

PUBLIC SERVICE.

- Bills relating to the efficiency and integrity of the public service have been considered by the several committees on expenditures. Volume **IV**, section **4320**.
- A proposition to regulate the public service by transferring funds and activities from one department to another is not in order in an appropriation bill. Volume **VII**, section **1469**.
- The thanks of Congress are bestowed in recognition of public services. Volume **VIII**, section **3670**.

PUBLIC WORK.

- The preservation of public works for the benefit of navigation and the use of water power on improved streams have been within the jurisdiction of the Committee on Rivers and Harbors. Volume **IV**, section **4125**.
- A bill making supplemental appropriation for emergency construction on public works is not a general appropriation bill. Volume **VII**, section **1122**.
- The recent tendency is to narrow the range of projects to which the rule admitting appropriations in extension of public works is applicable. Volume **VII**, section **1150**.
- An appropriation in violation of existing law is not in order for the continuance of a public work. Volume **VII**, section **1332**.
- A limit of cost on a public work may not be made or changed in an appropriation bill. Volume **VII**, section **1472**.

PURCHASE. See also "Appropriations."

- Purchase through the stationery room of articles other than stationery and necessary office supplies is restricted by law. Volume **VI**, section **213**.
- A bill creating a commission to assist in the purchase, sale, and distribution of newsprint paper was considered by the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1826**.
- The Committee on Agriculture has reported bills providing for the purchase of land to be used for quarantine stations, experiment stations, forest reserves, and watersheds. Volume **VII**, section **1864**.
- The Committee on Agriculture exercises jurisdiction over bills relating to the purchase, protection, and reforestation of watersheds of navigation streams and cooperation between the States or on the part of the Federal Government with the States for such purposes. Volume **VII**, section **1876**.

PURVIANCE.

- The North Carolina election case of a McFarland v. Purviance in the Eighth Congress. Volume **I**, section **320**.

PUTTING THE QUESTION. See "Question."

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QUARANTINE.

- The general subjects of quarantine and the establishment of quarantine stations are within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4109**.

QUARANTINE—Continued.

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**.

An appropriation for improvement of a quarantine station, including the building of wharves was held to be in continuation of a public work. Volume **VII**, section **1372**.

To a bill containing two items appropriating for quarantine stations an amendment proposing an appropriation for another quarantine station was held to be germane. Volume **VII**, section **1372**.

Bills relating to quarantine and the duties of the Marine Hospital Service and otherwise providing for the Public Health Service, formerly reported by the Committee on Interstate and Foreign Commerce, and now considered by the Committee on Merchant Marine and Fisheries. Volume **VII**, section **1816**.

The Committee on Agriculture has reported as to the regulation of importation and inspection of livestock and dairy products, and the establishment and maintenance of quarantine stations for that purpose. Volume **VII**, section **1862**.

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 Committee on Agriculture has reported bills providing for the purchase of land to be used for quarantine stations, experiment stations, forest reserves, and watersheds. Volume **VII**, section **1864**.

QUESTION.

- (1) **Putting of.—General principles as to.**
- (2) **Putting of.—When regarded as pending.**
- (3) **Putting of.—Forms of, for various motions.**
- (4) **Putting of.—During the electoral count.**

(1) Putting of.—General Principles to.

The question, if in order, must be put. Volume **II**, section **1312**.

The rules prescribe the form in which the Speaker shall put the question. Volume **V**, section **5927**. Rule as to form in which the Speaker shall put the question and method of determining the result. Volume **II**, section **1311**.

Debate should not begin until the question has been stated by the Speaker. Volume **V**, section **4982**.

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**.

The question is put first on the affirmative and then on the negative side. Volume **V**, section **5925**. 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**.

Rule governing the Member debate forbidding personalities and requiring him to confine himself to the question. Volume **V**, section **4979**.

(2) Putting of.—When Regarded as Pending.

The recommendation of the Committee of the Whole being before the House, the motion is considered as pending without being offered from the floor. Volume **IV**, section **4896**.

A conference report being presented, the question on agreeing to it is regarded as pending. Volume **V**, section **6517**.

When petitions were presented in open House it was held that the question of reception was at once pending. Volume **IV**, section **3350**.

QUESTION—Continued.**(3) Putting of.—Forms of, for Various Motions.**

Form prescribed by the rules for putting questions in general. Volume **II**, section **1311**.

The old and the present form of putting the previous question. Volume **V**, section **5443**.

The present form of putting the question on appeal (footnote). Volume **V**, section **6957**.

Illustration of the old form of putting the question on appeal. Volume **V**, section **5523**.

Form of putting the question on the passage of a bill returned with the objections of the President (footnote). Volume **IV**, section **3534**.

