**, section **1065**.

Evidence of hearsay declarations of the voter is receivable only when the fact that he voted is shown by evidence *aliunde*. Volume **II**, section **885**.

The State law preventing voters from testifying as to the ballots cast by them, the Elections Committee did not admit declarations as next best evidence. Volume **I**, section **784**.

As to the admission of the declaration of voters challenged as to their qualifications. Volume **I**, section **842**.

The vote thrown by an alleged disqualified voter may be proven by his own testimony or that of friends who heard his declarations. Volume **I**, section **836**.

Hearsay evidence as to declarations of voters that they had been bribed is unsatisfactory and dangerous evidence. Volume **I**, section **738**.

Hearsay evidence as to declarations of voter as to how he had voted or would vote was held incompetent. Volume **I**, section **738**.

As to hearsay evidence of persons participating in a fraudulent registration. Volume **II**, section **1123**.

(7) In Presenting Impeachments.

Form of declaration by House committee in presenting the impeachment of Judge Pickering in the Senate. Volume **III**, section **2320**.

Form of declaration used by the committee in presenting the impeachment of Mr. Justice Chase in the Senate. Volume **III**, section **2343**.

Form of declaration by the chairman of the House committee in presenting the impeachment of President Johnson in the Senate. Volume **III**, section **2413**.

Form of declaration of the chairman of the managers of their readiness to present to the Senate the articles impeaching President Johnson. Volume **III**, section **2420**.

(8) Evidence of, by Respondent in an Impeachment.

By a majority of one the Senate, in the Johnson trial, sustained the Chief Justice's ruling that evidence as to the respondent's declaration of intent, made at the time of the act, was admissible. Volume **III**, section **2240**.

DECLARATIONS—Continued.**(8) Evidence of, by Respondent in an Impeachment**—Continued.

In the Johnson trial the Senate ruled out evidence as to respondent's declarations of intent made after the act. Volume **III**, section **2244**.

In the Johnson trial the Senate sustained the Chief Justice in admitting as showing intent, on the principle of *res gestae*, evidence of respondent's verbal statement of the act to his Cabinet. Volume **III**, section **2242**.

In the Johnson trial declarations of respondent, made anterior to the act, and even concomitant with it, were held inadmissible as evidence. Volume **III**, section **2238**.

An alleged coconspirator was permitted to testify as to declarations of the respondent at a time after the act, the testimony being responsive to similar evidence on the other side. Volume **III**, section **2234**.

The Senate, in the Johnson trial, declined to exclude evidence as to fact on the ground that it might lead to evidence as to declaration. Volume **III**, section **2238**.

Evidence of declarations of respondent after the fact was excluded in the Johnson trial, although related to an act admitted in proof to show intent. Volume **III**, section **2246**.

In the Johnson trial the Chief Justice ruled that an official message, transmitted after the act, was not admissible as evidence to show intent. Volume **III**, section **2245**.

Comment of the Chief Justice on the Senate's decisions on evidence as to respondent's declarations at or near the time of the act. Volume **III**, section **2244**.

Declarations of the respondent made during the act were admitted to rebut evidence of other declarations, made also during the act, but on a different day. Volume **III**, section **2241**.

It was decided in the Chase trial that declarations of the respondent after the act might not be admitted to show the intent. Volume **III**, section **2243**.

Evidence as to statements of Judge Swayne, to prove intention as to residence, and made before impeachment proceedings were suggested, was the subject of adverse rulings during the trial. Volume **III**, section **2239**.

DECLINATION.

As to what acts constitute a declination of the office of Member of the House. Volume **I**, section **500**.

The House declines to seat a candidate receiving less than a plurality of the votes cast in the district. Volume **VI**, section **59**.

Instance wherein the House declined to seat a contestant belonging to the majority party in the House. Volume **VI**, section **162**.

An instance wherein the Senate declined to permit the oath to be administered to a Senator-elect pending the examination of his qualifications. Volume **VI**, section **180**.

Instance wherein a person declined to take a seat assigned him after a contest as to final right. Volume **I**, section **650**. Volume **II**, section **1234**.

Instance wherein a Senator-elect notified the Senate that he had formally declined to accept an appointment to be a Senator. Volume **II**, section **1235**.

The withdrawal of Members caused by the secession of States. Volume **II**, section **1218**.

Although apparently satisfied as to *prima facie* right, the House did not seat an indifferent claimant who had also filed credentials as a Senator-elect. Volume **I**, section **623**.

The question as to the pay of a Member, elected after the beginning of the term of the Congress to fill a vacancy caused by a declination or resignation, of effect on the day the term of the Congress began. Volume **II**, section **1155**.

A Member may decline to serve on a committee only with permission of the House. Volume **IV**, sections **4490–4493**. Volume **VIII**, section **2197**.

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**.

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

DECORATIONS.

The award of decorations, medals and other military insignia, and penalties for the unlawful wearing thereof are subjects within the jurisdiction of the Committee on Military Affairs. Volume **VII**, section **1900**.

Bills authorizing the receipt by naval personnel of decorations, orders, medals, and other insignia and the acceptance of offices with compensation and emoluments from foreign Governments have been reported by the Committee on Naval Affairs. Volume **VII**, section **1909**.

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

Reception of gifts from foreign powers and acceptance of decorations and orders conferred by foreign governments are subjects within the jurisdiction of the Committee on Foreign Affairs. Volume **VII**, section **1889**.

DECORUM.

(1) **Of Members.—The rule, etc.**

(2) **Of Members.—House may punish for breaches of.**

(3) **Of Members.—Instances of censure for breaches of.**

(4) **Of Members.—In debate in House.**

(5) **Of Members.—Disorder in Committee of the Whole.**

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

(1) Of Members.—The Rule, etc.

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**.

Form and history of Rule XIV, section 7, relating to decorum of Members. Volume **II**, section **1136**. Members may not remain near the Clerk's desk during a vote. Volume **VI**, section **190**.

Before the adoption of rules, while the House was proceeding under general parliamentary law, the Speaker held that Members might not remain near the Clerk's desk during a vote. Volume **VI**, section **191**.

Prior to the adoption of rules by the House, those rules which embody practices of long established custom will be enforced as if already in effect. Volume **VI**, section **191**.

The Sergeant at Arms and Doorkeeper are charged with the enforcement of certain rules relating to decorum. Volume **VI**, section **190**.

The principles of decorum and courtesy governing the relations of the two Houses should extend to the relations of the House with the President. Volume **VIII**, section **2497**.

Criticism of the manner in which the President discharged the duties of his office was decided by the House not to violate the rules of decorum in debate. Volume **VIII**, section **2499**.

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**.

A description of the decorum of House and Senate in early days (footnote). Volume **II**, section **1344**.

An early comparison of the decorum of the House of Representatives with that of the House of Commons. Volume **V**, section **5445**.

(2) Of Members.—House May Punish for Breaches of.

The Constitution provides that the House may punish its Members for the disorderly behavior, and expel a Member by a two-thirds vote. Volume **II**, section **1236**.

The Speaker may name any Member persisting in disorderly conduct. Volume **II**, section **1344**. The intervention of other business does not prevent the House from taking up and dealing with a breach of privilege (footnote). Volume **II**, section **1647**.

DECORUM—Continued.**(2) Of Members.—House May Punish for Beaches of**—Continued.

From Members between whom warm words or an assault has passed on the floor the House has exacted apologies. Volume **II**, sections **1646, 1647**.

Three Members of the House were ordered to the bar of the House to answer for a contempt of privilege in being present at and assisting in an assault between two other Members. Volume **II**, section **1654**.

The House has frequently allowed personal difficulties arising in debate, and even violent assaults, to pass without notice, the Members concerned making apologies either personally or through other Members. Volume **II**, sections **1658–1662**.

When Members apologize for disorderly proceedings which the House has allowed to pass without taking action, the apology has not usually been entered on the Journal. Volume **II**, sections **1658–1662**.

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

The rule requiring words spoken out of order to be taken down at once does not apply to an occurrence of disorder constituting a breach of privilege. Volume **II**, section **1657**.

(3) Of Members.—Instances of Censure of Breaches of.

For defying and insulting the chairman of the Committee of the Whole the House declared Sherrod Williams in contempt and liable to censure. Volume **II**, section **1653**.

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**.

A Delegate who had used insulting language in debate and declined to retract it was by order of the House arrested, brought to the bar, and censured by the Speaker. Volume **II**, section **1305**.

A Member in debate having declared the words of another Member “a base lie” the Speaker declared the words out of order and the House inflicted censure on the offender. Volume **II**, section **1249**.

A Member who had used offensive words against the character of the House, and who declined to explain when called to order, was censured by order of the House. Volume **II**, section **1247**.

A Member having explained that by disorderly words which had been taken down he had intended no disrespect to the House, a resolution of censure was withdrawn. Volume **II**, section **1250**.

A Member having been allowed by general consent to proceed in debate after he had been called to order, it was held that a vote of the House on the question might not be demanded. Volume **V**, section **5194**.

(4) Of Members.—In Debate in House.

A Member desiring to interrupt another in debate should address the Chair for permission of the Member speaking. Volume **V**, section **5006**.

In debate a Member should not address another in the second person. Volume **V**, sections **5140–5143**.

It is not in order in debate to call a Member by name and comment on his action in a preceding Congress. Volume **V**, section **5146**.

Questions involving the distinction between general language and personalities in debate. Volume **V**, section **5153**.

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**.

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**.

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**, sections **5157–5160**.

DECORUM—Continued.**(4) Of Members.—In Debate in House—Continued.**

A declaration by a Member in debate that another Member has knowingly stated that which is false, is unparliamentary and censurable. Volume **II**, section **1305**.

It is not in order in debate to cast reflections on either the House or its membership or its decisions, whether present or past. Volume **V**, sections **5132–5138**.

Words spoken in debate impeaching the loyalty of a portion of the membership of the House were ruled out of order. Volume **V**, section **5139**.

It is not in order in debate for one Member to accuse another of an offense not connected with the representative of the latter. Volume **V**, section **5153**.

The explanation of a Member being referred to by another Member in debate “as worthy of a Nero or a Jeffreys,” the Speaker intervened and the language was withdrawn. Volume **V**, section **5154**.

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**.

The law of Parliament, evidently inapplicable to the House of Representatives, forbids the member from speaking “irreverently or seditiously against the King.” Volume **V**, section **5086**.

Mr. Speaker Colfax held that a Member, in debating a proposition to impeach the President, should abstain from language personally offensive. Volume **V**, section **5094**.

A Member whose remarks have been decided out of order as irrelevant may not proceed, under the rule, except with the permission of the House expressly granted. Volume **V**, sections **5200**, **5201**.

(5) Of Members.—Disorder in Committee of the Whole.

Although a breach of privilege occur in Committee of the Whole, it yet relates to the dignity of the House and is so treated. Volume **II**, section **1657**.

Unparliamentary words spoken in Committee of the Whole are taken down and read, whereupon the committee rises and reports them to the House. Volume **II**, sections **1257**, **1258**.

Warm words and an assault having passed between two Members in Committee of the Whole, the House required them to apologize “for violating its privileges and offending its dignity.” Volume **II**, section **1648**.

Two Members having assaulted one another in Committee of the Whole, the House declined to permit the committee to resume its sitting until a committee to investigate the facts of the disorder had been appointed. Volume **II**, section **1649**.

For an assault during debate in Committee of the Whole the House, after expulsion had been suggested, exacted apologies from Members. Volume **II**, sections **1650–1667**.

Members who had committed an assault in Committee of the Whole apologized to the House, although the chairman of the committee had made no report of the occurrence. Volume **II**, section **1652**.

Members who had indulged in unparliamentary language in Committee of the Whole escaped the censure of the House by making apologies. Volume **II**, sections **1257**, **1258**.

The Committee of the Whole having risen and reported that its proceedings had been disturbed by disorder, the Speaker restored order and the committee resumed its sitting. Volume **II**, section **1351**.

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 **1050**.

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**.

DECORUM—Continued.**(5) Of Members.—Disorder in Committee of the Whole**—Continued.

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**.

An apology of Members for an assault committed in Committee of the Whole was not placed in the Journal. Volume **II**, section **1652**.

(6) During an Impeachment Trial.

During an impeachment trial the managers and counsel for the respondent are required to rise and address the Chair before speaking. Volume **III**, section **2146**.

Instance wherein counsel for respondent in the Swayne trial was called to order for language reflecting on the conduct of the managers. Volume **III**, section **2169**.

An order affecting the conduct of a manager being presented during an impeachment trial, he was permitted to explain. Volume **III**, section **2207**.

DE FACTO DISTRICT.

An election district being established illegally, but all parties participating in the election in good faith, is considered as having a de facto existence. Volume **II**, section **893**.

DE FACTO ELECTION.

An argument that an election held under an unconstitutional State law might yet be considered by the House as an election de facto. Volume **II**, section **1071**.

DE FACTO OFFICER.

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

Discussion of the powers of a military governor and his status as a de facto executive. Volume **I**, section **379**.

In making up the roll the Clerk disregarded entirely credentials issued by a person claiming to the governor but who never exercised the functions of that office. Volume **I**, section **60**.

The Clerk having honored credentials from a de facto governor, the House confirmed the prima facie title, although there was a conflicting certificate from an alleged de jure governor. Volume **I**, section **614**.

Credentials regular in form and issued in accordance with law were honored by the House, although it appeared that the governor issuing them might be merely a de facto officer. Volume **I**, section **623**.

The House seated a person elected according to the essential requirements of law, except that the time of the election was fixed by proclamation of a military governor. Volume **I**, section **379**.

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**.

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 no election by a valid legislature. Volume **I**, section **352**.

DEFAULT.

Rules adopted by the Senate for reading the return, calling the respondent, and entering appearance or default in the first impeachment. Volume **III**, section **2307**.

William Blount having failed to appear and answer, the House, after discussing English precedents, declined to ask that he be compelled to appear. Volume **III**, section **2308**.

The House being informed that William Blount had failed to appear and answer the articles, instructed the managers to ask of the Senate time to prepare proceedings. Volume **III**, section **2308**.

DEFAULT—Continued.

The rules for the Pickering trial provided that a record should be made if respondent appeared in person or by counsel or if he failed to appear. Volume **III**, section **2331**.

DEFENSE.

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**.

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**.

Appropriations for the military establishment and the public defense, including the Military Academy, are by rule placed within the jurisdiction of the Committee on Military Affairs. Volume **IV**, section **4179**.

The rules give to the Committee on Military Affairs jurisdiction of subjects relating “to the military establishment and the public defense.” Volume **IV**, section **4179**.

DEFERRED LIST.

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 minutes rule on the last Saturday of each month. Volume **VII**, sections **846, 849**.

Bills reported back adversely by the committee when called up from the deferred list are automatically recommitted and may not be again reported during the same Congress. Volume **VII**, section **846**.

DEFICIENCIES.**(1) Jurisdiction of.****(2) Payment of claims.****(1) Jurisdiction of.**

A deficiency appropriation bill is a general appropriation bill. Volume **VII**, section **1123**.

Decision as to what constitutes a deficiency appropriation. Volume **VII**, sections **1118, 1121**.

Appropriations “immediately available,” formerly ruled out of supply bills as deficiency appropriations, are no longer subject to points of order as such (footnote). Volume **VII**, section **1119**.

Items which do not supply deficiencies are not in order in the deficiency appropriation bills. Volume **VII**, section **1119**.

The term “existing law” as related to authorization of deficiency appropriations includes not only permanent statutes but also provisions of supply bills in force for the current year only. Volume **VII**, section **1176**.

The Committee on Appropriations having jurisdiction of all general appropriations, including deficiencies, has authority to report bills including items to be immediately available. Volume **VII**, section **1743**.

All appropriations for deficiencies are reported by the Committee on Appropriations. Volume **IV**, section **4032**.

Deficiencies are not in order on appropriation bills reported by committees other than the Committee on Appropriations. Volume **IV**, section **3563**.

Deficiency appropriations are in order in any general appropriation bill within the jurisdiction of the Committee on Appropriations. Volume **IV**, section **3564**.

A general appropriation bill (except the general deficiency) provides for the next fiscal year, and expenditures for preceding years are not in order in any bills reported by committees other than the Appropriation Committee. Volume **IV**, sections **3554–3561**.

An appropriation made “immediately available” is a deficiency appropriation not in order on the Army appropriation bill. Volume **IV**, section **3716**.

DEFICIENCIES—Continued.**(1) Jurisdiction of**—Continued.

An urgent deficiency bill appropriating generally for the various Departments and services of the Government was held to be a general appropriation bill within the meaning of Rule XXI. Volume **IV**, sections **3569, 3570**.

As to the jurisdiction of the deficiency appropriation bill. Volume **IV**, section **3746**.

Appropriations for the continuation of work on a public building and not intended to supply any actual deficiency belongs to the sundry civil bill, not the general deficiency. Volume **IV**, section **3562**.

A deficiency appropriation to complete a transportation of silver coin authorized for the current year was held in order, although the original appropriation may have been without authority of law. Volume **IV**, section **3604**.

Extra services of employees are properly compensated under authority of a resolution agreed to by the House. Volume **V**, section **7238**.

Appropriations for other purposes than to supply deficiencies are not in order in a deficiency appropriation bill. Volume **VII**, sections **1118, 1119**.

An additional appropriation for a purpose authorized by law and already appropriated for was treated as a deficiency appropriation when submitted by the department and reported by the committee as such. Volume **VII**, section **1121**.

(2) Payment of Claims.

It is in order on a deficiency bill to appropriate for the payment of judgments of the courts certified to Congress in the form of public document transmitted to the Speaker by the Executive, but not otherwise and a mere certified copy of a mandate of the Supreme Court of the United States transmitted informally was held not to justify an appropriation in an appropriation bill. Volume **VII**, sections **1291**.

Propositions to pay private claims against the Government (except judgments of the courts or audited claims) are not in order on general appropriation bills. Volume **IV**, sections **3619–3624**.

It is in order in the deficiency bill to appropriate for the payment of judgments of the courts certified to Congress in accordance with the law. Volume **IV**, sections **3641, 3642**.

A claim having been adjudicated under authority of a treaty, an appropriation for its payment was admitted in the deficiency bill. Volume **IV**, section **3644**.

Findings filed by the Court under the Bowman Act do not constitute such adjudications of claims as justify appropriation in the general deficiency bill. Volume **IV**, section **3643**.

The payment of an unadjudicated claim, even though the amount be ascertained and transmitted by the head of an Executive Department, is not order on the deficiency bill. Volume **IV**, sections **3625–3627**.

It is not in order to appropriate on the deficiency bill for an unadjudicated claim, even though it be transmitted to the House by an Executive message. Volume **IV**, section **3628**.

It is in order to provide on an appropriation bill as a deficiency for the payment of a claim audited under authority of law. Volume **IV**, sections **3634, 3635**.

An appropriation for balance due under an authorized contract was held to be in order on a deficiency appropriation bill although the item had not been audited. Volume **VII**, section **1293**.

It is in order to provide on an appropriation bill as a deficiency for the payment of an account audited under authority of law, but it is not in order to provide for such auditing. Volume **IV**, sections **3636, 3637**.

The Comptroller having ascertained the amount of a claim on appeal, an appropriation bill may not carry a larger amount found by the auditor, who has been overruled. Volume **IV**, section **3638**.

The fact that a department officer has reported on a claim in accordance with a direction of law does not thereby make an audited claim for which provision may be made in an appropriation bill. Volume **IV**, sections **3632, 3639, 3640**.

DEFICIENCIES—Continued.**(2) Payment of Claims—Continued.**

A proposition to pay a claim reported on favorably by a board of officers is not in order on the deficiency bill unless the expenditure for the object has been authorized by law. Volume **IV**, section **3633**.

Appropriations for payment of claims, even such as have been investigated and reported on by officers of the Government, are not in order on a general appropriation bill. Volume **IV**, sections **3629–3631**.

It is in order on a deficiency appropriation bill to appropriate in payment of a contract lawfully made. Volume **IV**, sections **3645, 3646**.

DE JURE OFFICER.

Distinction between election officers de jure and de facto and mere usurpers. Volume **II**, section **878**.

A person not possessing the qualifications required for an officer de jure may not be an officer de facto. Volume **II**, section **881**.

DELAHAY.

The impeachment of Mark H. Delahay, United States district judge for Kansas. Volume **III**, sections **2504, 2505**.

DELANO.

The Ohio election case of Follett v. Delano in the Thirty-ninth Congress. Volume **II**, sections **862, 863**.

The Ohio election case of Delano v. Morgan in the Fortieth Congress. Volume **II**, sections **864–866**.

DE LARGE.

The South Carolina election case of Bowen v. De Large in the Forty-second Congress. Volume **I**, section **505**.

DELAWARE, ELECTION CASES FROM.

Third Congress.—Latimer v. Patton. Volume **I**, section **758**.

Fifty-fourth Congress.—Addicks v. Kenney. Volume **I**, section **633**.

Fifty-fourth Congress.—Henry A. du Pont. Volume **I**, sections **563, 564**.

Fifty-fifth Congress.—Willis v. Handy. Volume **I**, section **748**.

The Senate election case of Henry A. du Pont, of Delaware, in the Sixty-second Congress. Volume **VI**, section **129**.

DELAY.

In granting to President Johnson time to prepare for trial the Senate intimated that there should be no delays after the beginning of the trial. Volume **III**, section **2430**.

Delays in the Johnson trial caused by illness of counsel for respondent were the occasion of protest on the part of the managers and of action by the Senate. Volume **III**, section **2150**.

DELEGATES AND RESIDENT COMMISSIONERS.

- (1) **Nature of the office.**
- (2) **Qualifications of.**
- (3) **Constituency of.—Territory must be organized by law.**
- (4) **Constituency of.—Prima facie effect of credentials from unorganized Territory.**
- (5) **Constituency of.—Character of.**
- (6) **Constituency of.—When Territory becomes a State.**
- (7) **In organization of House.**
- (8) **Committee service.**
- (9) **Debate, motions, etc., by.**
- (10) **Resignation, punishment, expulsion, compensation.**

DELEGATES AND RESIDENT COMMISSIONERS—Continued.**(1) Nature of the Office.**

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

The office of Delegate was established by an ordinance of the Continental Congress, confirmed by a law of Congress. Volume **I**, sections **400**, **421**.

Discussion of the nature of the office of Delegate. Volume **I**, section **826**.

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

In 1794 the House admitted a Delegate on the theory that it might admit to the floor for debate merely anybody whom it might choose. Volume **I**, section **400**.

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

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

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

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

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

The House decided in 1794 that the oath should not be administered to a Delegate. Volume **I**, section **400**.

In 1801 the oath was administered as a matter of course to a Delegate from a Territory. Volume **I**, section **401**.

A resolution providing compensation for a Territorial agent not having a seat on the floor does not present a question of privilege. Volume **III**, section **2596**.

(2) Qualifications of.

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

The organic act of Hawaii fixed the qualifications of the Delegate therefrom. Volume **I**, section **526**.

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

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

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

In 1873 the Elections Committee concluded that where a law of Congress extended the Constitution over a Territory the qualifications of the Delegate should be similar to those of Members. Volume **I**, section **469**.

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

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

A delegate who, though an alien by birth, had lived in the United States from an early age and whose father had been a resident for twenty years was not disturbed on technical objections as to his citizenship. Volume **I**, section **423**.

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

DELEGATES AND RESIDENT COMMISSIONERS—Continued.**(2) Qualifications of—Continued.**

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

In 1873 it was proposed by a majority of the Elections Committee to exclude Delegate George V. Cannon for polygamy, but the resolution was not considered. Volume I, section 470.

In 1882 the House, by majority vote and for the disqualification of polygamy, excluded Delegate George V. Cannon, who had not been sworn on his prima facie showing. Volume I, section 473.

In 1873 the Elections Committee concluded that a Delegate who had been sworn could be reached on a question of qualifications only by process of expulsion. Volume I, section 469.

A Delegate-elect being excluded for disqualification, the House declined to seat the candidate having the next highest number of votes. Volume I, section 473.

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

A resolution embodying a general declaration as to the qualifications of Delegates was decided by the House not to involve a question of privilege. Volume III, section 2595.

(3) Constituency of.—Territory Must be Organized by Law.

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

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

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

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

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

(4) Constituency of.—Prima Facie Effect of Credentials from Unorganized Territory.

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

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

(5) Constituency of.—Character of.

In 1868 the House declined to pass on the title to a seat of William H. Hooper, Delegate from Utah, who was alleged to have been elected by undue influence of an alleged disloyal organization. Volume I, section 467.

(6) Constituency of.—When Territory Becomes a State.

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

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

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

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

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

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

DELEGATES AND RESIDENT COMMISSIONERS—Continued.**(7) In Organization of House.**

It was held that under the law of 1867 the Clerk had no authority to make up the roll of Delegates. Volume **I**, section **62**.

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**.

In 1882 the House declined to permit the oath to be administered to either of two contesting Delegates until the papers in relation to the prima facie right had been examined by a committee. Volume **I**, section **471**.

The House has given to a committee the right to decide on either the prima facie or final right to a seat before authorizing the oath to be administered to a Delegate. Volume **I**, section **471**.

In view of the existence of conflicting credentials the House declined to administer the oath to a person enrolled by the Clerk as a Delegate. Volume **I**, section **619**.

It was held in 1881 that the administration of the oath to Delegates was of higher privilege than the adoption of rules. Volume **I**, section **180**.

An instance wherein the House questioned credentials borne by a Delegate-elect who himself had signed them as governor. Volume **I**, section **610**.

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

(8) Committee Service.

Delegates are appointed as additional members of certain committees, where they possess the same powers and privileges as in the House, and may make any motion except to reconsider. Volume **II**, section **1297**. Volume **VI**, section **242**.

Discussion of status of a Delegate as a member of a standing committee. Volume **VI**, section **243**. Determination by a committee that a Delegate as a member of the committee has the right to debate but not to vote. Volume **VI**, section **243**.

Reference to the first rule giving Delegates places on committees. Volume **V**, section **6766**.

Delegates have sometimes been appointed on committees other than those mentioned in Rule XII. Volume **II**, section **1298**.

A Delegate has been appointed chairman of a select committee. Volume **II**, section **1299**.

A Delegate was appointed chairman of a committee to inquire into the conduct of a judge, and was authorized by the House to cause testimony to be taken. Volume **II**, section **1303**.

Instance wherein a Delegate was made chairman of a committee to investigate the conduct of a judge. Volume **III**, section **2487**.

Different views of the House as to the propriety of permitting a Delegate to serve on a committee. Volume **II**, section **1297**.

The rules give to the resident commissioner of Porto Rico that status of a Delegate in the House, and assign to him an additional place on the Committee on Insular Affairs. Volume **II**, section **1306**.

In the earlier practice Delegates appear to have voted in committees, but such is not the later rule. Volume **II**, sections **1300**, **1301**.

(9) Debate, Motions, etc., by.

Delegates may debate but may not vote. Volume **II**, section **1290**.

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

By order of the House the Resident Commissioners of the Philippine Islands were granted the right to debate, and assigned to offices in the House Office Building. Volume **VI**, section **245**.

DELEGATES AND RESIDENT COMMISSIONERS—Continued.**(9) Debate, Motions, etc. by**—Continued.

By general acquiescence the Resident Commissioners of the Philippine Islands have been permitted the privilege of debating. Volume **VI**, section **246**.

A Delegate may call a Member to order in debate. Volume **II**, section **1295**.

The House declined to allow a Delegate to introduce an interpreter on the floor. Volume **II**, section **1296**.

A Delegate may make a point of order but may not vote. Volume **VI**, section **240**.

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

A Delegate may make any motion which a Member may make, except the motion to reconsider. Volume **II**, section **1292**. Volume **VI**, section **240**.

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

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

Dicta by a Chairman expressing the opinion that former decisions denying Delegates the rights to object to consideration were out of harmony with general decisions defining the rights of Delegates. Volume **VI**, section **240**.

Instance wherein a Delegate was recognized to object to the consideration of a measure. Volume **VI**, section **241**.

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

The declaration of a Delegate on a public question being presented for insertion in the Journal and read, was recorded in the Journal, whereupon the house declined to expunge it. Volume **IV**, section **2808**.

The privileges of the floor with the right to debate extended to Resident Commissioners in the Sixtieth Congress. Volume **VI**, section **244**.

(10) Resignation, Punishment, Expulsion, Compensation.

A Delegate resigns his seat in a communication addressed to the Speaker. Volume **II**, section **1304**.

A Delegate who had used insulting language in debate and declined to retract it, was by order of the House arrested, brought to the bar, and censured by the Speaker. Volume **II**, section **1305**.

Discussion as to whether or not the expulsion of a Delegate should be effected by a majority or two-thirds vote. Volume **I**, section **469**.

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

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 statutes provide that a Member or Delegate withdrawing from his seat before the adjournment of a Congress shall suffer deductions from his compensation. Volume **II**, section **1149**.

DELIVERY OF BILLS.

Rule for delivery of bills referred to a committee. Volume **IV**, section **4556**.

While a privileged bill reported by delivery to the Clerk through the basket thereby for forfeits its privileges, it may be at any time reported from the floor and is then privileged for immediate consideration. Volume **VIII**, section **2233**.

The privilege of a bill is not affected by the method by which reported and delivery of a privileged bill to the Clerk does not thereby destroy its privilege so as to render it eligible for consideration under call of committee on Wednesday. Volume **VII**, section **936**.

The time of delivery of reports to the Clerk fixes the time a which such reports are made and a motion to discharge a committee comes too late after a report has been filed regardless of whether it has been printed. Volume **VI**, section **405**.

No offer or agent of either House has authority to receive returned bills or message from the President for delivery at the next session. Volume **VII**, section **1115**.

DELIVERY OF BILLS—Continued.

The impeachment proceedings were set in motion through a resolution introduced by delivery to the Clerk and referred to the Committee on the Judiciary. Volume **VI**, section **513**.

A resolution proposing investigation with a view to impeachment was introduced by delivery to the Clerk and was referred to the Committee on Rules, on request of which committee it was rereferred to the committee on the Judiciary. Volume **VI**, section **544**.

DEMOGRAPHY.

Subject relating to hygiene and demography come within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VI**, section **1824**.

DEMONSTRATIONS.

The introduction of exhibits, demonstrations, or other unusual adjuncts to debate are subject to the will of the House. Volume **VIII**, section **2453**.

An appropriation for demonstrating uses of fish as food was held not to be authorized by the organic act creating the Bureau of Fisheries. Volume **VI**, section **1259**.

Authorization of an appropriation for an investigation is not construed to include authorization of an appropriation for demonstrating results of such investigation. Volume **VII**, section **1259**.

A proposition to appropriate for demonstrating processes of manufacturing denatured alcohol at an exposition was held not to be authorized by general law giving the Secretary of Agriculture authority to acquire and diffuse information pertaining to agriculture. Volume **VII**, section **1295**.

DEMURRER.

Argument as to whether or not a demurrer is permissible in an impeachment case. Volume **III**, section **2431**.

Willaim Blount in his plea demurred to the jurisdiction of the Senate to try him on impeachment charges. Volume **III**, section **2310**.

In the Blount impeachment it was arranged that the manager should open and close in arguing respondent's plea in demurrer. Volume **III**, section **2312**.

The answer of Secretary Belknap demurred to the articles, alleging that he was not a civil officer of the United States when they were exhibited. Volume **III**, section **2453**.

The answer of Judge Archbald demurred severally to all the articles of impeachment, alleging that no impeachable offense had been charged and then replying in detail to the charges set forth in each article. Volume **VI**, section **505**.

The Senate denied the motion of the managers in the Belknap case to fix the time of answer and trial on the merits before decision on the demurrer. Volume **III**, section **2457**.

In the Belknap case the Senate decided that respondent's plea in demurrer was insufficient, and that the articles were sufficient. Volume **VIII**, section **2459**.

Counsel for respondent in the Swayne trial interposed a plea as to jurisdiction of offenses charged in certain articles, but declined to admit that it was a demurrer with the admissions pertinent thereto. Volume **III**, section **2125**.

The answer of Judge Swayne as to the first seven articles raised a question as to the jurisdiction of the Senate to try the charges. Volume **III**, section **2481**.

DENNY.

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

DEPARTMENTS. For Decisions on Authorization of Appropriations for Each Department see "Appropriations."

(1) **Executive.—In general.**

(2) **Executive.—Resolutions of inquiry addressed to.**

DEPARTMENTS—Continued.**(1) Executive.—In General.**

- The organic law creating a department authorizes necessary contingent expenses incident to its maintenance. Volume **VII**, section **1273**.
- Where the organic act creating a department provides for certain definite activities it is in order on a general appropriation bill to appropriate for such activities. Volume **VII**, section **1262**.
- While the organic law establishing a department permits additions to the regular force of employees by classes, the addition of specified employees is not authorized. Volume **VII**, section **1163**.
- The general statement of purpose for which a department is established, as set forth in the organic act creating it, is not to be construed as authorization for appropriations not specifically provided for in succeeding sections of the act providing for bureaus designated to carry out the declaration of purpose. Volume **VII**, section **1264**.
- Construction of the law authorizing the employment of mechanics and laborers and other employees in the executive departments. Volume **VII**, section **1317**.
- Construction of the law authorizing the employment of “watchmen, messengers, and laborers” in the executive departments. Volume **VII**, section **1327**.
- The services of the Departments in Washington, except the Agricultural Department, are appropriated for in the legislative, executive, and judicial bill, which is reported by the Committee on Appropriations. Volume **IV**, section **4033**.
- The law authorizing the employment of clerks by the heads of Departments does not apply to offices not at the seat of government. Volume **IV**, sections **3670–3674**.
- The examination of the accounts of the Departments, proper application of public moneys, enforcement of payment of money due the Government, and economy and retrenchment generally are within the jurisdiction of the committee on expenditures. Volume **VI**, section **4315**. Volume **VII**, section **2041**.
- Resolutions providing for investigations in the departments of the Government come within the jurisdiction of the several expenditures committees and not the Committee on Rules. Volume **VII**, section **2045**.
- The Committee on the Judiciary reports legislative propositions relating to the service of the Department of Justice, and even of other Departments. Volume **IV**, section **4067**.
- Bills establishing the Department of Commerce and Labor and relating to the Interstate Commerce Commission were reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4098**.
- The Committee on Military Affairs has jurisdiction over legislative propositions relating to the War Department, but does not report appropriations for salaries therein. Volume **IV**, section **4181**.
- The bills for establishing the Department of Agriculture and for transferring certain bureaus to it were reported by the Committee on Agriculture. Volume **IV**, section **4150**.
- Investigation of the Department of the Interior and the Department of Agriculture has been considered to be within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1877**.
- The statutes provide for the appointment of a joint committee of the two Houses to consider reports as to destruction of useless papers in the Executive Departments. Volume **IV**, section **4419**.