(4) Putting of.—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**.

QUESTION OF CONSIDERATION. See “Points of Order.”**(1) Practice and rule.****(2) General limitations on the use of.****(3) Its relation to special orders.****(4) Its relation to the previous question.****(5) Its relation to various motions.****(6) Its relation to points of order.****(7) Effect of adjournment on.****(8) On Calendar Wednesday.****(1) Practice and Rule.**

The question of consideration has been established by long practice as a means by which the House may protect itself against business which it does not wish to consider. Volume **V**, section **4936**.

A Member may demand the question of consideration; although the Member in charge may demand the floor for debate. Volume **VI**, section **404**.

The question of consideration is not debatable. Volume **VIII**, section **2447**.

The rule provides that the question of consideration shall not be put unless demanded by a Member. Volume **V**, section **4936**.

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**.

The refusal of the House to consider a bill does not amount to its rejection and does not prevent its being brought before the House again. Volume **V**, section **4940**.

Although the House may vote not to consider a matter of privilege, it may be called up again on the same legislative day and the question of consideration may be demanded again. Volume **V**, section **4942**.

The question of consideration may be raised on a question involving the privilege of the House. Volume **VI**, section **560**.

Although the question of consideration has been once decided in the affirmative it may nevertheless be raised on a subsequent day when the bill is again called up as unfinished business. Volume **VIII**, section **2438**.

A privileged resolution of inquiry, on which the question of consideration has been raised and decided adversely, is placed on the calendar although under section 2 of Rule XIII it is not otherwise eligible for reference to the calendar. Volume **VI**, section **404**.

(2) General Limitations on the Use of.

The question of consideration may be demanded against a question of the highest privilege, such as the right of a Member to his seat. Volume **V**, section **4941**.

The question of consideration may not be demanded against a bill returned with the objections of the President. Volume **V**, sections **4969**, **4970**.

QUESTION OF CONSIDERATION—Continued.**(2) General Limitations on the Use of.**—Continued.

- 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**.
- The question of consideration may not be demanded as to a proposition after debate has begun. Volume **V**, sections **4937–4939**.
- The question of consideration may be raised after a motion to lay on the table has been made. Volume **V**, section **4943**.
- The proper method of rejecting a petition is by refusal to refer rather than by use of the question of consideration. Volume **V**, section **4964**.
- The question of consideration may not be raised against a proposition before the House for reference merely. Volume **V**, section **4964**.
- It is not in order to raise the question of consideration against a bill until the bill has been read. Volume **VIII**, section **4436**.
- The question of consideration may not be raised against a report from the Committee on Rules relating to the order of considering individual bills. Volume **VIII**, section **2440**.
- The question of consideration may not be demanded on a resolution of impeachment until the reading of the resolution has been concluded. Volume **VI**, section **541**.
- Under certain circumstances the motions to reconsider and adjourn and the question of consideration have been held dilatory. Volume **V**, sections **5731–5733**.
- 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**.

(3) Its Relation to Special Orders.

- The question of consideration may be raised against a bill which has been made a special order. Volume **IV**, section **3175**.
- The question of consideration may not be demanded against a class of business in order under a special order or a rule, but may be demanded against each bill individually as it is brought up. Volume **V**, sections **4958, 4959**.
- Where a special order provides that immediately upon its adoption a certain bill shall be considered the question of consideration may not be raised against that bill. Volume **V**, section **4960**.
- Although a bill may come up by reason of being individually specified in a special order, yet the question of consideration may be raised against it. Volume **V**, sections **4953–4957**.
- When two special orders provide for the consideration of two bills at one time the order first made has priority, but by raising the question of consideration against either bill the House may determine the order. Volume **IV**, sections **3193–3196**.
- By refusing to go into Committee of the Whole to consider a bill which has been made a special order for consideration therein the House may then consider business prescribed by the regular order. Volume **IV**, section **3088**.
- In the later but not in the earlier practice it has been held that the question of consideration may not be raised against a report from the Committee on Rules relating to the order for considering individual bills. Volume **V**, sections **4961–4963**.

(4) Its Relation to the Previous Question.

- The demand for the question of consideration may not be prevented by a motion for the previous question. Volume **V**, section **5478**.
- The question of consideration may not be raised against a bill on which the previous question has been ordered. Volume **V**, sections **4965, 4966**.
- The question of consideration has been admitted where other business has intervened between the ordering and execution of the previous question, but not after an adjournment merely. Volume **V**, sections **4967, 4968**.

QUESTION OF CONSIDERATION—Continued.**(5) Its Relation to Various Motions.**

The question of consideration may not be raised on a motion relating to the order of business. Volume **V**, sections **4971–4976**. Volume **VIII**, section **2442**.

The question of consideration may be demanded against the motion to reconsider. Volume **VIII**, section **2437**.

The question of consideration may not be demanded against a motion to discharge a committee. Volume **V**, section **4977**.

A motion to go into the Committee of the Whole to consider a bill being made, the House expresses its wish as to consideration by this motion and not by raising the question of consideration. Volume **V**, sections **4973–4976**. Volume **VI**, section **51**. Volume **VIII**, section **2442**.

The question of consideration being pending, a motion to refer is not in order. Volume **V**, section **5554**.

It is not in order to reconsider the vote whereby the House refuses to consider a bill. Volume **V**, sections **5626, 5627**.

The question of consideration may not be raised on a motion to take from the Speaker's table Senate bills substantially the same as House bills already favorably reported and on the House Calendar. Volume **VIII**, section **2443**.

(6) Its Relation to Points of Order.

The House having voted to consider a matter a point of order against it comes too late. Volume **V**, sections **6912–6914**.

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**.

The House having voted to consider a report it is too late to question whether or not the report has been made properly. Volume **IV**, section **4598**.

The House having given unanimous consent for the consideration of a bill with a proposed committee amendment this action was held to be in effect an affirmative decision of the question of consideration, thus precluding a point of order against the amendment. Volume **V**, section **4952**.

A point of order which, if sustained, might prevent the consideration of a bill should be made and decided before the question of consideration is put. Volume **V**, sections **4950, 4951**.

A point of order relating merely to the manner of considering a bill should be passed on after the House has decided the question of consideration. Volume **V**, section **4950**.

(7) Effect of Adjournment on.

The intervention of an adjournment does not destroy an existing right to raise the question of consideration. Volume **V**, section **4946**.

When the question of consideration is undisposed of at an adjournment it does not recur as unfinished business on a succeeding day. Volume **V**, sections **4947, 4948**.

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**.

(8) On Calendar Wednesday.

The question of consideration may be demanded against a bill called up under the rule on Wednesday. Volume **VII**, section **947**.

It is in order on Calendar Wednesday to raise the question of consideration against a Union Calendar bill when called up for consideration in the House and before resolving into the Committee of the Whole. Volume **VIII**, section **2446**.

The modern practice is to raise the question of consideration on Calendar Wednesday in the House, as on other days, and if decided in the affirmative the House resolves automatically into the Committee of the Whole. Volume **VII**, section **952**.

QUESTION OF CONSIDERATION—Continued.**(8) On Calendar Wednesday—Continued.**

The question of consideration against a bill being decided in the affirmative on Calendar Wednesday, the House automatically resolves into the Committee of the Whole, and no intervening business, as the motion to adjourn or questions of privilege, are in order. Volume **VIII**, section **2446**.

On Calendar Wednesday the House resolves into the Committee of the Whole automatically for the consideration of bills called up by committees, and the question of consideration is properly raised in the committee and not in the House. Volume **VI**, section **748**.

Under the later practice it has been held that the question of consideration may be raised against a Union Calendar bill in the House on Calendar Wednesday. Volume **VIII**, section **2445**.

The question of consideration is admitted in the Committee of the Whole on Calendar Wednesday. Volume **VIII**, section **2444**.

The question of consideration is in order in Committee of the Whole on Wednesday only, but if reported to the House, the recommendation of the committee is then subject to approval or rejection, and, if rejected, the House automatically resolves into the committee for further consideration of the measure. Volume **VII**, section **951**.

The question of consideration may be raised against unfinished business on the House Calendar in order under the Calendar Wednesday rule. Volume **VIII**, section **2447**.