(2) Executive.—Resolutions of Inquiry Addressed to.

- While it is customary to use the clause “If not incompatible with the public interest” in resolutions of inquiry addressed to the President and to the State Department, it is not ordinarily used in resolutions addressed to other executive departments. Volume **VI**, section **436**.
- In response to a request for information “not incompatible with the public interest,” the head of a department replied that it would be incompatible with the public interest to submit the information requested. Volume **VI**, section **414**.

DEPARTMENTS—Continued.**(2) Executive.—Resolutions of Inquiry Addressed to**—Continued.

The head of a department having failed to respond to a resolution of inquiry, the House transmitted a further resolution. Volume **VI**, section **435**.

Only resolutions of inquiry addressed to the heads of executive departments are privileged. Volume **VI**, section **406**.

The term “Heads of Executive Departments” refers exclusively to members of the President’s Cabinet. Volume **VI**, section **406**.

Executive departments in response to resolutions of inquiry may not comment on debate in the House, include explanations tending to vindicate action by the department or enter into argument not specifically requested. Volume **VI**, section **437**.

Discussion of the right of the House to send for original papers from the files of the department. Volume **VI**, section **435**.

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**.

DEPOSITS.

The Committee on Ways and Means has jurisdiction of subjects relating to the Treasury of the United States and the deposit of the public moneys. Volume **IV**, section **4028**.

The Committee on Banking and Currency has reported generally on the subject of national banks and also on the subject of current deposit of public moneys. Volume **IV**, section **4083**.

The Committee on Banking and Currency has reported on the designation of depositories of public moneys. Volume **VII**, section **1794**.

DEPUTY.

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 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**.

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 Sergeant-at-Arms indorses on a subpoena his authorization of his deputy to act in his stead. Volume **III**, section **1673**.

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**.

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**.

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

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**.

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**.

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**.

An exceptional instance wherein the Senate authorized the administration of the oath to a Senator elect by deputy and outside the Senate Chamber. Volume **VI**, section **19**.

DERELICTS.

Bills relating to ocean derelicts, lumber rafts, and Hydrographic Office charts have been reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4105**.

DESERET.

The election case of Almon W. Babbitt, claiming a seat as a Delegate from the so-called State of Deseret in the Thirty-first Congress. Volume **I**, section **407**.

DESERTIONS.

A standing order of the House, superseding the existing rule as to Friday evening sessions, provides that the second and fourth Friday of each month shall be devoted to pension bills and bills removing charges of desertion and political disabilities. Volume **IV**, section **3281**.

DESIGNATIONS.

Form of designation of Speaker pro tempore. Volume **II**, section **1401**. Volume **VI**, sections **268**, **269**, **272**.

Form of resolution approving designation of Speaker pro tempore. Volume **VI**, section **278**.

A Speaker pro tempore whose designation was approved by the House was not sworn. Volume **VI**, section **266**.

The Speaker, about to be absent, asked the approval of the House of his designation of a Speaker pro tempore. Volume **VI**, section **266**.

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 whose designation had received the approval of the House signed enrolled bills. Volume **VI**, section **277**.

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**, section **266**.

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**.

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 pro tempore sometimes designates another Speaker pro tempore. Volume **II**, section **1384**. Volume **VI**, section **275**.

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**.

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**.

A Member of the minority party is sometimes designated as Speaker pro tempore on formal occasions. Volume **IV**, section **270**.

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**.

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**.

A Senator was designated by resolution to administer the oath to the Presiding Officer, who in turn administered the oath simultaneously to all Senators standing in their places. Volume **VI**, section **516**.

DESIGNATIONS—Continued.

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**.

In case of tempore absence or disability the Clerk designates a Clerk pro tempore. Volume **VI**, section **25**.

Form of designation of a clerk pro tempore. Volume **VI**, section **26**.

Discussion as to what constitutes a compliance with a mandatory law that the designation of the office shall appear “clearly” on the ballot. Volume **II**, section **951**.

DESKS.

The desks in the Hall of the House and the various attempts to remove them. Volume **V**, section **7282**.

DEVICE.

The State law forbidding a device on the ballot, the words “Republican ticket” were held sufficient to cause its rejection. Volume **II**, section **954**.

DIAGRAMS.

The insertion of maps and diagrams in the Congressional Record is within the control of the Joint Committee on Printing. Volume **V**, section **7024**.

DIBBLE.

The prima facie election case of Samuel Dibble, of South Carolina, in the Forty-seventh Congress. Volume **I**, section **571**.

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 the period during which the Congress stands adjourned for more than three days is treated as dies non. Volume **VIII**, section **3368**.

A session of a committee, adjourned without having secured a quorum, is a dies non, and not to be counted in determining the admissibility of a motion to reconsider. Volume **VIII**, section **2213**.

DILATORY PROCEEDINGS.

(1) **Motions for delay.—Rule relating to.**

(2) **Motions for delay.—Early action in relation to.**

(3) **Motions for delay.—General decisions as to.**

(4) **Motions for delay.—Point of “no quorum.”**

(5) **Motions for delay.—Use of special orders to prevent.**

(6) **Pending a report from the Committee on Rules.**

(7) **Pending a motion to suspend the rules.**

(8) **Instances of obstruction by.**

(9) **During the electoral count.**

(10) **In pleadings in an impeachment.**

(1) Motions for Delay.—Rule Relating to.

No dilatory motion shall be entertained by the Speaker. Volume **V**, section **5706**.

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**.

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**.

The motive of a Member in offering a motion is a persuasive, though not conclusive, consideration in determining the question as to whether it is dilatory. Volume **VIII**, section **2797**.

DILATORY PROCEEDINGS—Continued.**(1) Motions for Delay.—Rule Relating to—Continued.**

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 **VII**, section **2797**.

Where obviously offered for the purpose of delaying considerations the Chair has declined to entertain an amendment. Volume **VIII**, section **2798**.

The question of dilatoriness is not necessarily determined by a 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 order that a motion is dilatory may be raised in the Committee of the Whole as in the House. Volume **VIII**, section **2800**.

Finding of 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**.

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, 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 Speaker has declined to entertain debate or appeal on a question as to dilatoriness of a motion. Volume **V**, section **5731**.

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**.

The right to demand the yeas and nays is a constitutional privilege which may not be denied or abridged and may not be ruled out as dilatory. Volume **VIII**, section **3107**.

(2) Motions for Delay.—Early Action in Relation to.

Instance in 1875 wherein, by suspension of the rules, a rule was adopted that the Speaker should entertain no dilatory motions. Volume **V**, section **6775**.

The constitutional right of the House to “determine the rules of proceeding” may not be impaired or destroyed by the indefinite repetition of dilatory motions. Volume **V**, sections **5707–5708**.

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 on the procuring of a quorum. Volume **V**, sections **5709–5712**.

The motion to excuse a Member from voting was a prolific source of obstruction when privileged. Volume **IV**, sections **2900, 2903**.

(3) Motions for Delay.—General Decisions as to.

Under certain circumstances the motions to reconsider and adjourn and the question of consideration have been held dilatory. Volume **V**, sections **5731–5733**.

The motion to reconsider has been ruled out as dilatory when manifestly made for purpose or 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**.

A demand for tellers had been held to be dilatory when the vote on a division was so decisive as to preclude possibility of change or error. Volume **VIII**, section **2818**.

DILATORY PROCEEDINGS—Continued.**(3) Motions for Delay.—General Decisions as to—Continued.**

The constitutional right of a Member to demand the yeas and nays may not be overruled as dilatory. Volume **V**, section **5737**.

A motion fixing the time of five-minute debate in Committee of the Whole has been ruled out when dilatory. Volume **V**, section **5734**.

Amendments changing immaterially the limit of time in a motion to close debate were ruled out as dilatory. Volume **VIII**, section **2817**.

The rule making the motions to adjourn, to fix the day to which the House shall adjourn, and for a recess in order at any time was dropped to prevent the continued use of those motions for purposes of obstruction. Volume **V**, section **6740**.

The motion to adjourn has been ruled out when dilatory. Volume **VIII**, section **2813**.

Repetition of the motion to adjourn when apparently for purposes of obstruction has been held dilatory. Volume **VIII**, section **2814**.

A motion that the Committee of the Whole rise has been ruled out when dilatory. Volume **VIII**, section **2800**.

A motion to reconsider a ye and nay vote, by which a resolution was agreed to unanimously, has been held to be dilatory. Volume **VIII**, section **2815**.

Two motions to recommit offered by a Member having been ruled out of a order, the Speaker recognized him to submit a third motion to recommit when convinced that it was not offered for dilatory purposes. Volume **VIII**, section **2713**.

A motion to recommit having been ruled out of order, another motion is in order 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**.

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

(4) Motions for Delay.—Point of no Quorum.

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**.

The Chair will not hold a point of no quorum dilatory unless repeated when apparent beyond question that a quorum is present. Volume **VIII**, section **2801**.

The Speaker being satisfied that a quorum was present and that a point of no quorum was made for dilatory purposes, declined to entertain it. Volume **V**, sections **5724**, **5725**.

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**.

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**.

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 House having divided following the ascertainment of the presence of a quorum, the Speaker considered that a sufficient transaction of business to warrant the entertainment of a point of no quorum. Volume **VIII**, section **2804**.

An instance in which brief debate was held by Speaker to be an intervention of business warranting the raising of a second point of no quorum. Volume **VIII**, section **2805**.

The point of no quorum may not be held dilatory when well taken, and regardless of the fact that a roll call has just disclosed the presence of a quorum, the Speaker will entertain a point of no quorum when manifestly justified. Volume **VIII**, section **2806**.

In the absence of intervening business, the Speaker declined to entertain a point of no quorum made immediately following a ye-and-nay vote on which a quorum voted. Volume **VIII**, section **2810**.

DILATORY PROCEEDINGS—Continued.**(4) Motions for Delay.—Point of no quorum—Continued.**

A roll call on a motion to recommit having disclosed the presence of a quorum, a point of no quorum raised for the purpose of securing a roll call on the passage of the bill was held to be dilatory. Volume **VIII**, section **2812**.

(5) Motions for Delay.—Use of Special Orders to Prevent.

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**.

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 prohibiting “debate or intervening motion”, it was held that an appeal should be entertained. Volume **V**, section **6954**.

(6) Pending a Report From the Committee on Rules.

Pending consideration of a report from the Committee on Rules the Speaker is forbidden to entertain dilatory motions. Volume **V**, section **5738**.

A report from the Committee on Rules has a special and high privilege, and one motion to adjourn but no other dilatory motion may be entertained during its consideration. Volume **IV**, section **4621**. Volume **VIII**, section **2260**.

Construction of the rule permitting one motion to adjourn and thereafter no other dilatory motion pending consideration of a report from the Committee on Rules. Volume **V**, sections **5740–5742**.

Pending consideration of a report from the Committee on Rules, appeals and the motion to reconsider have been ruled out as dilatory within the meaning of the rule. Volume **V**, section **5739**.

(7) Pending a Motion to Suspend the Rules.

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**.

A motion to suspend the rules having been entertained and one motion to adjourn having been voted on, another motion to adjourn may not be made unless the failure of a quorum be demonstrated. Volume **V**, section **5744**.

When a quorum fails on a vote to second a motion to suspend the rules, a second motion to adjourn is not considered a dilatory motion within the prohibition of the rule. Volume **V**, sections **5745, 5746**.

Pending consideration of a motion to suspend the rules a motion for a recess was held to be such dilatory motion as is forbidden by the rule. Volume **V**, sections **5748–5751**.

There being no doubt of the presence of a quorum, a motion for a call of the House was held to be such dilatory motion as the rule forbids pending consideration of a motion to suspend the rules. Volume **V**, section **5747**.

(8) Instances of Obstruction by.

Illustrations of the former practices of obstruction by breaking a quorum and by dilatory motions. Volume **IV**, sections **2898–2903**.

Instance of prolonged obstruction by the repetition of motions and the multiplication of roll calls. Volume **V**, section **5709**.

An instance where the power of obstruction by dilatory motions was used to compel a direct vote on an issue. Volume **III**, section **2407**.

Instance of prolonged dilatory proceeding in the House. Volume **V**, section **6738**.

Instance of obstruction on an election case which forced a compromise as to another matter of legislation. Volume **II**, section **999**.

Instance wherein final action in an election case was prevented by obstruction. Volume **II**, section **1017**.

DILATORY PROCEEDINGS—Continued.**(8) Instances of Obstruction by—Continued.**

Instance wherein the minority party in the course of obstruction left the Hall in a body Volume **II**, section **1034**.

Since 1879 the Clerk in calling the roll has called Members by their surnames, with the prefix “Mr.,” instead of calling the full names. Volume **V**, section **6047**.

(9) During the Electoral Count.

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**.

(10) In Pleadings in an Impeachment.

The Senate, having assumed jurisdiction in the Belknap impeachment, declined to permit the respondent to plead further, but gave leave to answer the articles. Volume **III**, section **2123**.

The extent of dilatory pleadings in the Belknap trial was commented on as an innovation on American and English precedents. Volume **III**, section **2123**.

DINGLEY, NELSON, Jr., of Maine, Chairman.

The ceremonies of the state funeral of Nelson Dingley. Volume **V**, section **7153**.

Decisions on questions of order relating to—

Amendments not germane. Volume **V**, section **5881**.

Committee of the Whole. Volume **IV**, sections **4724**, **4776**.

Limitations on appropriations. Volume **IV**, section **3936**.

DIPLOMATIC AFFAIRS.**(1) General authority of the House as to.****(2) Inquiries as to.****(3) Declarations and communications.****(4) Appropriations for Salaries, etc., of diplomatic representatives.****(1) General Authority of the House as to.**

The power of the President to appoint diplomatic representatives to foreign governments and to determine their rank is derived from the Constitution and may not be circumscribed by statutory enactments. Volume **VII**, section **1248**.

The House has usually had a voice in the recognition of the independence of a foreign nation when such recognition has affected relations with another power. Volume **II**, sections **1541–1544**.

The House has declared its “constitutional right to an authoritative voice in declaring and prescribing the foreign policy of the United States as well as in the recognition of new powers as in other matters.” Volume **II**, section **1539**.

In 1811 the House originated and the Senate agreed to a resolution declaring the attitude of the United States on a question of foreign policy. Volume **II**, section **1538**.

In 1825 the House, after long discussion, declined to make a declaration of policy or give express approval of a diplomatic service instituted by the President. Volume **II**, sections **1546**, **1547**.

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

Discussion as to the right of the House to withhold an appropriation to pay the expenses of diplomatic agents appointed by the Executive. Volume **II**, sections **1546**, **1547**.

An authorization or diplomatic relations with a foreign nation originated in the House in 1882. Volume **II**, section **1549**.

While not questioning the right of the House to decline to appropriate for a diplomatic office, President Grant protested against its assumption that it might give directions as to that service. Volume **II**, section **1548**.

DIPLOMATIC AFFAIRS—Continued.**(1) General Authority of the House as to**—Continued.

The House sometimes requests the Executive to negotiate a treaty, although the propriety of the act has been questioned. Volume **II**, sections **1514–1517**.

In 1796 the House affirmed that when a treaty related to subjects within the power of Congress it was the constitutional duty of the House to deliberate on the expediency of carrying such treaty into effect. Volume **II**, section **1509**.

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

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

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

(2) Inquiries as to.

Resolutions of inquiry addressed to the President have usually contained the clause "if not incompatible with the public interest," especially when on the subject of diplomatic affairs. Volume **III**, sections **1896–1901**.

President Washington, in 1796, declined the request of the House that he transmit the correspondence relating to the recently ratified treaty with Great Britain. Volume **II**, section **1509**.

In 1822 the House called generally and specifically for papers relating to the treaty of Ghent, and obtained them, although the Executive advised against their publication. Volume **II**, sections **1512, 1513**.

In 1848 President Polk declined on constitutional grounds to honor the unconditional request of the House for a copy of the instructions to the minister sent to negotiate a treaty with Mexico. Volume **II**, sections **1518, 1519**.

In 1846 President Polk, for reasons of public policy, declined to inform the House as to expenditures from the secret, or contingent, fund of the State Department. Volume **II**, section **1561**.

(3) Declarations and Communications.

The Congress, by joint resolution, expressed its abhorrence of massacres reported in a foreign nation. Volume **II**, section **1560**.

Congratulations of the House on the adoption of a republican form of government by Brazil. Volume **II**, section **1550**.

Resolutions originating in the House and making an exchange of compliments with certain republics were disapproved by President Grant as infringing on Executive prerogative. Volume **II**, section **1556**.

Instance wherein a foreign executive declined to communicate to the legislative assembly of the nation certain resolutions of the House of Representatives. Volume **V**, section **7221**.

(4) Appropriations for Salaries, etc., of Diplomatic Representatives.

A statute prohibiting the creation of new ambassadorships except by act of Congress is in contravention of the President's constitutional prerogatives and will not support a point of order against an appropriation for the salary of an ambassadorship not created by act of Congress but appointed by the President and confirmed by the Senate. Volume **VII**, section **1248**.

Where the President has appointed a diplomatic representative and the appointment has been approved by the Senate, a point of order does not lie against an appropriation for the salary of such representative unless the rate of pay has been otherwise fixed by law. Volume **VII**, section **1248**.

DIPLOMATIC AFFAIRS—Continued.**(4) Appropriations for Salaries, etc., of Diplomatic Representatives**—Continued.

In the absence of an actual appointment by the President, or of confirmation of such appointment by the Senate, an appropriation for the salary of a minister to a country to which a statute authorizes the appointment of an ambassador is subject to a point of order. Volume **VII**, section **1248**.

The President, at will, may raise a legation to an embassy or reduce an embassy to a legation, any statute to the contrary notwithstanding, and where the President has made such change and followed it with an appointment which has been approved by the Senate, an appropriation for the salary of the appointee is in order unless the rate of pay is in contravention of law. Volume **VII**, section **1248**.

Where a statute authorizes a diplomatic mission to a designated government it is in order to appropriate for the salary of diplomatic officers thereto prior to their appointment by the President. Volume **VII**, section **1248**.

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

While estimates by Secretary of State of appropriations for acquisition of sites and buildings for diplomatic and consular establishments are provided for by law, the submission of such estimate is not a condition precedent to appropriation by Congress, and an appropriation for which no estimate had been made was held to be in order on an appropriation bill. Volume **VII**, section **1255**.

DIPLOMATIC CORPS.

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**, sections **7302**.

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

Question raised as to the reception and seating of the diplomatic corps at ceremonies in the Hall of the House (footnote). Volume **V**, section **7180**.

A protest by the minister of a foreign power against proposed action of the House was held to be an invasion of privilege. Volume **II**, section **1592**.

DIRECTORY, CITY.

The reports of a census taken for a city directory, produced from the archives of the city and proven by the takers, were admitted as prima facie evidence as to qualifications of voters. Volume **I**, section **843**.

Instance wherein the city directory and a canvass by means of registered letters was accepted to discredit a registration. Volume **II**, section **1128**.

DIRECTORY, CONGRESSIONAL.

The Congressional Directory is compiled under direction of the Joint Committee on Printing. Volume **V**, section **7342**.

An alleged error in the Congressional Directory relating to the representation of a district in the next Congress does not present a question of privilege. Volume **III**, section **2619**.

The Biographical Congressional Directory is compiled at irregular intervals under special authorization. Volume **VIII**, section **3676**.

DIRECTORY LAWS. See "Elections of Representatives."**DISABILITIES.**

By the fourteenth amendment one who, having previously taken an oath as an officer of the Government to support the Constitution, has engaged in rebellion is disqualified as a Member until the disability be removed. Volume **I**, section **454**.

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

DISABILITIES—Continued.

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

A Member-elect who had not been disloyal, but who could not truthfully take the oath of July 2, 1862, was not sworn until he had been relieved of his disabilities by law. Volume **I**, section **455**.

A standing order of the House, superseding the existing rule as to Friday evening sessions, provides that the second and fourth Fridays of each month shall be devoted to pension bills and bills removing charges of desertion and political disabilities. Volume **IV**, section **3281**.

Bills for the removal of political disabilities have been within the jurisdiction of the Committee on the Judiciary. Volume **IV**, section **4058**.

DISAGREE, MOTION TO.

(1) **Nature, precedence, and effect.**

(2) **Relation to motion to ask a conference.**

(1) Nature, Precedence, and Effect.

One House may agree outright in an amendment of the other, may agree with an amendment, or may disagree outright. Volume **V**, section **6163**.

The parliamentary law governing the precedence and effect of the motions to agree, disagree, recede insist, and adhere. Volume **V**, section **6164**.

The motion to agree or concur should be put in the affirmative and not the negative form. Volume **V**, section **6166**.

As to the motions to agree or disagree, the affirmative of one is equivalent to the negative of the other. Volume **V**, section **6164**.

A negative vote on a motion to disagree was held equivalent to an affirmative vote to agree. Volume **V**, section **6167**.

The Committee of the Whole having recommended disagreement to a Senate amendment and the House having negatived a motion to concur in the recommendation, it was held that the House had agreed to the amendment. Volume **V**, section **6168**.

The motion to amend an amendment of the other House has precedence of the motion to agree or disagree. Volume **V**, sections **6164**, **6169–6171**.

(2) Relation to Motion to Ask a Conference.

The motion to ask a conference is distinct from motions to agree or disagree to Senate amendments. Volume **V**, section **6268**.

It is so usual in later practice for the House disagreeing to an amendment of the other to ask a conference that an omission so to do caused a question. Volume **V**, section **6273**.

The House may disagree to certain Senate amendments to a bill, agree to others with amendment, and ask a conference only on the disagreement, leaving to the Senate to agree or disagree to the amendments to Senate amendments. Volume **V**, section **6287**.

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**.

DISAGREEMENT. See also "Conferences."

(1) **Of the two Houses as to adjournment.**

(2) **Of the two Houses as to a bill.—Effect of.**

(3) **Of the two Houses as to a bill.—Adherence.**

(4) **Of the two Houses as to a bill.—Privileged status.**

(5) **Of the two Houses as to a bill.—In relation to motions.**

(1) Of the Two Houses as to Adjournment.

When the two Houses disagree as to Adjournment, the President may adjourn them. Volume **V**, section **6672**.

DISAGREEMENT—Continued.**(2) Of the Two Houses as to a Bill.—Effect of.**

The test of disagreement is the ordering of conferees; when both Houses have ordered conferees they are in disagreement. Volume **VIII**, section **3232**.

The stage or disagreement between the two Houses is reached when one informs the other of disagreement. Volume **VI**, section **756**.

The inability of the two Houses to agree on even the slightest amendment to a bill causes the loss of the bill. Volume **V**, sections **6233–6240**.

Instance of prolonged disagreement resulting in the loss of a bill. Volume **V**, sections **6324**, **6325**.
When the House disagrees to a Senate amendment after amending it, the adopted amendment is of no effect. Volume **V**, section **6169**.

(3) Of the Two Houses as to a Bill.—Adherence.

An adherence by both Houses to disagreement over amendments causes a bill to fail. Volume **V**, section **6163**.

The House may recede from its disagreement to certain amendments and adhere to it as to others. Volume **V**, section **6229**.

An instance of immediate adherence to a first disagreement. Volume **V**, section **6303**.

(4) Of the Two Houses as to a Bill.—Privileged Status.

A bill with amendments of the other House is privileged after the stage of disagreement has been reached. Volume **IV**, sections **3149**, **3150**. Volume **VI**, section **756**. Volume **VIII**, section **3194**.

The Senate having requested the return of a bill which, with amendments, had reached the stage of disagreement, a motion to discharge the House committee and return the bill was treated as privileged. Volume **IV**, section **3475**.

(5) Of the Two Houses as to a Bill.—In Relation to Motions.

The motion to concur in a Senate amendment takes precedence of the motion to disagree. Volume **VIII**, section **3179**.

The stage of disagreement having been reached, that motion which tends most quickly to bring the Houses into agreement is preferential. Volume **VIII**, section **3204**.

The stage of disagreement having been reached, the motion to recede and concur has precedence over the motion to refer. Volume **VIII**, section **3259**.

A motion to insist on disagreement to a Senate amendment yields to a motion to agree and is not acted on in event of rejection of the latter motion. Volume **VIII**, section **3183**.

In the consideration of Senate amendments to a House bill the motion to concur takes precedence over the motion to disagree further. Volume **VIII**, section **3204**.

A motion to recede and concur in a Senate amendment takes precedence of a motion to insist further on disagreement to the Senate amendment. Volume **VIII**, section **3205**.

The motion to recede from disagreement and concur in a Senate amendment has precedence of a motion from disagreement and concur in a Senate has precedence of a motion to insist further, but a member by offering such motion may not deprive the member-in-charge of the floor. Volume **VIII**, section **3193**.

The stage of disagreement having been reached, the motion to recede and concur takes precedence of the motion to recede and concur with an amendment. Volume **VIII**, section **3198**.

The stage of disagreement not being reached, the motion to concur in an amendment of the other House with an amendment has precedence of the simple motion to concur, but, the stage of disagreement having been reached, the motion to recede and concur taken precedence of the motion to recede and concur with an amendment. Volume **VIII**, section **3202**.

A negative vote on a motion to concur in a Senate amendment was held equivalent to an affirmative vote to disagree. Volume **VIII**, section **3178**.

A negative vote on the motion to concur is tantamount to a vote to nonconcur and disposes of Senate amendments without further motion. Volume **VIII**, section **3179**.

DISAGREEMENT—Continued.**(5) Of the Two Houses as to a Bill.—In Relation to Motions—Continued.**

The rejection of a motion to recede from disagreement to a Senate amendment and concur therein is equivalent to further disagreement to the amendment. Volume **VIII**, section **3195**.

Before the stage of disagreement is reached the motion to concur with an amendment is not divisible. Volume **VIII**, section **3176**.

In the Committee of the Whole, as in the House, a negative vote on the motion to concur is equivalent to an affirmative vote to disagree. Volume **VIII**, section **3182**.

The previous question having been ordered on the report of the Committee of the Whole recommending disagreement to Senate amendments, the preferential motion to concur was held not to be in order. Volume **VIII**, section **3211**.

The stage of disagreement having been reached, the motion to insist has precedence of the motion to refer. Volume **V**, section **6225**.

The House having receded from its disagreement to Senate amendments they are open to amendment precisely as before the original disagreement. Volume **V**, sections **6212–6214**.

DISBURSEMENTS.

The Clerk keeps account of disbursement of the contingent fund and the stationery accounts of Members. Volume **I**, section **251**.

Reference to President's protest against assumption by the House of the right to designate the officers who should disburse appropriations (footnote). Volume **IV**, section **4032**.

Propositions relating to the convenience of Members of the House, as the installation of elevators, were held to belong to the jurisdiction of the Committee on Accounts, and privileged for report at any time in connection with disbursements from the contingent fund. Volume **VIII**, section **2301**.

Legislative propositions relating to subjects within the jurisdiction of other committees are not privileged when reported by the Committee on Accounts because involving disbursements from the contingent fund. Volume **VIII**, section **2300**.

DISCHARGE.

(1) Of a standing or select committee.—Motion not generally privileged.

(2) Of a standing or select committee.—As to privileged matters generally.

(3) Of a standing or select committee.—Resolutions of inquiry.

(4) Of a standing or select committee.—Filing and signing of motion under new rule.

(5) Of a standing or select committee.—Reference to calendar and calling up in House under new rule.

(6) Of a standing or select committee.—Consideration in House under new rule.

(7) Of a Committee of the Whole.

(8) Motions to discharge a committee.

(9) Of the managers of a conference.

(10) Of witnesses.

(1) Of a Standing or Select Committee.—Motion Not Generally Privileged.

A motion to discharge a committee from the consideration of an ordinary legislative proposition is not privileged. Volume **IV**, section **4693**. Volume **VIII**, section **2316**.

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

The House has declined to give privilege to a motion to discharge a committee from the consideration of an ordinary matter of legislation. Volume **IV**, section **3533**.

A motion directing a committee of the House to report a matter before them is not in order, such motion having no privileged place in the order of business. Volume **IV**, section **4692**.

The House, but not the Committee of the Whole, may by unanimous consent discharge a standing committee from the consideration of a bill. Volume **IV**, section **4697**.

DISCHARGE—Continued.**(1) Of a Standing or Select Committee.—Motion Not Generally Privileged**—Continued.

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**.

Form of special order discharging committee from further consideration of House bill with Senate amendments and asking conference. Volume **VIII**, section **821**.

Form of special order discharging committee from consideration in Committee of the Whole. Volume **VII**, section **819**.

Form of special order discharging committee from consideration of bill with Senate amendments and providing for conference. Volume **VII**, section **820**.

A motion to suspend the rules may include in its provisions both the discharge of a committee from the consideration of a bill and the final passage of it. Volume **V**, section **6850**.

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**.

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**.

While the motion to discharge a committee is not debatable, the motion to discharge a committee and pass a measure before them is subject to debate if undivided. Volume **VI**, section **409**.

A motion to take up a bill, from the consideration of which a committee has been discharged, under the former rule, being rejected, the motion was held not to be again in order on the same Monday, but to retain its privilege, and be admissible on a subsequent first or third Monday. Volume **VII**, section **1022**.

A standing committee, unlike a select committee, is not discharged from consideration of a subject within its jurisdiction by reason of having reported thereon. Volume **VIII**, section **2311**.

A select committee appointed to consider the propriety of remarks delivered in the House reported that they contained no language in violation of the privileges of debate, and asked to be discharged. Volume **VIII**, section **2499**.

(2) Of a Standing or Select Committee.—As to Privileged Matters Generally.

It is in order to move to discharge a committee from the consideration of a proposition involving a question of privilege. Volume **III**, section **2709**.

Motions to discharge committees from consideration of questions privileged under the Constitution, as the right of a Member to his seat or the right to consider a vetoed bill, frequently have been held in order. Volume **VIII**, section **2316**.

A motion to discharge a committee from the consideration of a contested-election case presents a question of the highest privilege. Volume **III**, section **2585**.

An Elections Committee having reported as to one feature of a contest, the House discharged the committee from further consideration of that portion of the case. Volume **I**, section **622**.

Contestant failing to take testimony within time provided by law, the House discharged the committee from further consideration of the case. Volume **VI**, section **164**.

A request of the Senate for the return of a bill, no error being alleged, does not make in order a motion in the House to discharge the committee having possession of the bill. Volume **IV**, section **4694**.

The Senate having requested the return of a bill which, with amendments, had reached the stage of disagreement, a motion to discharge the House committee and return the bill was treated as privileged. Volume **IV**, section **3475**.

DISCHARGE—Continued.**(3) Of a Standing or Select Committee.—Resolutions of Inquiry.**

A resolution of inquiry not being reported back within one week, a motion to discharge the committee from the consideration of it presents a privileged question. Volume **III**, sections **1866–1870**.

A committee not having reported a resolution of inquiry within the time fixed by the rule, the House may reach the resolution only by a motion to discharge the committee from its consideration. Volume **III**, section **1865**.

At the expiration of a week a motion to discharge a committee from the consideration of a resolution of inquiry is privileged, although the resolution may have been delayed in reaching the committee. Volume **III**, section **1871**.

The week's time required to make a resolution of inquiry privileged is seven days, exclusive of either the first or last day. Volume **III**, sections **1858, 1859**.

The motion to discharge a committee from further consideration of a resolution of inquiry is not privileged after its report to the House. Volume **VI**, section **405**.

The motion to discharge a committee from the consideration of a resolution of inquiry is not debatable. Volume **III**, section **1868**. Volume **VI**, section **415**. Volume **VIII**, section **2651**.

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

The motion to discharge a committee from the consideration of a resolution of inquiry is not debatable, but the motion having been agreed to, the resolution is before the House and subject to debate under the hour rule. Volume **VI**, section **417**.

A committee having been discharged from the further consideration of a resolution of inquiry, debate is in order under the hour rule unless the previous question is ordered. Volume **VI**, section **416**.

(4) Of a Standing or Select Committee.—Filing and Signing of Motions Under the New Rule.

Form and history of Section 4 of Rule XXVII. Volume **VII**, section **1007**.

Any Member may file with the Clerk a motion to discharge a committee from the consideration of a public bill referred 30 days prior. Volume **VII**, section **1007**.

Motions to discharge committees are filed with the Clerk and are not presented from the floor. Volume **VII**, section **1008**.

A motion may also 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**.

The time required after reference to calendar before motion to discharge may be presented does not begin to run until committee is appointed and organized. Volume **VII**, section **1019**.

Those filing motions to discharge committees may notify members either from the floor or by letter. Volume **VII**, section **1008**.

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**.

A motion to discharge a committee from the consideration of a bill applies to the bill as referred to the committee and not as it may have been amended in the committee. Volume **VII**, section **1015**.

The rule providing for motions to discharge committees does not authorize signature of such motions by proxy. Volume **VII**, section **1014**.

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**.

DISCHARGE—Continued.**(5) Of a Standing or Select Committee.—Reference to Calendar and Calling up in House Under New Rule.**

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 **1007**. 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**.

On the second and fourth Mondays motions to discharge committees conforming to the requirements of the rule are privileged and take precedence of business merely privileged under the general rules of the House. Volume **VII**, section **1011**.

Recognition to call up motions from the Discharge Calendar is granted in the order in which entered on the calendar. Volume **VII**, section **1018**.

When called up under the rule a motion to discharge a committee is of the highest privilege and the Speaker declines to recognize for any matter not directly related to the proceedings. Volume **VII**, section **1010**.

The motion to discharge a committee has been held to take precedence of a motion to suspend the rules. Volume **VII**, section **1018**.

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**.

Except in sessions ending by law, business admissible on the last six days of a session is not in order until the concurrent resolution providing for adjournment has passed both Houses. Volume **VII**, section **1022**.

Bills called up under motions to discharge committees from their further consideration are ready by title only. Volume **VII**, section **1019**.

(6) Of a Standing Select Committee.—Consideration in House Under New Rule.

The House having discharged a committee under the former rule, it was held that the proper motion for consideration was, if a House Calendar bill, that the House proceed to immediate consideration; if a Union Calendar bill, that the House resolve into Committee of the Whole to consider the bill. Volume **VII**, section **1021**.

The House having agreed to a motion to discharge a committee from further consideration of a resolution, the proponent of the motion was recognized to debate the resolution. Volume **VI**, section **417**.

A motion to discharge a committee having been agreed to, its proponents are entitled to prior recognition in debate and for allowable motions to expedite consideration. Volume **VII**, section **1012**.

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**.

Debate on the motion to discharge a committee is limited by the rule and the Speaker is constrained to deny recognition for requests to extend the time. Volume **VII**, section **1010**.

The proponents of a motion to discharge a committee are entitled to open and close debate thereon. Volume **VII**, section **1010a**.