QUESTIONS OF ORDER. See “Points of Order.”**QUORUM.**

- (1) **By what constituted.—In the House.**
- (2) **By what constituted.—In Committee of the Whole and in “House as in Committee of the Whole.”**
- (3) **By what constituted.—In the House sitting for the election of a President.**
- (4) **By what constituted.—In the Senate sitting for an impeachment trial.**
- (5) **Ascertainment of.—Mr. Speaker Reed’s count.—Rule when yeas and nays are taken.**
- (6) **Ascertainment of.—In General.**
- (7) **Ascertainment of.—Making the point of “no quorum.”**
- (8) **Point of no quorum may be held dilatory.**
- (9) **Requirement of.—For business, including debate.**
- (10) **Requirement of.—As related to the reading of the Journal.**
- (11) **Requirement of.—As related to the reception of messages.**
- (12) **Requirement of.—As related to certain motions.**
- (13) **Requirement of.—In relation to motions and orders for a recess.**
- (14) **Requirement of.—In relation to adjournment.**
- (15) **Requirement of.—In relation to motions to suspend the rules.**
- (16) **Requirement of.—In relation to the vote by tellers.**
- (17) **Requirement of.—In relation to the yeas and nays.**
- (18) **Requirement of.—In Committee of the Whole.**
- (19) **Procedure in procuring.—Provisions of Constitution and rule for.**
- (20) **Procedure in procuring.—The old and new rules for call of the House.**
- (21) **Procedure in procuring.—Motions in order during.**
- (22) **Procedure in procuring.—The call of the roll.**
- (23) **Procedure in procuring.—Revoking leaves of absence.**
- (24) **Procedure in procuring.—Excuses.**
- (25) **Procedure in procuring.—Arrest of Members under the new rule.**
- (26) **Procedure in procuring.—Arrest of Members under the old rule.**
- (27) **Procedure in procuring.—Continuing orders of arrest.**
- (28) **Procedure in procuring.—Fines and deductions.**
- (29) **Procedure in procuring.—Dispensing with call.**

QUORUM—Continued.

- (30) **Procedure in procuring—In Committee of the Whole.**
 - (31) **As related to organization.—Oath, messages, etc.**
 - (32) **As related to organization.—For election of officers.**
 - (33) **In relation to the electoral count.**
 - (34) **In the Senate sitting for an impeachment trial.**
 - (35) **In relation to procedure of committees.**
 - (36) **Of a legislature for election of a Senator.**
- (1) **By What Constituted.—In the House.**
 A majority of the House constitutes a quorum to do business. Volume **IV**, sections **2884, 2980**.
 Out of conditions arising between 1861 and 1891 the rule was established that a majority of the Members chosen and living constitutes the quorum required by the Constitution. Volume **IV**, sections **2885–2888**.
 While once ruled that a quorum consists of one more than a majority, it is now held that after the House is organized the quorum consists of a majority of those Members chosen, sworn, and living, whose membership has not been terminated by resignation or by action of the House. Volume **VI**, section **638**.
 After the House is once organized the quorum consists of a majority of those Members chosen, sworn, and living whose membership has not been terminated by resignation or by the action of the House. Volume **IV**, sections **2889, 2890**.
 After long discussion the Senate finally decided that a quorum consisted of a majority of Senators duly chosen and sworn. Volume **IV**, sections **2891–2894**.
 Elaborate discussion by Senate committee of effect of the constitutional provision that “a majority of each House shall constitute a quorum.” Volume **I**, section **630**.
- (2) **By What Constituted.—In Committee of the Whole and in “House as in Committee of the Whole.”**
 The quorum of the Committee of the Whole is one hundred. Volume **IV**, section **2966**.
 The quorum required in the “House as in Committee of the Whole” is a quorum of the House and not a quorum of the Committee of the Whole. Volume **VI**, section **639**.
- (3) **By What Constituted.—In the House Sitting for the Election of a President.**
 When the House elects a President of the United States a quorum consists of a Member or Members from two-thirds of the States. Volume **III**, section **1981**.
- (4) **By What Constituted.—In the Senate Sitting for an Impeachment Trial.**
 A quorum of the Senate sitting for an impeachment trial is a quorum of the Senate itself and not merely a quorum of the Senators sworn for the trial. Volume **III**, section **2063**.
- (5) **Ascertainment of.—Mr. Speaker Reed’s Count.—Rule When Yeas and Nays Are Taken.**
 In 1890 Mr. Speaker Reed directed the Clerk to enter on the Journal as part of the record of a yea-and-nay vote names of Members present but not voting, thereby establishing a quorum of record. Volume **IV**, section **2895**.
 Decisions overruled by Mr. Speaker Reed when he caused Members not voting to be noted present in 1890. Volume **IV**, sections **2896, 2897**.
 The decision of Mr. Speaker Reed in counting as part of the quorum Members not voting was sustained by the Supreme Court. Volume **IV**, section **2904**.
 The rule for counting Members not voting in determining the presence of a quorum. Volume **IV**, section **2905**.
 Construction of the rule providing for counting a quorum. Volume **IV**, section **2906**
 A Member noted as present under section 3 of Rule **XV** may be permitted to vote after the calling of the roll is concluded. Volume **IV**, section **2907**.
 The point of order being made that a Member noted as present under section 3 of Rule **XV** was actually absent, his name was erased from the list before the announcement of the result. Volume **IV**, section **2908**.

QUORM—Continued.**(5) Ascertainment of.—Mr. Speaker Reed's Count.—Rule When Yeas and Nays Are Taken.—Continued.**

Instance wherein the House declined to permit a change in the Journal record of persons noted as present and not voting, on the statement of certain ones, not numerous enough to change the result, that they had been improperly noted. Volume **III**, section **2620**.

An instance wherein the Senate endorsed the principle that a legislator whose presence was forcibly obtained and who refused to vote might be counted as part of a quorum. Volume **I**, section **356**.

The practice of Members refusing to vote in order to brake the quorum had been established many years in the House when discontinued in 1890 (footnote). Volume **IV**, section **2895**.

Instance wherein the minority party in the course of obstruction left the Hall in a body. Volume **II** section **1034**.

Instance wherein, under the former practice, business was halted because a quorum did not vote, although the Speaker declared that there was no doubt of the actual presence of a quorum. Volume **V**, section **5744**.

Early instance of obstruction caused by Members refusing to vote in order to break a quorum. Volume **IV**, section **2977**.

Instance wherein the former theory that the quorum was to be determined by those voting set forth in 1840. Volume **IV**, section **4722**.

Illustrations of the former practices of obstructions by breaking a quorum and by dilatory motions. Volume **IV**, sections **2898–2903**.

Review of practice and proceedings in the Senate as to Senators present and not voting when quorum fails. Volume **IV**, sections **2910–2915**.

Discussion as to the size of a valid vote when a quorum is present (footnote). Volume **I**, section **216**.

It is not incumbent upon the Chair to announce the names of Members present and not voting but counted to make a quorum. Volume **VI**, section **642**.

Although a Member may not come within the rule permitting him to vote on roll call, the Speaker may count him as present to make a quorum. Volume **VII**, section **3157**.

(6) Ascertainment of.—In General.

Construction of the rule providing for counting a quorum. Volume **VI**, section **640**.

It is the duty of the Speaker to announce the absence of a quorum without unnecessary delay. Volume **VI**, section **652**.

Mr. Speaker Reed in 1890 revived the count by the Chair as a method of determining the presence of a quorum at times when no record vote is ordered. Volume **IV**, section **2909**.

Mr. Speaker Reed held in 1890 that it was the function of the Speaker to determine in such manner as he should deem accurate and suitable the presence of a quorum. Volume **IV**, section **2932**.

The Speaker's count of a quorum is not subject to verification by tellers. Volume **IV**, section **2916**. Volume **VI**, section **647**.

The Chairman's count of a quorum is not subject to verification by tellers. Volume **VIII**, sections **2369, 2436**.

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

In counting to ascertain the presence of a quorum the Chair counts all Members in sight, whether in the cloak rooms or within the bar. Volume **IV**, section **2970**.

In counting to ascertain the presence of a quorum or whether a sufficient number have voted to order yeas and nays, the Chair counts all Members visible, including those in lobbies and cloak rooms. Volume **VIII**, section **3120**.

QUORUM—Continued.**(6) Ascertainment of.—In General—Continued.**

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

In ascertaining the presence of a quorum in the Committee of the Whole the Chairman counts members in the Chamber failing to vote on an incidental motion to rise. Volume **VI**, section **671**.

Under a former rule the Chair, in counting the House, might not count Members without the bar (footnote). Volume **IV**, section **2977**.

Illustration of former method of ascertaining presence of a quorum. Volume **IV**, section **2733**.

In 1836 it seems to have been customary for the Chairman of the Committee of the Whole to count the committee to ascertain as to the presence of a quorum. Volume **II**, section **1653**.

It having been erroneously announced that a quorum had voted when the roll later disclosed the absence of a quorum on the vote, the Speaker declared subsequent proceedings in connection therewith vacated, and the Journal was amended accordingly. Volume **VIII**, section **3161**.

While the practice in the Senate has varied, the weight of precedent seems to warrant the counting of those present and not voting in ascertaining the presence of a quorum. Volume **VI**, section **645**.

(7) Ascertainment of.—Making the Point of “No Quorum.”

The point of order must be that no quorum is present, not that no quorum has voted. Volume **IV**, section **2917**.

It is not the duty of the Speaker to take cognizance of the absence of a quorum unless disclosed by a yea-and-nay vote or questioned by a point of order. Volume **VI**, section **624**.

A quorum is always presumed to be present unless otherwise disclosed. Volume **VI**, section **624**.

A quorum is presumed to be present unless it is otherwise determined and it is not necessarily the function of the Speaker to ascertain the presence of a quorum unless the point is raised. Volume **VI**, section **565**.

If a quorum be present and subsequently Members leave temporarily or otherwise a quorum is presumed to be present until and unless the question of no quorum is raised. Volume **VI**, section **345**.

A point of no quorum may be made at any time, even though another Member have the floor. Volume **VI**, section **653**.

A Member who has risen and was demanding recognition is not precluded from making the point of no quorum by the fact that the Speaker had in the meantime declared the result and recognized him for a parliamentary inquiry. Volume **VI**, section **698**.