Division of the time for debate under the rule is in accordance with the attitude of Members on the pending motion and party lines are not recognized. Volume **VII**, section **1010**.

A member calling up a bill from the Discharge Calendar is precluded from making a point of order against it. Volume **VII**, section **1020**.

DISCHARGE—Continued.**(6) Of a Standing or Select Committee.—Consideration in House Under New Rule.—**
Continued.

Inasmuch as the inhibition provided in section 4 of Rule XXI applies to appropriations and not to acts of reporting, motions to discharge nonappropriating committees from consideration of bills carrying appropriations are not by reason of such appropriations subject to points of order. Volume **VII**, section **2144**.

Bills taken up for consideration from the discharge calendar are not subject to the prohibition provided by section 2 of Rule XXI interdicting consideration of appropriations not reported by the Committee on Appropriations. Volume **VII**, section **1019a**.

The requirement that a bill be considered in Committee of the Whole is not waived by the fact that the standing committee having jurisdiction has been discharged from consideration, and the bill is not on the calendar. Volume **VII**, section **1021**.

After any perfected motion to discharge has been acted on, no motion to discharge committees from the consideration of the same or any similar measure shall be considered that session and any others which may have been filed shall be stricken from the calendar. Volume **VII**, section **1007**.

A bill to amend the Volstead Act by providing for the sale and taxation of beer was held not to be a bill “substantially the same” within the purview of section 4 of Rule XXVII as a resolution proposing the repeal of the eighteenth amendment. Volume **VII**, section **1013**.

(7) Of a Committee of the Whole.

A motion to discharge the Committee of the Whole from the consideration of a matter committed to it is not privileged as against a demand for the regular order. Volume **IV**, section **4917**.

The motion to discharge a Committee of the Whole was frequently in use until the necessary adherence to an order of business destroyed its privileged character. Volume **IV**, sections **4918–4921**.

When the Committee of the Whole is discharged from the consideration of a bill the House, in lieu of a report from the Chairman, accepts the minutes of the Clerk as evidence of amendments agreed to. Volume **IV**, section **4922**.

Under a practice now obsolete the defeat of the motion granting leave to the Committee of the Whole to sit again discharged the committee (footnote). Volume **IV**, section **4921**.

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**.

(8) Motions to Discharge a Committee.

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

A motion to discharge a committee from the consideration of a matter, when in order, is not debatable. Volume **IV**, section **4695**.

On a motion to discharge a committee the merits of the main question may not be debated. Volume **IV**, section **4696**.

The question of consideration may not be demanded against a motion to discharge a committee. Volume **V**, section **4977**.

(9) Of the Managers of a Conference.

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**.

Form of special order for discharging managers of a conference and disposing of amendments in dispute. Volume **V**, section **6526**.

While a conference is in progress the House which asks it may alone discharge the conferee, and, having possession of the papers, may act on the amendments in disagreement. Volume **V**, sections **6526, 6527**.

DISCHARGE—Continued.**(9) Of the Managers of a Conference**—Continued.

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**.

A conference report being presented for printing merely, and the original papers being in “possession of the other House,” a motion to discharge the conferees was held not to be privileged. Volume **V**, section **6528**.

Where a conference report has been made and acted on in one House, and the managers of that House have thereby been discharged, the other House is precluded thereby from recommitting the report to the managers. Volume **V**, sections **6551–6553**.

Where the House had acted on a conference report, thereby discharging its conferees, the Senate being unable to comply with its rule recommitting invalidated conference reports to committees of conference, requested further conference without taking further action on the amendments in disagreement. Volume **VIII**, section **3279**.

Conferees reporting inability to agree are thereby discharged and if a new conference is ordered conferees must again be appointed and new instructions are in order. Volume **VIII**, section **3240**.

Conferees failing to report within 20 calendar days after appointment may be instructed or discharged, and motions to instruct, or to discharge and appoint successors, are of the highest privilege. Volume **VIII**, section **3225**.

During the last six days of a session motions to instruct or discharge are privileged if conferees fail to report within 36 hours after appointment. Volume **VIII**, section **3225**.

(10) Of Witnesses.

A contumacious witness having given a respectful and sufficient answer at the bar of the House, was ordered to be discharged. Volume **III**, section **1670**.

Form of discharge issued to a witness before the House committee which investigated the impeachment charges against William Blount. Volume **III**, section **2040**.

In an impeachment trial the discharge of witnesses is determined by the Senate sometimes in conformity with the consent of the parties. Volume **III**, section **2354**.

In the Belknap trial the witnesses were discharged before the final arguments. Volume **III**, section **2465**.

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**.

DISCREPANCY.

No fraud being shown a poll is not rejected because the ballot box does not contain as many votes as are proven by oath of voters. Volume **I**, section **801**.

DISEASE.

Subjects relating to health, spread of leprosy and other contagious diseases, international congress of hygiene, etc., have been considered by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4111**.

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**.

The animal industry, inspection of live stock and meat products, and diseases of animals are subjects within the jurisdiction of the Committee on Agriculture. Volume **IV**, section **4154**.

DISMISSAL.

(1) Of an officer of the House or Senate.

(2) Of an election contest.

DISMISSAL—Continued.**(1) Of an Officer of the House or Senate.**

The House, by resolution, dismissed its Clerk, who had been found guilty of misappropriation of public funds. Volume **I**, section **287**.

It being alleged that the Clerk was guilty of official misconduct a resolution removing him from office was presented and entertained. Volume **I**, section **286**.

Because of the misconduct of the incumbent the office of Doorkeeper has been declared vacant and the duties have devolved upon the Sergeant-at-Arms. Volume **I**, sections **288, 289**.

The resignation of the Postmaster was laid before the House while a resolution of dismissal was pending, and was disregarded. Volume **I**, section **292**.

Charges against the Postmaster being sustained his office was declared vacant and his assistant was directed to perform the duties temporarily. Volume **I**, section **292**.

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

(2) Of an Election Contest.

The contestant having failed to respond to a notice to appear the House dismissed the case. Volume **I**, section **751**.

A contestant having failed to file the brief required by law, the Elections Committee notified him to appear and show cause why his case should not be dismissed. Volume **I**, section **751**.

A contestant having failed to prosecute his case according to law or to take testimony, the House dismissed the contest. Volume **I**, section **750**.

Contestant having failed to serve proper notice of contest upon contestee, the case was dismissed. Volume **VI**, sections **101, 175**.

DISNEY.

The Oklahoma election case of O'Connor v. Disney, in the Seventy-second Congress. Volume **VI**, section **189**.

DISORDER. See also "Debate."

The Speaker may cause the galleries to be cleared in case of disorder therein. Volume **II**, section **1343**.

The Chairman of the Committee of the Whole may cause the galleries or lobby to be cleared in case of disturbance or disorderly conduct therein. Volume **IV**, section **4704**.

Before the power was given by rule it was decided that the Committee of the Whole had no power to preserve order in the galleries. Volume **V**, section **7303**.

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**.

Rigid enforcement of the rule relating to disturbance in the galleries. Volume **II**, section **1352**.

A spectator in the gallery having created disturbance, the Speaker ordered his arrest. Volume **II**, section **1605**.

To obviate the necessity of clearing the galleries the Senate authorized the Sergeant-at-Arms to arrest any person disturbing the proceedings. Volume **V**, section **7311**.

Disorder occurring in the galleries during the Johnson trial, they were cleared. Volume **III**, section **2434**.

A spectator in the Senate gallery having addressed remarks to the floor, the Vice President directed the Doorkeeper to remove him. Volume **VI**, section **200**.

A point of order being raised against an interruption from the galleries the Speaker admonished the galleries. Volume **VI**, section **259**.

DISPENSING WITH CALL.

On a call of the House the roll call may not be interrupted by a motion to dispense with further proceedings under the call. Volume **IV**, section **2992**.

The motion to adjourn takes precedence of a motion to dispense with further proceedings under a call of the House. Volume **VIII**, section **2643**.

A motion to dispense with further proceedings under a call of the House was not entertained in the absence of a quorum. Volume **VI**, section **689**.

On discovery of error in announcing the presence of a quorum on a call of the House, a motion to dispense with further proceedings under the call was vacated by unanimous consent and the call resumed. Volume **VI**, section **713**.

DISPOSITION OF EXECUTIVE PAPERS.

The creation and history of the Joint Committee on Disposition of Executive Papers, Section 44, Rule XI. Volume **VII**, section **2100**.

The Joint Committee on Disposition of Executive Papers, while recognized by the rules, was created by the statutes. Volume **vIII**, section **2100**.

The rule gives to the Joint Committee on Disposition of Executive Papers jurisdiction over "all proposed legislation concerning the disposition of useless executive papers." Volume **VII**, section **2100**.

Directions to the Clerk of the House to classify books and documents in the House library and dispose of any surplus in conjunction with the chairman of the Committee on the Disposition of Useless Executive Papers and the Librarian of Congress was held to be a subject not within the jurisdiction of the Committee on Accounts. Volume **VIII**, section **2301**.

DISQUALIFICATION.

Form of resolutions for unseating a Member for disqualification. Volume **I**, section **425**.

Determination by a divided Elections Committee that the disqualification of a sitting Member does not entitle the contestant, who had received the next highest number of votes, to the seat. Volume **I**, section **424**.

Disqualification of the Member-elect does not authorize the seating of a contestant not found to be elected. Volume **VI**, section **58**.

The English law under which a minority candidate succeeds to a vacancy resulting from the disqualification of the majority candidate is not applicable under the Constitution. Volume **VI**, section **59**.

The Constitution limits judgment in impeachment cases to removal from office and disqualification to hold office. Volume **III**, section **2055**.

Debate as to whether or not the Constitution requires both removal and disqualification on conviction by impeachment. Volume **III**, section **2397**.

Having found Judge Humphreys guilty, the court proceeded to pronounce judgment of removal and disqualification. Volume **III**, section **2397**.

Having found Judge Archbald guilty, the Senate proceeded to pronounce judgment of removal and disqualification. Volume **VI**, section **512**.

The Presiding Officer held that the question on removal and disqualification was divisible. Volume **III**, section **2397**. Volume **VI**, section **512**.

The report of the subcommittee, while recommending the discontinuance of impeachment proceedings against Judge Hanford, declared him to be disqualified for his position and recommended acceptance of his resignation. Volume **VI**, section **526**.

DISQUALIFYING PERSONAL INTEREST.

(1) **Affecting the Member's vote.—Rule and parliamentary law.**

(2) **Affecting the Member's vote.—On a question of his title to a seat.**

(3) **Affecting the Member's vote.—In proceedings of censure or arrest.**

(4) **Affecting the Member's vote.—House may excuse.**

DISQUALIFYING PERSONAL INTEREST—Continued.

- (5) **May the Speaker rule as to the Member's vote?**
- (6) **As a cause for the Speaker to call another to the chair.**
- (7) **As appearing in impeachment proceedings.**
- (8) **As to a legislator voting for a Senator.**

(1) Affecting the Member's Vote.—Rule and Parliamentary Law.

Every Member shall be present and vote unless he have a direct personal or pecuniary interest in the question. Volume **V**, section **5941**.

The rule of parliamentary law as to the conduct of a Member when his private interests are concerned in a question. Volume **V**, section **5949**.

The old parliamentary law as to withdrawal of a Member when business concerning himself is debated or decided. Volume **II**, section **1237**.

Where the subject-matter before the House affects a class rather than individuals, the personal interest of Members who belong to the class is not such as to disqualify them from voting. Volume **V**, section **5952**. Volume **VIII**, section **3072**.

A Member who had preferred charges against Judge Boatner declined, as a member of the Judiciary Committee, to vote on his case. Volume **III**, section **2518**.

The power of the House to deprive one of its Members of the right to vote on any question is doubtful. Volume **VIII**, section **3072**.

(2) Affecting the Member's Vote.—On a Question of His Title to a Seat.

The same question affecting the right of four Members to their seats, each voted on the cases of his associates but not on his own. Volume **V**, section **5958**.

In the proceedings relating to the New Jersey Members in 1839 each contestant did not generally vote on his own case, but voted on the identical cases of his associates. Volume **V**, section **5957**.

It was held, in 1840, that the sitting Members from New Jersey might vote on incidental questions arising during the consideration of their titles to their seats. Volume **V**, section **5953**.

On a motion to discharge a committee from consideration of a resolution affecting the seats of several Members, the Chair held that the Members concerned might vote. Volume **V**, section **5960**.

A Senator having voted on a question affecting directly his title to his seat, the Senate ordered that the vote be not received in determining the question. Volume **V**, section **5959**.

(3) Affecting the Member's Vote.—In Proceedings of Censure or Arrest.

A Member against whom a resolution of censure was pending cast a decisive vote on an incidental question, but on the main question did not vote, except once in the negative on the motion to lay the resolution on the table. Volume **V**, section **5961**.

On a resolution in the Senate censuring two Senators, the names of both were called but neither voted. Volume **II**, section **1665**.

Members present in custody of the Sergeant at Arms for absence were permitted to vote on a motion to excuse another Member for a similar offense. Volume **B**, sections **5937–5940**.

(4) Affecting the Member's Vote.—House May Excuse.

A Member who had been assaulted was excused from voting on questions relating to the punishment of his assailant. Volume **V**, section **5962**.

Members who were stockholders in the Bank of the United States were excused from voting on a question relating to that institution. Volume **V**, section **5954**.

Sometimes the House has excused Members from voting on questions in which they had a personal interest (footnote). Volume **V**, section **5950**.

DISQUALIFYING PERSONAL INTEREST—Continued.**(5) May the Speaker Rule as to the Member's Vote?**

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**.

The Speaker has usually held that the Member himself should determine whether or not his personal interest in a pending matter should cause him to withhold his vote. Volume **V**, sections **5950, 5951**.

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**.

An instance wherein the Speaker decided that a Member should not vote, because of disqualifying personal interest. Volume **V**, section **5958**.

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**.

(6) As a Cause for the Speaker to Call Another to the Chair.

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**.

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**.

Resolutions censuring the conduct of the Speaker being presented unexpectedly, he was excused from deciding a point of order in relation thereto. Volume **II**, section **1357**.

An amendment to the Journal disapproving a ruling of the Speaker was held out of order, without question as to the propriety of calling another to the chair. Volume **IV**, section **2848**.

The Speaker remained in the chair and ruled as to the relevance of language criticizing his conduct as Speaker. Volume **V**, section **5188**.

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**.

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**.

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**.

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**.

(7) As Appearing in Impeachment Proceedings.

The doctrine of disqualifying personal interest as applied to a Senator sitting in an impeachment trial. Volume **III**, section **2061**.

In 1868 the President pro tempore of the Senate voted on the final question at the Johnson trial, although a conviction would have made him the successor. Volume **III**, section **2061**.

A Senator related to President Johnson by family ties voted on the final question of the impeachment without challenge. Volume **III**, section **2061**.

In the Pickering trial a Senator, who as a Member of the House had voted for impeachment, was challenged but voted. Volume **III**, section **2327**.

DISQUALIFYING PERSONAL INTEREST—Continued.**(7) As Appearing in Impeachment Proceedings**—Continued.

A Senator who had been a witness for respondent was excused from voting on the judgment in the Peck trial. Volume **III**, section **2383**.

A question as to the time when the competency of a Senator to sit in an impeachment trial should be challenged for disqualifying personal interest. Volume **III**, section **2061**.

The House excused one of its Members from voting on any question connected with the impeachment of a brother. Volume **III**, section **2294**.

(8) As to a Legislator Voting for a Senator.

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**.

DISREPUTE.

Impeachment may be based on offenses of a political character, on gross betrayal of public interests, inexcusable neglect of duty, tyrannical abuse of power, and offenses of conduct tending to bring the office into disrepute. Volume **VI**, section **545**.

DISSOLUTION.

Under the parliamentary law an impeachment is not discontinued by the dissolution of Parliament. Volume **III**, section **2005**.

DISTINGUISHED VISITORS.

An occasion of the introduction of distinguished visitors informally to the House. Volume **VIII**, section **3158**.

DISTRIBUTION.

- (1) Of the President's annual message.**
- (2) Of bills and documents.**
- (3) Of seeds.**

(1) Of the President's Annual Message.

The annual message of the President is usually referred, when read, to the Committee of the Whole House on the state of the Union, whence it is distributed by action of the House to appropriate committees. Volume **V**, sections **6621**, **6622**.

The resolutions distributing the President's annual message are reported by the Committee on Ways and Means. Volume **V**, sections **4030**, **6621**, **6622**.

Form of resolutions for the distribution of the President's annual message. Volume **V**, sections **6621**, **6622**.

The Committee of the Whole, in distributing the President's message, may refer portions to a standing or select committee, with instructions. Volume **V**, sections **6626**, **6627**.

(2) Of Bills and Documents.

The statutes provide specifically for the number of public and private bills to be printed when they are introduced, when reported, etc., and the distribution thereof. Volume **V**, section **7318**.

The printing and distribution of documents and reports are specifically regulated by statute. Volume **V**, section **7318**. Volume **VI**, section **371**.

The statutes define the term "public document" and provide for the division of documents among Members and the distribution thereof. Volume **V**, section **7316**.

Provisions for distribution of documents through the folding room allot an equal number to each Member of the House, to be issued on his order only; distribution through the document room renders them subject to application without limitation on the number which may be issued to any one applicant. Volume **VIII**, section **3661**.

Instance where the law providing for distribution of documents to Members was suspended by joint resolution to permit outgoing Members to distribute publications which by reason of the calling of an extra session would otherwise have been allotted to their successors. Volume **VIII**, section **3668**.