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 point of no quorum is always in order and may be made when the Committee of the Whole rises and before the report of the Chairman has been received. Volume **VI**, section **666**.

The point of no quorum may not be withdrawn after the absence of a quorum has been ascertained and announced by the Chair. Volume **IV**, sections **2928–2931**. Volume **VI**, section **657**.

The point of no quorum may be withdrawn prior to ascertainment and announcement by the Chair. Volume **VI**, section **656**.

While the precedents are not uniform, the practice of the Senate is to permit the withdrawal of suggestions that a quorum is not present prior to ascertainment and announcement by the Chair. Volume **VI**, section **644**.

The Journal having been read and approved, it is too late to make the point of order that a quorum was not present when it was done. Volume **IV**, section **2927**.

QUORUM—Continued.**(7) Ascertainment of.—Making the Point of “No Quorum”**—Continued.

An action having been completed, it is too late to make the point of order that a quorum was not present when it was taken. Volume **VI**, section **655**.

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

(8) Point of No Quorum May Be Held Dilatory.

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 **V**, sections **5724, 2725**. Volume **VIII**, section **2808**.

The Chair will not hold a point or no quorum dilatory unless repeated when apparent beyond question that a quorum is present. Volume **V**, sections **5726–5730**. Volume **VIII**, section **2801**.

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**.

In the absence of intervening business, the Speaker declined to entertain a point of no quorum made immediately following a yeas-and-nays vote on which a quorum voted. Volume **VIII**, section **2810**.

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 question of dilatoriness is not necessarily determined by the length of time which has elapsed since the ascertainment of the presence of a quorum, or the character of business intervening, but by the opinion of the Speaker as to whether under the circumstances the motion is made with intent to delay the business of the House. Volume **VIII**, section **2804**.

The 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 the Speaker to be an intervention of business warranting the raising of a second point of no quorum. Volume **VIII**, section **2805**.

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**.

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**.

(9) Requirement of.—For Business, Including Debate.

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

When a count of the House on division discloses a lack of a quorum the pending business is suspended. Volume **IV**, section **2933**.

The failure of a quorum necessitates the suspension of even the most highly privileged business. Volume **IV**, section **2934**.

No business, however highly privileged, may be transacted in the absence of a quorum. Volume **VI**, section **662**.

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

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

In the absence of a quorum no business may be transacted, even by unanimous consent. Volume **VI**, section **660**.

QUORUM—Continued.**(9) Requirement of.—For Business, Including Debate—Continued.**

The Speaker declines to entertain unanimous consent requests in the absence of a quorum. Volume **VI**, sections **680, 686, 689**.

The absence of a quorum having been disclosed, there must be a quorum of record before the House may proceed to business. Volume **VI**, sections **2952, 2953**.

Ascertainment of the absence of a quorum invalidates proceeding on which the point of no quorum was raised. Volume **VI**, section **675**.

Where a quorum fails on a division the matter continues in the exact state it was before the division. Volume **V**, section **5926**.

It is necessary that a quorum be present in order for business to be transacted, but when the quorum is present a vote is valid, although those participating are less than a quorum. Volume **IV**, section **2932**.

The previous question having been ordered on a bill by unanimous consent in the absence of a quorum, the Speaker on the next day ruled that the action was null and void. Volume **IV**, section **2964**.

The absence of a quorum should appear from the Journal if a legislative act is to be vacated for such reason. Volume **IV**, section **2962**.

The assumption that a quorum was present when the House acted being uncontradicted by the Journal, it may not be overthrown by expressions of opinion by Members individually. Volume **IV**, section **2961**.

An instance where the failure of a quorum prevented action in the closing hours of a Congress. Volume **V**, section **6309**.

Prayer by the Chaplain at the opening of the daily session is not business requiring the presence of a quorum, and the Speaker declines to entertain a point of no quorum before prayer is offered. Volume **VI**, section **663**.

Debate on a pending proposition is closed when the question is put on both the affirmative and negative, and the voidance of this vote through lack of a quorum does not open the question to debate when again under consideration. Volume **VIII**, section **3097**.

Following a motion to resolve into Committee of the Whole and pending a request for unanimous consent to fix control of time for debate, a point of no quorum may be raised and business is in order until the presence of a quorum is ascertained. Volume **VI**, section **665**.

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

(10) Requirement of.—As Related to the Reading of the Journal.

The Journal may neither be read nor approved until a quorum has appeared. Volume **IV**, section **2732**.

The point of no quorum may be made while the Journal is being read. Volume **VI**, section **624**.

The Journal may not be approved until a quorum has appeared. Volume **VI**, section **629**.