DISTRIBUTION—Continued.**(2) Of Bills and Documents—Continued.**

The accumulation of obsolete documents in the folding room becoming burdensome, the House authorized distribution of all for which there was demand and directed that the remainder be sold as waste paper. Volume **VIII**, section **3669**.

Bills proposing permanent law relative to the printing, binding, and distribution of public documents have been reported by the House branch of the Joint Committee on Printing. Volume **VII**, section **2093**.

(3) Of Seeds.

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

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**.

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

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**.

DISTRICT ATTORNEY.

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**.

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 inquiry into the conduct of H. Snowden Marshall, United States district attorney for the southern district of New York. Volume **VI**, sections **468**, **530**.

For testifying falsely before a congressional committee of investigation a witness was certified to the district attorney and indicted by a Federal grand jury. Volume **VI**, section **355**.

A witness giving contradictory testimony while under order for arrest for refusing to answer questions propounded by a committee of inquiry, the Senate vacated the order and referred the case to the district attorney. Volume **VI**, section **345**.

A witness 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**.

A witness having refused to answer certain questions propounded to him by a special committee of the Senate duly authorized to investigate the subject of inquiry, the Senate issued a warrant for his arrest and certified its committee's report of the circumstances to the district attorney. Volume **VI**, section **346**.

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**.

While certification of a contumacious witness to the district attorney for contempt is administrative, a motion authorizing certification has been admitted. Volume **VI**, section **336**.

DISTRICT OF COLUMBIA.

(1) The seat of government.

(2) The Committee on.—Creation and history of.

(3) The Committee on.—Jurisdiction of.

(4) Jurisdiction of other committees as to subjects relating to.

(5) Provisions for, on appropriation bills.

(6) Consideration of business of, in the House (District Monday).

(7) In general.

DISTRICT OF COLUMBIA—Continued.**(1) The Seat of Government.**

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

(2) The Committee on.—Creation and History of.

The creation and history of the Committee for the District of Columbia, section 34 of Rule **XI**. Volume **IV**, section **4276**.

Recent history of the Committee on the District of Columbia, section 28 of Rule **XI**. Volume **VII**, section **2004**.

District days. Volume **VII**, section **817**.

(3) The Committee on.—Jurisdiction of.

The rule gives to the Committee for the District of Columbia jurisdiction of subjects relating “to the District of Columbia, other than appropriations therefor.” Volume **IV**, section **4276**.

The Committee for the District of Columbia reports bills proposing legislation as to the general municipal affairs of the District. Volume **IV**, section **4277**.

The Committee for the District of Columbia has exercised jurisdiction generally of the subject of insurance in the District. Volume **IV**, section **4278**.

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

The subject of adulteration of food, drugs, etc., in the District is within the jurisdiction of the Committee for the District of Columbia. Volume **IV**, section **4280**.

The Committee for the District of Columbia has exercised general jurisdiction of bills for the regulation of the sale of intoxicating liquors in the District. Volume **IV**, section **4281**.

Bills for the protection of fish and game within the District of Columbia have been reported by the Committee for the District of Columbia. Volume **IV**, section **4282**.

Bills relating to holidays in the District have been reported by the Committee for the District of Columbia. Volume **IV**, section **4283**. Volume **VII**, section **2011**.

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

The Government Hospital for the Insane and Congressional Cemetery have been within the jurisdiction of the Committee on the District of Columbia. Volume **IV**, section **4285**.

Harbor regulations for the District and the bridge over the Eastern Branch have been within the jurisdiction of the Committee for the District of Columbia. Volume **IV**, section **4286**.

Bills for framing a municipal code and amending the criminal laws and corporation laws in the District have been within the jurisdiction of the Committee for the District of Columbia. Volume **IV**, section **4287**. Volume **VII**, section **2007**.

The Committee for the District of Columbia has reported bills for the incorporation of organizations and societies. Volume **IV**, section **4288**. Volume **VII**, sections **2006**, **2013**.

The Committee for the District of Columbia has exercised jurisdiction as to bills relating to executors, administrators, wills, and divorce in the District. Volume **IV**, section **4289**.

The Committee for the District of Columbia has exercised jurisdiction as to the police and juvenile courts and justices of the peace in the District. Volume **IV**, section **4290**.

The jurisdiction of the Committee for the District of Columbia as to matters affecting the higher courts of the District has been exceptional rather than general. Volume **IV**, section **4291**.

Bills for preserving public order, etc., within the District at times of inauguration have been reported by the Committee for the District of Columbia. Volume **IV**, section **4292**.

Bills relating to court procedure in criminal cases in the District of Columbia are within the jurisdiction of the Committee on the District of Columbia. Volume **VII**, section **2012**.

Bills providing for the acquisition, transfer, and relinquishment of Government-owned land in the District have been reported by the Committee on the District of Columbia. Volume **VII**, section **2005**.

DISTRICT OF COLUMBIA—Continued.**(3) The Committee on.—Jurisdiction of—Continued.**

Legislative propositions relating to organized activities of Government employees in the District have been reported by the Committee on the District of Columbia. Volume **VII**, section **2010**. The Committee on the District of Columbia has exercised jurisdiction of bills for the regulation of child labor in the District. Volume **VII**, section **2009**.

(4) Jurisdiction of Other Committees as to Subjects Relating to.

The Appropriations Committee reports the appropriations for the District of Columbia. Volume **IV**, section **4032**.

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

Provisions for establishment of code of law for the District of Columbia are under the jurisdiction of the Committee on the Judiciary. Volume **VII**, section **1761**.

Legislation relating to juvenile offenders in the District of Columbia is considered by the Committee on the Judiciary. Volume **VII**, section **1755**.

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**.

Government buildings within the District of Columbia are within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV**, section **4233**.

Subjects relating to public reservations and parks within the District of Columbia, including Rock Creek Park, are within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV**, section **4236**.

Subjects relating to the Zoological Park in the District of Columbia have been within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV**, section **4235**.

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 acceptance, acquisition, and exchange of lands for park purposes in the District of Columbia are subjects within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **VII**, section **1967**.

A bill to provide housing for Government employees in the District of Columbia was held by the House to belong to the jurisdiction of the Committee on Public Buildings and Grounds and not the Committee Labor. Volume **VII**, section **2127**.

Legislation relating to Government fuel yards in the District of Columbia has been considered to be within the jurisdiction of the Committee on Mines and Mining. Volume **VII**, section **1961**.

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

(5) Provisions for, on Appropriation Bills.

Appropriations for maintenance of police and health and other departments in the District of Columbia are authorized by the organic act creating permanent form of government in the District of Columbia. Volume **VII**, section **1185**.

An appropriation for opening, widening, or extending streets and highways in the District of Columbia was held to be authorized by law. Volume **VII**, section **1189**.

The organic act of the District of Columbia authorizes appropriations for interest on District bonds and a subsequent act authorizes appropriations for sinking fund for their payment. Volume **VII**, section **1182**.

DISTRICT OF COLUMBIA—Continued.**(5) Provisions for, on Appropriation Bills—Continued.**

- An appropriation for interest and sinking fund on the funded debt of the District of Columbia to be paid jointly from the Federal Treasury and District revenues is authorized by law. Volume **VII**, section **1183**.
- Overruling an interpretation formerly observed, it was held that a proposition to make payments for interest and sinking fund from the revenues of the District and the Federal Treasury jointly was a change of law and not in order on an appropriation bill. Volume **VII**, section **1454**.
- An amendment substituting for a percentage contributed to the District of Columbia a lump sum amounting to less than the aggregate of such percentage was held to be in order as a retrenchment of expenditures. Volume **VII**, section **1502**.
- An amendment reducing the proportion of the fund appropriated from the Federal Treasury for the government of the District of Columbia from one-half to one-fourth, was held to be in order as a reduction or retrenchment of expenditure. Volume **VII**, section **1518**.
- An amendment reducing the proportional part contributed by the Government to the expenses of the government of the District of Columbia jointly from District revenues paid and the Federal Treasury was held to reduce the amount paid out of the Treasury and to be in order on an appropriation bill. Volume **VII**, section **1519**.
- The payment of one-half of District of Columbia expenses out of District revenues is in order on appropriation bills other than the District bill. Volume **IV**, section **3565**.
- An appropriation for additional playgrounds in the District of Columbia, not for enlargement of existing playgrounds, was held not to be in continuation of a work in progress. Volume **IV**, section **3792**.
- An appropriation of the surplus of the water fund of the District of Columbia for the extension of the water system was held to be authorized by law and in order on an appropriation bill. Volume **IV**, section **3600**.
- A proposition that payments for interest and sinking fund for the debt of the District of Columbia should be paid out of the revenues of the District was held to be a change of law and not in order on an appropriation bill. Volume **IV**, section **3883**.
- An appropriation for the paving of street in the District of Columbia was held to be in continuation of a public work. Volume **VII**, section **1373**.
- An appropriation to render serviceable an additional story of a building provided for the use of the Court of Appeals of the District of Columbia was admitted as in continuation of a public work in progress, but a similar appropriation to adapt this portion of the building for accommodation of the recorder of deeds was ruled out of order. Volume **VII**, section **1370**.
- An appropriation for installation of a refrigerating plant at the District of Columbia morgue was held to be in order as in continuance of a work in progress. Volume **VII**, section **1359**.
- 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**.
- An appropriation for the construction of public bridges in the District of Columbia was held to be the continuation of a public work. Volume **VII**, section **1389**.
- 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**.
- An appropriation for maintenance and equipment of public playgrounds in the District of Columbia was held in order on an appropriation bill as in continuation of a work in progress. Volume **VII**, section **1375**.
- Appropriations for necessary repairs and expenses of playgrounds owned or maintained by the Government in the District of Columbia are in order on appropriation bills as continuation of work in progress. Volume **VII**, section **1378**.

DISTRICT OF COLUMBIA—Continued.**(5) Provisions for, on Appropriation Bills—Continued.**

A proposition for the construction of a public bathing beach in the District of Columbia was ruled out of order as proposing legislation, but an appropriation to provide bathing facilities in a public park in the District was held to be in order as a continuation of work in progress. Volume **VII**, section **1390**.

The continuing of development of a public park in the District of Columbia was held to come within the rule as continuing a work in progress. Volume **VII**, section **1383**.

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 **1355**.

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 to be paid from the District revenues for maintenance of bathing beaches in the District of Columbia was held to be authorized by law. Volume **VII**, section **1186**.

Appropriations for expenses of officers or employees of the United States or of the District of Columbia in attending conventions of societies or associations in connection with their official duties are in order on an appropriation bill. Volume **VII**, section **1201**.

A provision denying use of an appropriation for education of pupils not residing in the District of Columbia or owning property in the District the taxes on which were in excess of cost of tuition was held to be in order on a general appropriation bill. Volume **VII**, section **1649**.

A legislative provision crediting the general account of the District of Columbia was held not to be an appropriation within the purview of the rule. Volume **VII**, section **2157**.

A provision of law authorizing Commissioners of the District of Columbia to take over and operate fish wharves was held not to authorize an appropriation to reconstruct such wharves. Volume **VII**, section **1187**.

An appropriation for Americanization work in the District of Columbia was held not to be authorized by law. Volume **VII**, section **1190**.

An appropriation to increase the authorized salary of the engineer commissioner of the District of Columbia was held not to be in order on an appropriation bill. Volume **VII**, section **1331**.

(6) Consideration of Business of, in the House (District Monday).

The second and fourth Mondays of each month are set apart for business presented by the Committee on the District of Columbia. Volume **IV**, section **3304**. Volume **VII**, section **872**.

The Committee for the District of Columbia may not, on a District day, call up a bill reported from another committee. Volume **IV**, section **3311**.

On District of Columbia day a motion is in order to go into Committee of the Whole House to consider a private bill reported by the Committee on the District of Columbia. Volume **IV**, section **3310**.

On a District of Columbia day 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**.

On a District of Columbia day it is in order to call up for consideration a private bill reported by the Committee on the District of Columbia. Volume **VII**, section **873**.

Members of the committee on the District of Columbia have precedence in recognition for debate on days claimed by the committee for the consideration of District business. Volume **VII**, section **875**.

DISTRICT OF COLUMBIA—Continued.**(6) Consideration of Business of, in the House (District Monday)—Continued.**

Debate on District Monday in general debate and is not confined to the bill under consideration. Volume **VII**, section **875**.

On District of Columbia days debate in the Committee of the Whole is not limited and, unless otherwise provided by the House or the Committee, a Member securing the floor is recognized for one hour. Volume **VII**, section **874**.

Debate in the Committee of the Whole on District day properly alternates between those favoring and those opposing the pending proposition and to insure alternation the chairman sometimes ascertains the attitude of members seeking recognition. Volume **VII**, section **875**.

Business unfinished on a District of Columbia day does not come up on the next District day unless called up. Volume **IV**, section **3307**. Volume **VII**, section **879**.

Under a former condition of rule it was held that a motion to go into Committee of the Whole to consider a general appropriation bill was not privileged as against business in order on District of Columbia day. Volume **IV**, section **3305**.

The motion to go into the Committee of the Whole to consider general appropriation bills is in order on a Monday set apart for the consideration of bills reported by the Committee on the District of Columbia. Volume **VI**, section **716**.

Consideration of a general appropriation bill was held to be in order on District of Columbia Monday. Volume **VII**, section **1123**.

Consideration of conference reports is in order on days devoted to District of Columbia business under the rules. Volume **VIII**, section **3292**.

The question of consideration may not be demanded against District of Columbia business generally, but may be demanded against each bill as it is presented. Volume **IV**, sections **3308**, **3309**.

A bill to create a corporation in the District of Columbia was held to be a public bill. Volume **IV**, section **3294**.

Bills reported from the District Committee are not so privileged as to prevent their being taken up under call of committees on Wednesday. Volume **VII**, section **937**.

(7) In General.

The investigation into the conduct of Frederick A. Fenning, a commissioner of the District of Columbia, in 1926. Volume **VI**, section **548**.

A committee of the House by majority report held a commissioner of the District of Columbia not to be a civil officer subject to impeachment under the Constitution. Volume **VI**, section **548**.

The law empowering the Commissioner of the District of Columbia to make building regulations was held to authorize the appointment of building inspectors. Volume **VII**, section **1191**.

DISTRICTS, CONGRESSIONAL. "See Elections of Representatives."**DIVISION.**

(1) **The act of voting.—General principles.**

(2) **The act of voting.—Interruptions of.**

(3) **The act of voting.—Debate, conference reports, and motions generally not in order during.**

(4) **The act of voting.—Yeas and nays.**

(5) **Of the question on a vote.—Rule and general principles.**

(6) **Of the question on a vote.—Various motions.**

(7) **Of the question on a vote.—Motion to lay on the table.**

(8) **Of the question on a vote.—Amendments.**

(9) **Of the question on a vote.—Appeals.**

(10) **Of the question on a vote.—In relation to the previous question.**

(11) **Of the question on a vote.—Affecting motion to reconsider.**

DIVISION—Continued.

(12) **Of the question of a Vote.—Bills, resolutions, preambles, etc.**

(13) **Of the question of a Vote.—When a proposition affects more than one person.**

(14) **Of the question of a Vote.—In judgment on an impeachment trial.**

(15) **In referring papers to committees.**

(1) The Act of Voting.—General Principles.

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.

A ruling presupposing the theory that a division means the actual voting rather than the whole process of ascertaining the will of the House by several methods of voting. Volume V, section 6447.

Debate may continue, the previous question not having been ordered, until the Speaker has put the negative side of the question. Volume V, section 5925.

Even after the affirmative side had been taken in a division on a motion in Committee of the Whole the withdrawal of the motion was permitted, as the committee had come to no decision. Volume V, section 5348.

Where a quorum fails on a division the matter continues in the exact state it was before the division. Volume V, section 5926.

When a count of the House on division discloses a lack of a quorum the pending business is suspended. Volume IV, section 2933.

When lack of a quorum develops while the House is dividing, the call of the House is automatic under the rule and no motion is required. Volume VI, section 691.

The rule providing for an automatic call of the House does not apply unless the House is dividing and, if the point of no quorum is made before the question is put, may not be invoked. Volume VI, section 692.

When the House is voting on a motion it is too late to make the point of order that the motion is not in order. Volume V, section 6915.

A Member having requested tellers is not thereby precluded from demanding a division. Volume VIII, section 3102.

The right to demand tellers is not prejudiced by the fact that a point of no quorum has been made against a division of the question on which tellers are requested. Volume VIII, section 3104.

(2) The Act of Voting.—Interruptions of.

Questions of order arising during a division are decided peremptorily by the Speaker. Volume V, section 5926.

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

The motion to reconsider may not be entertained while the House is dividing. Volume VIII, section 2791.

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 of a roll call) or when a quorum is not present. Volume V, sections 6665, 6666.

Under the former rule which made the motion to fix the day to which the House should adjourn “always in order” it was admitted during a division, i.e., before the result of a vote had been announced. Volume V, section 5387.

A demand for tellers has been held to be dilatory when the vote on a division was so decisive as to preclude possibility of change or error. Volume VIII, section 2818.

The House having divided following the ascertainment of the presence of a quorum, the Speaker considered that a sufficient transaction of business to warrant the entertainment of a point of no quorum. Volume VIII, section 2804.

DIVISION—Continued.**(3) The Act of Voting.—Debate, Conference Reports, and Motions Generally Not in Order During.**

A division having commenced, debate is thereby precluded. Volume **V**, sections **5928, 5929**.