If a question as to a quorum is raised before the reading of the Journal, a quorum should be ascertained to be present before the reading should begin. Volume **IV**, section **2733**. Volume **VI**, section **625**.

(11) Requirement of.—As Related to the Reception of Messages.

An opinion that a message may be received during a call of the House. Volume **V**, section **6600**.

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

The reception of a message when the Committee of the Whole rises informally for that purpose is not such business as to admit the point of order that a quorum of the House is not present. Volume **VIII**, section **3340**.

Instance wherein the Senate received a message, although a quorum was not present. Volume **V**, section **6650**.

QUORUM—Continued.**(11) Requirement of.—As Related to the Reception of Messages—Continued.**

A veto message of the President may not be read in the absence of a quorum, even though the House be about to adjourn sine die. Volume **IV**, section **3522**.

While it is the rule that a bill returned with the objections of the President shall be read and considered at once, it may not be laid before the House in the absence of a quorum. Volume **VII**, section **1094**.

A vetoed bill not acted on before adjournment sine die because of the failure of a quorum was acted on at the next session of the same Congress. Volume **IV**, section **3522**.

(12) Requirement of.—As Related to Certain Motions.

A quorum not being present, no motion is in order but for a call of the House or to adjourn. Volume **IV**, section **2950**. Volume **VI**, section **680**.

The absence of a quorum having been disclosed, the only proceedings in order are the motions to adjourn or for a call of the House, and not even by unanimous consent may business proceed. Volume **IV**, section **2951**.

The absence of a quorum being disclosed, a motion to fix the day to which the House shall adjourn may not be entertained. Volume **IV**, section **2954**.

In the absence of a quorum it is not in order to move to reconsider a vote on which a quorum is required. Volume **V**, section **5606**.

Following a motion to resolve into Committee of the Whole and pending a request for unanimous consent to fix control of time for debate, a point of no quorum may be raised and no business is in order until the presence of a quorum is ascertained. Volume **VI**, section **665**.

With the exception of the motion to adjourn, no motion is in order in the absence of a quorum except in furtherance of the effort to secure a quorum, and since a motion to withhold pay of absentees would not contribute to this result, such motion can not be entertained. Volume **VI**, section **682**.

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**.

A quorum is not required on motions incidental to a call of the House. Volume **IV**, section **3029**. Volume **VI**, section **681**.

(13) Requirement of.—In Relation to Motions and Orders for a Recess.

When less than a quorum is present a motion for a recess is not in order. Volume **IV**, sections **2955–2957**.

Less than a quorum may not determine to take a recess, even by unanimous consent. Volume **IV**, sections **2958–2960**.

A conference report may be presented during a call of the House if a quorum be present. Volume **V**, section **6456**.

The hour fixed by the rules or special order for a recess having arrived, the Speaker declares the House in recess, although less than a quorum may be present. Volume **IV**, section **2965**. Volume **VI**, section **664**.

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**.

The House having recessed after finding itself without a quorum, at the expiration of the recess the Speaker announced the absence of a quorum and entertained a motion for a call of the House. Volume **VI**, section **664**.

(14) Requirement of.—In Relation to Adjournment.

A motion to adjourn is in order when a quorum fails, notwithstanding any terms of an existing special order of the House. Volume **V**, section **5365**.

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**.

In the absence of a quorum the motion to adjourn has precedence over the motion for a call of the House. Volume **VIII**, section **2642**.

QUORUM—Continued.**(14) Requirement of.—In Relation to Adjournment—Continued.**

While a quorum is not required to adjourn, a point of no quorum on a negative vote on adjournment, if sustained, precipitates a call of the House under the rule. Volume **VI**, section **700**.

The hour fixed for adjournment sine die having arrived, the Speaker delivered his valedictory and declared the House adjourned, although no quorum was present. Volume **V**, section **6721**.

The two Houses may by concurrent resolution provide for an adjournment to a certain day, with a provision that if there be no quorum present on that day the session shall terminate. Volume **V**, section **6686**.

The two Houses have the power to provide that their Presiding Officers shall declare an adjournment sine die in case that after a recess a quorum shall be lacking in either House. Volume **V**, section **6686**.

(15) Requirement of.—In Relation to Motions to Suspend the Rules.

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**.

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**.

(16) Requirement of.—In Relation to the Vote by Tellers.

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

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

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

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**.

Where a quorum fails on a vote by tellers on seconding a motion to suspend the rules and a count by the Speaker discloses the presence of a quorum, the second is ordered. Volume **VIII**, section **3412**.

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

The 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**.

(17) Requirement of.—In Relation to the Yeas and Nays.