The presentation of a conference report is always in order, except when the Journal is being read, when the roll is being called, or when the House is dividing. Volume **V**, section **6443**.

While a conference report may not be presented while the House is dividing, it may be presented after a vote by tellers and pending the question of ordering the yeas and nays. Volume **V**, section **6447**.

While the Committee of the Whole is dividing on a motion, a new motion may not be made. Volume **IV**, section **2971**.

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

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

(4) The Act of Voting.—Yeas and Nays.

The yeas and nays may be demanded while the Speaker is announcing the result of a division. Volume **V**, section **6039**.

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

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

After the Speaker has announced the result of a division on a motion and is in the act of putting the question on another motion it is too late to demand the yeas and nays on the first motion. Volume **V**, section **6042**.

A vote by yeas and nays having been without result, because of the failure of a quorum, it was held that the question of consideration might not intervene on a succeeding day before the second call of the yeas and nays. Volume **V**, section **4949**.

It is not in order during the various processes of a division to repeat a demand for the yeas and nays which has once been refused by the House. Volume **V**, sections **6030, 6031**.

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 been begun. Volume **V**, section **6100**.

(5) Of the Question on a Vote.—Rule and General Principles.

A question may be divided for the vote if it contain more than one substantive preposition. Volume **V**, section **6107**. Volume **VIII**, section **3164**.

Under the former provisions of the rule a separate vote could be demanded on each substantive proposition reported by the Committee on Rules. Volume **VIII**, section **3173**.

A division of the question may be demanded on a privileged report from the Committee on Rules containing more than one substantive proposition. Volume **VIII**, section **2271**.

A division of the question was denied on a privileged resolution reported by the Committee on Rules wherein the structural relation of the clauses containing several propositions was such as to render them interdependent and indivisible. Volume **VIII**, section **2275**.

A resolution may be divided if it contain two substantive propositions, even though action according to such division may necessitate the supplying of formal words, such as "Resolved." Volume **V**, sections **6114–6118**.

A resolution may not be divided when one of the portions, if required to stand alone, would not make a substantive proposition. Volume **V**, sections **6108–6113**.

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**.

DIVISION—Continued.**(5) Of the Question of a Vote.—Rule and General Principles—Continued.**

- Although a question presents two propositions grammatically, it is not divisible if either does not constitute a substantive proposition when considered alone. Volume **VIII**, section **3165**.
- 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**.
- An example of difficulty caused by permitting division of a question which does not present two substantive propositions. Volume **III**, section **1725**.
- The parliamentary law relating to the division of the question. Volume **V**, section **6106**.
- The House may by adoption of a resolution reported from the Committee on Rules suspend the rule providing for the division of a question. Volume **VII**, section **775**.
- A question that is divisible may be divided for the vote on the demand of any Member. Volume **V**, section **6107**. Volume **VIII**, section **3164**.
- A division of the question may not be demanded after it has been put by the Chair. Volume **V**, section **6162**.
- A division of the question may not be demanded after the yeas and nays have been ordered. Volume **V**, sections **6160, 6161**.

(6) Of the Question on a Vote.—Various Motions.

- A rule provides that a motion to strike out and insert shall not be divided. Volume **V**, sections **5767, 6123**.
- 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 proposition to strike out various unrelated phrases may be resolved into a separate question for each proposed elision. Volume **VIII**, section **3166**.
- A division of the question is not in order on a motion to commit with instructions or on the different branches of the instructions. Volume **V**, sections **6134–6137**.
- A division of the question is not in order on a motion to recommit with instructions or on the different branches of the instructions. Volume **VIII**, section **3170**.
- A division of the question on a motion to recommit may not be demanded regardless of the number of substantive propositions involved. Volume **VIII**, section **2737**.
- A motion to recede and concur is divisible, and being divided and the House having receded, a motion to amend has precedence of the motion to concur. Volume **V**, sections **6209–6211**. Volume **VIII**, sections **3197, 3198, 3203**.
- Before the stage of disagreement is reached the motion to concur with an amendment is not divisible. Volume **VIII**, section **3176**.
- The question on a motion to recede from an amendment to a Senate amendment and concur in the Senate amendment may be divided on the demand of any Member. Volume **VIII**, section **3199**.
- The stage of disagreement having been reached, the motion to recede and concur takes precedence over the motion to recede and concur with an amendment, but the motion to recede and concur having been divided, and the House having receded, the motion to concur is first voted on and if rejected then the motion to concur with an amendment. Volume **VIII**, section **3196**.
- A division of the question may not be demanded on a vote on suspension of the rules. Volume **V**, sections **6141–6143**.
- On a motion to suspend the rules and pass a bill with amendments it is not in order to demand a separate vote on the amendments. Volume **VIII**, section **3171**.
- Propositions to elect members of standing committees and special orders reported by the Committee on Rules are exceptions and are not divisible. Volume **VIII**, section **3164**.

DIVISION—Continued.**(7) Of the Question on a Vote.—Motion to Lay on the Table.**

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

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

(8) Of the Question on a Vote.—Amendments.

When it is proposed to amend by inserting or adding, the matter is divisible if it contain more than one substantive proposition. Volume **V**, sections **6129–6133**.

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. 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**.

A proposition reported from the Committee on the Whole as an entire and distinct amendment may not be divided, but must be voted on in the House as a whole. Volume **IV**, sections **4883–4892**.

Under the later practice, Senate amendments when reported from the Committee of the Whole are voted on en bloc and only those amendments are voted on severally on which a separate vote is demanded. Volume **VIII**, section **3191**.

On the question of agreeing or disagreeing to a Senate amendment it is not in order, according to the weight of authority, to demand a division so as to vote separately on different portions of the amendment. Volume **V**, sections **6151–6156**. Volume **VIII**, section **3175**.

Form of rule authorizing Members to demand a separate vote on each amendment recommended by the Committee of the Whole. Volume **VII**, section **803**.

(9) Of the Question on a Vote.—Appeals.

A decision of the Speaker involving two distinct questions, he permitted the question on appeal to be divided. Volume **V**, section **6157**.

(10) Of the Question on a Vote.—In Relation to the Previous Question.

The previous question being ordered on a series of resolutions, a division was permitted so as to vote separately on each resolution. Volume **V**, section **6149**.

The previous question may be moved on a series of resolutions, but after it is ordered a separate vote may be had on each resolution. Volume **V**, section **5468**.

An order for the previous question does not preclude the demand for a separate vote on component substantive propositions. Volume **VIII**, section **3173**.

(11) Of the Question on a Vote.—Affecting Motion to Reconsider.

A resolution having been divided for the vote a separate motion to reconsider was held necessary for each vote and was made first as to the first portion of the resolution. Volume **V**, section **5609**.

(12) Of the Question on a Vote.—Bills, Resolutions, Preambles, etc.

In voting on the engrossment and third reading and passage of a bill a separate vote on the various propositions of the bill may not be demanded. Volume **V**, section **6144**. Volume **VIII**, section **3172**.

For a time a rule provided for a division of the question on the engrossment of a bill appropriating money (footnote). Volume **V**, section **6144**.

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

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

DIVISION—Continued.**(12) Of the Question on a Vote.—Bills, Resolutions, Preambles, etc.—Continued.**

A division of the question may not be demanded on the passage of a joint resolution. Volume **V**, sections **6145, 6146**.

On a resolution for the adoption of a series of rules which were not presented as a part of the resolution, it was held not in order to demand a separate vote on each rule. Volume **V**, section **6159**.

A single proposition with modifications may not be divided for the vote. Volume **V**, section **6158**. A resolution may be divided if it contains more than one section which standing alone would constitute a substantive proposition. Volume **VIII**, section **3163**.

A rule provides that motions or resolutions to elect members of the standing committees shall not be divisible. Volume **VIII**, section **2175**.

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 **VIII**, section **799**.

It is in order to demand a division of the question on agreeing to a resolution of impeachment and a separate vote may be had on each article. Volume **VI**, section **545**.

(13) Of the Question on a Vote.—When a Proposition Affects More Than One Person.

The House declined to censure two Members in one resolution, taking such action as enabled a vote to be taken as to each. Volume **II**, section **1621**.

A pending single resolution providing for seating several claimants, the Speaker ruled that the vote might be taken separately as to each claimant. Volume **I**, section **623**.

The latest ruling is that a resolution affecting two individuals may be divided, although such division may demand a reconstruction of the text. Volume **V**, sections **6120, 6121**.

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

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**.

A division being demanded on a resolution for seating several claimants, the oath may be administered to each as soon as his case is decided. Volume **I**, section **623**.

(14) Of the Question on a Vote.—In Judgment on an Impeachment Trial.

Views of the Chief Justice on form of final question in the Johnson trial and on division of the articles for voting. Volume **III**, section **2439**.

The Presiding Officer held that the question on removal and disqualification was divisible. Volume **III**, section **2397**.

The Presiding Officer held that the question on removal and disqualification was divisible. Volume **VI**, section **512**.

(15) In Referring Papers to Committees.

A presidential message may be divided for reference and portions relating to one topic referred to one committee while portions dealing with other subjects are referred to other committees. Volume **VIII**, sections **3348, 3349**.

A portion of a petition may be referred to one committee and the remainder to another. Volume **IV**, sections **3359, 3360**.

A portion of a petition being in contravention of a rule was laid on the table while the remainder was referred. Volume **II**, section **3358**.

If a portion of a petition be excluded by a rule the entire paper must be excluded if the context be such as to be incapable of division. Volume **IV**, section **3357**.

A joint resolution may not be divided for reference. Volume **IV**, section **4376**.

DIVORCE.

The Committee on the Judiciary has exercised jurisdiction over legislative propositions related to marriage, divorce, and polygamy. Volume **IV**, section **4076**.

The Committee on the District of Columbia has exercised jurisdiction as to bills relating to executors, administrators, wills, and divorce in the District. Volume **IV**, section **4289**.

DIXON.

After full consideration the Senate, in the case of Archibald Dixon, decided that a Member might resign, appointing a future date for his retirement. Volume **II**, section **1227**.

DOCKERY, ALEXANDER M., of Missouri, Speaker Pro Tempore and Chairman.

Decisions on questions of order relating to—

Adjourn, motion to Volume **V**, section **5375**.

Amendments not germane. Volume **V**, section **5844**.

Appropriations. Volume **IV**, section **3891**. Volume **VII**, section **1555**.

Bills. Volume **IV**, section **4656**.

Call of the House. Volume **IV**, sections **2999**, **3000**. Volume **V**, section **5607**.

Committee of the Whole. Volume **IV**, section **4850**.

House as in Committee of the Whole. Volume **IV**, section **4933**.

Jurisdiction of committees. Volume **IV**, section **4388**.

Reading of bills. Volume **IV**, section **3402**.

DOCUMENT ROOM.

The Doorkeeper appoints superintendents to have charge of the folding and document rooms. Volume **I**, section **262**.

DOCUMENTS.

(1) **Presentation and reading of messages, communications, etc.**

(2) **Printing, reprinting, and binding of.**

(3) **Distribution of, by Members.**

(4) **Falsification, suppression of, etc.**

(5) **Custody of during electoral count.**

(6) **As evidence.—In an election case.**

(7) **As evidence.—In inquiries preliminary to impeachment, etc.**

(8) **As evidence.—In impeachment trials.**

(9) **Jurisdiction of Committees as to.**

(1) Presentation and Reading of Messages, Communications, etc.

While a message of the President is always read in full and entered on the Journal, the latest rulings have not permitted the reading of the accompanying documents to be demanded as a matter of right. Volume **V**, sections **5267–5271**.

The documents which are a part of a message of the President are not read before the message is disposed of. Volume **V**, section **5272**.

Illustration of the difficulty of conceding to a Member the right to have read any paper concerning which he is to vote. Volume **V**, section **5266**.

Executive communications are addressed to the Speaker and are by him referred. Volume **IV**, section **3573**.

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**.

While a message of the President is always printed in the Congressional Record, the accompanying documents are not printed. Volume **V**, section **6963**.

Accompanying documents, although referred to in a message from the President, are not read or entered on the Journal. Volume **VII**, section **1108**.

While a rule formerly made the printing of documents accompanying messages from the President mandatory, the statute superseding the rule does not require it. Volume **VIII**, section **3352**.

DOCUMENTS—Continued.**(2) Printing, Reprinting, and Binding of.**

- 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**.
- The approved form of resolutions authorizing printing begin “Resolved, That there shall be printed.” Volume **VIII**, section **3661**.
- All documents referred to committees or otherwise disposed of are printed unless otherwise specially ordered. Volume **V**, section **7315**.
- The printing and distribution of documents and reports are specifically regulated by statute. Volume **V**, section **7318**.
- The printing of documents is governed by statute, and motions to authorize such printing are not in order. Volume **VIII**, section **3665**.
- The statutes limit the printing of documents and reports. Volume **V**, section **7320**.
- The statutes governing the numbering in series and binding of House and Senate reports and documents. Volume **V**, section **7324**. Volume **VIII**, section **3664**.
- General provision of the statutes relating to printing of memorial addresses, drawings, maps, etc., and editing of documents. Volume **V**, section **7317**.
- The Congressional order to print must expressly authorize the printing of illustrations which are parts of documents or reports. Volume **V**, section **7320**.
- Illustrations in documents or reports are printed only on express authorization of the House. Volume **V**, section **7321**.
- Statutes relating to printing the laws for the use of House and Senate. Volume **V**, section **7328**.
- Self-appropriating orders for printing extra copies of bills, documents, etc., are required to be by joint resolution. Volume **V**, section **7319**.
- Motions to print additional numbers of a bill, report, resolution, or document shall be referred to the Committee on Printing, and the report thereon must be accompanied by an estimate of cost. Volume **V**, section **7315**.
- Extra copies of hearings and other documents may be ordered by simple resolution, by either House, within the cost of \$500. Volume **VIII**, section **3666**.
- One reprint of a document at a cost not to exceed \$500 having been ordered by the House, an order by simple resolution for a second reprint, although within the cost limit of \$500, is in violation of law and requires concurrence of the other House. Volume **VIII**, section **3666**.
- Resolutions for printing extra copies of bills, documents, etc., are required to be referred to the Committee on Printing, to be reported with estimates of cost. Volume **V**, section **7319**.
- The Joint Committee on Printing have power to regulate the printing of documents to the demand, within certain limits. Volume **V**, section **7327**.
- The Joint Committee on Printing may order printed extra copies of a bill, document, etc., at a cost not to exceed \$200 in any one instance. Volume **V**, section **7319**. Volume **VIII**, section **3666**.
- The 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**.
- Reprints may be ordered for the use of the document room in any number, but when ordered for the folding room require a minimum of 2,471 copies. Volume **VIII**, section **3666**.
- Formerly authority to requisition printing and binding was granted severally to committees of the House by separate resolutions, but beginning with the Sixty-fifth Congress general leave to order necessary printing and binding has been provided by blanket resolution. Volume **VIII**, section **3659**.
- A committee of the House may order printed 1,000 copies of its hearings irrespective of cost. Volume **VIII**, section **3666**.

DOCUMENTS—Continued.**(2) Printing, Reprinting, and Binding of—Continued.**

The rules do not require the printing of hearings, and the distribution of records of hearings is within the discretion of the committee in charge of the bill. Volume **VIII**, section **3667**.

Committee hearings may be printed as Congressional documents only when specifically ordered by Congress or either House thereof. Volume **VIII**, section **3664**.

Reports of communications to Congress from bureaus, boards, delegates to conferences, or heads of departments are printed under the direction of the Speaker and are within his discretion unless otherwise provided by law. Volume **VIII**, section **3662**.

(3) Distribution of, by Members.

A statute provides for the printing and distribution of documents. Volume **VI**, section **371**.

The statutes define the term “public document” and provide for the division of documents among Members and the distribution thereof. Volume **V**, section **7316**.

Public documents are distributed to Members in trust for the benefit of the people. Volume **V**, section **7330**.

Provisions for distribution of documents through the folding room allot an equal number to each Member of the House, to be issued on his order only; distribution through the document room renders them subject to application without limitation on the number which may be issued to any one applicant. Volume **VIII**, section **3661**.

Under provision of law, documents not withdrawn by a retiring Member prior to the convening of the next Congress are forfeited to his successor. Volume **VIII**, section **3668**.

Instance where the law providing for distribution of documents to Members was suspended by joint resolution to permit outgoing Members to distribute publications which by reason of the calling of an extra session would otherwise have been allotted to their successors. Volume **VIII**, section **3668**.

The accumulation of obsolete documents in the folding room becoming burdensome, the House authorized distribution of all for which there was demand and directed that the remainder be sold as waste paper. Volume **VIII**, section **3669**.

Hearings, bills, resolutions, documents, etc., distributed through the document room, are dispensed on application without reference to the number received by any one member, while those distributed through the folding room are credited to the accounts of Members pro rata and are issued only on the order of Members to whom assigned. Volume **VIII**, section **3666**.

The approved phraseology for making documents available through the folding room is “Distributed through the House folding room;” for distribution through the document room is “For the use of the House document room.” Volume **VIII**, section **3661**.

Each Member is entitled to one bound copy of each public document to which he may be entitled. Volume **V**, section **7323**.

Opinion of the Attorney General on the law authorizing the franking of public documents. Volume **VI**, section **221**.

the statute authorizing the addressing of franked matter “on behalf of” a Member does not authorize the extension of such privilege to purchasers of frankable documents. Volume **VI**, section **221**.

(4) Falsification, Suppression of, etc.

The falsification of a House document was made the subject of examination by a select committee. Volume **V**, section **7329**.

A Member having stated that a portion of a House document had been suppressed, the House, on request of the printers, ordered an investigation. Volume **III**, section **1795**.

(5) Custody of, during Electoral Count.

When, during the electoral count of 1873, the two Houses separated to consider objections, of the Vice-President, who had custody of the documents, left with the House duplicates of the electoral certificates. Volume **III**, section **1951**.

DOCUMENTS—Continued.**(6) As Evidence.—In an Election Case.**

A certified copy of the official abstract of the vote is competent proof in an election case. Volume **I**, section **839**.

A limit on the time of taking testimony in an election case applies to witnesses and not to a certified copy of the returns. Volume **I**, section **839**.

A certificate of a State officer, with belated returns from election inspectors (whose authority to make such returns was doubtful), was admitted, although procured ex parte. Volume **I**, section **812**.

A certified copy of a public record was admitted in an election case, although presented in the time for taking rebuttal testimony. Volume **II**, section **1122**.

The House declined to admit as evidence in an election case the decision of a State impeachment court on a related subject. Volume **I**, section **709**.

The Elections Committee declined to consider as evidence certain official documents of a State submitted without authority from the House and not decisions in a proceeding between the parties to the pending contest. Volume **I**, section **608**.

The record of a trial in a State court as to a title to a State office is not competent evidence in an election case, although relating to the election in question. Volume **II**, section **913**.

(7) As Evidence.—In Inquiries Preliminary to Impeachment, etc.

The House referred to the Committee on Reconstruction the evidence taken by the Judiciary Committee in the first attempt to impeach President Johnson. Volume **III**, section **2408**.

In the Watrous investigation of 1860 the Judiciary Committee, without special leave, considered the evidence and reports in preceding Congresses relating to this case. Volume **III**, section **2499**.

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

(8) As Evidence.—In Impeachment Trials.

In impeachment trials public documents are admitted in evidence for what they may be worth. Volume **III**, sections **2260**, **2261**.

In the Johnson trial a message of President Buchanan, published as a Senate document, was admitted as evidence. Volume **III**, section **2262**.

In the Johnson trial the Chief Justice ruled that an official message transmitted after the act was not admissible as evidence to show intent. Volume **III**, section **2245**.

By a close vote after elaborate argument the record of Congressional debates was admitted during the Swayne trial as having a bearing on the construction of a law. Volume **III**, section **2267**.

Testimony taken before a House committee and seen by respondent was admitted in the Belknap trial not as evidence of the fact but as a partial foundation for an inference. Volume **III**, section **2269**.

Instance in the Belknap trial wherein a document not pertinent on its face was admitted to prove the negative of a pertinent proposition. Volume **III**, section **2274**.

The Senate declined to admit in the Belknap trial testimony taken before a House committee and published as a public document. Volume **III**, section **2268**.

The Chief Justice held in the Johnson trial that offer of documentary proof should state its nature only, but that the Senate might order it to be read in full before acting on the objection. Volume **III**, section **2202**.

In the Johnson trial the managers were not required in submitting a letter of respondent to also submit accompanying but not necessarily pertinent documents. Volume **III**, section **2263**.

In the Johnson trial the Senate sustained the Chief Justice in admitting as evidence of a general practice tabular statements of documents relating to particular instances. Volume **III**, section **2258**.

DOCUMENTS—Continued.**(8) As Evidence.—In Impeachment Trials**—Continued.

A summary by counsel of the contents of documents was held to be in the nature of argument and not admissible as evidence. Volume **III**, section **2259**.

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**.

Instance in the Swayne trial wherein, with the concurrence of counsel, the managers introduced without oral testimony a certified copy of a court record. Volume **III**, section **2265**.

In the Swayne trial, evidently by written stipulation between managers and counsel, certified copies of records were used in the same way as the original might have been used. Volume **III**, sections **2265**, **2266**.

Rulings in the Swayne trial as to right of counsel of respondent to introduce documents in evidence during their cross-examination of witnesses for the managers. Volume **III**, section **2212**.

In the Johnson trial the Senate declined to admit as rebutting evidence a document not responsive to any evidence offered on the other side. Volume **III**, section **2216**.

A certified paper bearing only indirectly on a question at issue was ruled out in the Swayne trial. Volume **III**, section **2225**.

(9) Jurisdiction of Committees as to.

Bills relating to historic documents, relics, and buildings have been reported by the House branch of the Joint Committee on the Library. Volume **VII**, section **2086**.

Bills proposing permanent law relative to the printing, binding, and distribution of public documents have been reported by the House branch of the Joint Committee on Printing. Volume **VII**, section **2093**.

Directions to the Clerk of the House to classify books and documents in the House library and dispose of any surplus in conjunction with the chairman of the Committee on the Disposition of Useless Executive Papers and the Librarian of Congress was held to be a subject not within the jurisdiction of the Committee on Accounts. Volume **VIII**, section **2301**.

DODGE.

The New York election case of Dodge v. Brooks in the Thirty-ninth Congress. Volume **II**, sections **859–861**.

DOMICILE.

Discussion of the meaning of the words “residence” and “domicile” as related to the qualifications of a voter. Volume **II**, section **886**. Volume **VI**, sections **96**, **154**.

In 1834, in an inconclusive case, the Elections Committee gave the word “residence” the same meaning as “home” or “domicile.” Volume **I**, section **54**.

In determining citizenship a committee ruled that the domicile of the father is considered the domicile of the son during the minority of the son if he be under the control and direction of the father. Volume **I**, section **422**.

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**.

DONNELLY.

The Minnesota election case of Donnelly v. Washburn in the Forty-sixth Congress. Volume **II**, sections **945–948**.

DONOVAN.

The Connecticut election case of Donovan v. Hill in the Sixty-fourth Congress. Volume **VI**, section **140**.

DOORKEEPER.

- (1) **Election of.**
- (2) **Removal or death of.**
- (3) **Duty as to roll at organization.**
- (4) **Duties as to the Hall and business of the House.**
- (5) **Employees of.**
- (6) **Duties as custodian of the Hall, etc.**

(1) Election of.

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**.

Instance wherein the House failing to elect a Doorkeeper and Postmaster, the officers of the preceding House continuing to serve. Volume **I**, section **193**.

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 death of the Doorkeeper being announced, the House voted to proceed to the election of his successor at a future day. Volume **I**, section **266**.

The vacancy caused by the death of the Doorkeeper was, after several days, filled by the House by election. Volume **I**, section **267**.

(2) Removal or Death of.

A report from the Committee on Accounts having impeached the integrity of the Doorkeeper, the House removed him. Volume **I**, section **290**.

Because of the misconduct of the incumbent, the office of Doorkeeper has been declared vacant and the duties have devolved upon the Sergeant-at-Arms. Volume **I**, sections **288**, **289**.

On the announcement of the death of the Doorkeeper the House took appropriate action. Volume **V**, section **7173**.

(3) Duty as to Roll at Organization.

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**.

(4) Duties as to the Hall and Business of the House.

The Doorkeeper is required to enforce strictly the rules relating to the privileges of the Hall. Volume **I**, section **260**.

The Doorkeeper is required to clear the floor, fifteen minutes before the hour of meeting of all persons not privileged to remain, and keep it cleared until ten minutes after adjournment. Volume **V**, section **7295**.

The Doorkeeper is to see that no one enters the room over the Hall of the House during its sittings. Volume **V**, section **7295**.

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**.

A spectator in the Senate gallery having addressed remarks to the floor, the Vice President directed the Doorkeeper to remove him. Volume **VI**, section **260**.

The ceremony of receiving a messenger from the President of the United States in the House. Volume **V**, section **6591**.

After trial of impeachment had proceeded for several days, the formality of announcement by the Doorkeeper of appearance in the Chamber of the managers and the respondent was by consent dispensed with. Volume **VI**, section **477**.

An alleged attempt of a Doorkeeper to detain and arrest a Member who was about to leave the Hall was held to involve a question of privilege, no authority having been given the Doorkeeper so to act. Volume **III**, section **2524**.

For permitting a Member under arrest to escape, the Doorkeeper was arraigned at the bar of the House. Volume **I**, section **291**.

DOORKEEPER—Continued.**(5) Employees of.**

- The Doorkeeper is responsible for the official conduct of his employees. Volume **I**, section **260**.
- 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 Doorkeeper has control of the messengers on the soldiers' roll. Volume **I**, section **262**.
- The Doorkeeper appoints superintendents to have charge of the folding and document rooms. Volume **I**, section **262**.
- In 1841 the assistant doorkeeper ceased to be an officer of the House. Volume **I**, section **261**.

(6) Duties as Custodian of the Hall, etc.

- The statutes impose on the Doorkeeper various duties in addition to those prescribed by the rules. Volume **I**, section **262**.
- The Doorkeeper has general charge during recess of the apartments occupied by the House. Volume **I**, section **262**.
- The Doorkeeper has the custody of all the furniture, books, and public property in the committee and other rooms under his charge. Volume **I**, section **261**.
- The Doorkeeper is required at stated times to return inventories of the Government property in his possession. Volume **I**, section **262**.
- At the commencement and close of each session of Congress the Doorkeeper is required to make, and submit to the House for examination by the Committee on Accounts, inventory of furniture, books, etc. Volume **I**, section **261**.

DOORS.

- The Speaker orders the doors closed only when a call of the House is in progress. Volume **VI**, section **703**.

DOTY.

- The election case of Doty v. Jones, from Wisconsin Territory, in the Twenty-fifth Congress. Volume **I**, section **403**.
- The prima facie election case of Doty and Jones, from Wisconsin Territory, in the Twenty-fifth Congress. Volume **I**, section **569**.

DOUBLE MOTION.

- A Member is permitted, under certain circumstances, to make a double motion. Volume **V**, section **5637**.

DOUGHTON.

- The North Carolina election case of Campbell v. Doughton in the Sixty-seventh Congress. Volume **VI**, section **154**.

DOWELL, CASSIUS C., of Iowa, Chairman.

- Decisions on questions of order relating to—
- Amendment. Volume **VIII**, sections **2843, 2851, 2872, 2895**.
 - Appropriations. Volume **VII**, sections **1133, 1141, 1142, 1201, 1252, 1256, 1385, 1524, 1536, 1638, 1658, 2139**.
 - Committee of the Whole. Volume **VIII**, section **2369**.
 - Debate. Volume **VIII**, section **2489**.
 - Recognition. Volume **VIII**, section **2472**.
 - Reading. Volume **VIII**, section **2432**.

DOWNING.

- The Illinois election case of Rinaker v. Downing in the Fifty-fourth Congress. Volume **II**, sections **1069, 1070**.

DOXEY, WALL, of Mississippi, Chairman.

- Decisions on questions of order relating to—
- Appropriations. Volume **VII**, section **1513**.

DRAINAGE.

Recent decisions hold an appropriation to investigate the drainage of wet lands not to be authorized by law. Volume **VII**, section **1297**.

Contravening a former ruling, an appropriation for drainage investigations was held in order on the agricultural appropriation bill. Volume **VII**, section **1318**.

The Committee on Rivers and Harbors has exercised jurisdiction over proposed legislation pertaining to drainage districts and levees, but may not report a bill relating to control of clerks of the War Department in the administration of such legislation. Volume **VII**, section **1844**.

The disposal of drainage waters from irrigation projects is a subject within the jurisdiction of the Committee on Irrigation and Reclamation and not that of the Committee on Public Lands. Volume **VII**, section **2034**.

DRAPER.

The Virginia election case of *Draper v. Johnson* in the Twenty-second Congress. Volume **I**, sections **781–783**.

DRAWINGS.

General provision of the statutes relating to printing of memorial addresses, drawings, maps, etc., and editing of documents. Volume **V**, section **7317**.

DROMGOOLE, GEORGE C., of Virginia, Chairman.

Decision on question of order relating to—
Yeas and nays. Volume **IV**, section **4723**.

DRUGS.

Bills to prevent the adulteration, misbranding, etc., of foods and drugs have been reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4112**.

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 subject of adulteration of food, drugs, etc., in the District is within the jurisdiction of the Committee for the District of Columbia. Volume **IV**, section **4280**.

DRY DOCKS.

An appropriation for a new naval dry dock, which has not been begun under authority of prior law, has been held not to be in continuation of a public work. Volume **IV**, sections **3729–3734**.

An appropriation for a floating dry dock, not otherwise authorized by law, is not in order on the naval appropriation bill as in continuation of a public work. Volume **IV**, sections **3735, 3736**.

The subjects of construction, maintenance, and operation of locks and dry docks are subjects within the jurisdiction of the Committee on Rivers and Harbors. Volume **VIII**, section **2286**.

DUANE.

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**.

DUBOIS.

The Senate election case of *Clagett v. Dubois*, of Idaho, in the Fifty-second Congress. Volume **II**, section **1061**.

DUEL.

The question of privilege arising from the duel between Jonathan Billey and William J. Graves. Volume **II**, section **1644**.

Members who had been concerned in a duel which resulted in the death of a Member were permitted to attend and cross-examine witnesses during the investigation. Volume **II**, section **1644**.

DUFFY.

The New York election case of Duffy v. Mason in the Forty-sixth Congress. Volume **II**, sections **942–944**.

DUNN.

The New York election case of Gerling v. Dunn in the Sixty-fifth Congress. Volume **VI**, section **150**.

DUNN, POINDEXTER, of Arkansas, Chairman.

Decision on question of order relating to—
Authorization of appropriation. Volume **IV**, section **3780**.

DU PONT.

The Senate election case of Henry A. du Pont, of Delaware, in the Fifty-fourth Congress. Volume **I**, sections **563, 564**.

The Senate election case of Henry A. du Pont, of Delaware, in the Sixty-second Congress. Volume **VI**, section **129**.

DURBORROW.

The Illinois election case of Durborrow v. Lorimer in the Fifty-eighth Congress. Volume **I**, section **740**.

DURELL.

The investigation of the conduct of Edward H. Durell, United States district judge for Louisiana. Volume **III**, sections **2506–2509**.

DURESS.

Discussion as to whether the distribution of United States soldiers in the neighborhood of the polls justified rejections of returns for intimidation. Volume **II**, section **925**.

The mere presence of United States soldiers in the neighborhood of the polls, unaccompanied by disorderly or threatening conduct, does not vitiate the poll. Volume **II**, section **906**.

Discussion as to whether or not the mere presence of United States troops near the polls constituted undue influence justifying rejection of the returns. Volume **II**, section **926**.

Discussion of social, business, and religious influences as form of intimidation in elections. Volume **II**, section **925**.

Discussion as to whether or not undue influence must be shown to have affected the result materially to justify rejection of the returns. Volume **II**, section **925**.

Fraud, shown by oral testimony as to a stolen poll book and inferred from acts of violence, was held to justify the rejection of a greater part of the returned votes. Volume **I**, section **840**.

The House rejected votes cast by prisoners brought from the jail to the polls and voting under duress. Volume **II**, section **990**.

The House rejected the votes of paupers who were carried to the polls by officers and compelled to vote contrary to their party affiliations. Volume **II**, section **990**.

A Territorial legislature being chosen under duress of armed invaders, the House unseated the Delegate chosen under a law passed by that legislature. Volume **I**, section **826**.

DUTIABLE GOODS.

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

DUTIES.

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

(2) **Customs.**

(1) Of Officers and Employees of the House.

The elective officers of the House are sworn to support the Constitution and discharge their duties faithfully. Volume **I**, section **187**.

DUTIES—Continued.**(1) Of Officers and Employees of the House**—Continued

Employees of the House may not sublet their duties nor divide their compensation with others. Volume **V**, section **7232**.

A discussion of the duties and methods of selection of the party whips. Volume **VIII**, section **3615**. A discussion of the functions and duties of the majority and minority floor leaders. Volume **VIII**, section **3614**.

The Speaker does not assume to control the Sergeant-at-Arms in the discharge of certain official duties. Volume **VI**, section **30**.

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**.

During the temporary disability of the Sergeant-at-Arms another was authorized to perform the duties of the office. 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 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**.

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**.

Propositions limiting or enlarging the powers and discretion of officers of the House in the discharge of administrative duties are not within the jurisdiction of the Committee on Accounts and nullify the privilege of resolutions reported by that committee even though associated with expenditures from the contingent fund. Volume **VIII**, section **2301**.

An officer legally designated to take testimony in a contested election case performs such duty as the representative of the Congress. Volume **VI**, section **186**.

A joint committee created by statute is not susceptible to control by one House and its duties may not be enlarged or diminished by either House acting independently. Volume **VII**, section **2164**.

(2) Customs.

The House maintains that customs duties may not be changed otherwise than by an act of Congress originated by itself. Volume **II**, section **1531**.

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

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**.

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

The Committee on Ways and Means has exercised jurisdiction over bills providing for refund of duties collected on imports. Volume **VII**, section **1731**.

Bills relating to allowances on internal-revenue duties are reported by the Committee on Ways and Means. Volume **VII**, section **1734**.

DUTIES—Continued.**(2) Customs**—Continued.

Argument that the treaty-making power is subject to the authority and power to originate revenue legislation specially delegated by the Constitution to the House. Volume **VI**, section **324**.

DUVALL.

The Maryland election case of Gabriel Duvall in the Third Congress. Volume **I**, section **565**.

DYER.

The Missouri election case of Switzler v. Dyer in the Forty-first Congress. Volume **II**, section **873**.

The Missouri election case of Kinney v. Dyer in the Sixty-second Congress. Volume **VI**, section **135**.

The Missouri election case of Gill v. Dyer in the Sixty-third Congress. Volume **VI**, section **138**.