When a vote by yeas and nays shows no quorum the House must take cognizance of the fact. Volume **IV**, section **2988**.

When a vote taken by yeas and nays shows that no quorum has voted it is the duty of the Chair to take notice of that fact. Volume **IV**, sections **2953, 2963**.

The rule whereby a quorum is obtained and the vote taken on the pending proposition by one roll call. Volume **VI**, section **690**.

Interpretation and discussion of the rule providing for an automatic call of the House on the failure of a quorum to vote. Volume **VI**, section **703**.

QUORUM—Continued.**(17) Requirement of.—In Relation to the Yeas and Nays—Continued.**

When a vote by yeas and nays shows no quorum the Chair takes cognizance of the fact, and, unless the House adjourns, orders a call under the rule without suggestion from the floor. Volume **VI**, sections **678, 679, 691**.

The Speaker may, without suggestion from the floor, take note of the failure of a quorum to vote on the pending question, and on his own initiative direct a call of the House under the rule. Volume **VI**, section **699**.

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 revoked. Volume **VI**, section **692**.

A quorum has not failed to vote until both the yeas and nays have been taken, and a call of the House is not ordered until this stage is reached. Volume **VI**, section **694**.

In order to invoke the rule for an automatic call of the House, the absence of a quorum must be demonstrated. Volume **VI**, section **695**.

Lack of a quorum developing while a demand for the yeas and nays was pending, the demand for yeas and nays is disregarded and the vote is taken under the rule. Volume **VI**, section **696**.

A roll call recurs under the rule on failure of a quorum on a viva voce vote. Volume **VI**, section **697**.

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 incidental to lack of a quorum. Volume **VI**, section **703**.

If a quorum fails to vote on the pending question and objection is made, an automatic roll call is still required after a motion to adjourn has been offered and rejected by a quorum vote. Volume **VI**, section **701**.

In the earlier practice of the House it was held that less than a quorum might not order the yeas and nays, but for many years the decisions have been uniformly the other way. Volume **V**, section **6016–6028**.

A quorum is not necessary on a motion to reconsider the vote whereby the yeas and nays were ordered. Volume **V**, section **5693**.

When a yea-and-nay vote on a bill fails for lack of a quorum the order for the yeas and nays remains effective whenever the bill again comes before the House. Volume **V**, sections **6014, 6015**.

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**.

The right to demand the yeas and nays is not waived by the fact that the Member demanding them has just made the point of no quorum and caused the Chair to count the House. Volume **V**, section **6044**.

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

After the roll call is completed the Speaker is forbidden to entertain a request to record a vote, unless in a case wherein a Member's presence has been noted in ascertaining a quorum. Volume **V**, section **6046**.

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**.

(18) Requirement of.—In Committee of the Whole.

No quorum being present when a vote is taken in Committee of the Whole, that vote is not made valid by the fact that the roll call prescribed by rule when a quorum fails in committee discloses a quorum present. Volume **IV**, section **2974**.

QUORUM—Continued.**(18) Requirement of.—In Committee of the Whole—Continued.**

The presence of a quorum is not necessary for a motion that the Committee of the Whole rise. Volume **IV**, sections **2975, 2976**.

A quorum is not required on a motion that the Committee of the Whole rise. Volume **IV**, section **4914**.

A Committee of the Whole rising without a quorum may not report the bills it has acted on. Volume **IV**, sections **2972, 2973**.

The Committee of the Whole having risen because a quorum had failed, the bills that had been laid aside to be reported remained in the committee until the next occasion when the committee rose without question as to a quorum. Volume **IV**, section **4913**.

The passage of a bill by the House is not invalidated by the fact that the Committee of the Whole reported it on an erroneous supposition that a record vote had disclosed a quorum. Volume **IV**, section **2972**.

The Committee of the Whole having voted to rise after a point of no quorum had been made, but before the Chair had ascertained, the bills which the committee had acted on were reported to the House. Volume **IV**, section **2974**.

The fact that the vote whereby the Committee of the Whole rose did not show a quorum was held not sufficient to prevent the reception of the report of the committee by the House. Volume **IV**, section **4914**.

A Committee of the Whole rising for lack of a quorum has reported bills acted on before the quorum failed (footnote). Volume **IV**, section **4913**.

(19) Procedure in Procuring.—Provisions of Constitution and Rule for.

A smaller number than a quorum may adjourn from day to day and compel the attendance of absent Members. Volume **IV**, section **2980**.

It is always in order, the failure of a quorum being shown, to proceed to secure the attendance of absent Members. Volume **IV**, section **2988**.

The constitutional power of the House to compel the attendance of absent Members is not confined to cases wherein there is a lack of a quorum. Volume **IV**, sections **2985–2987**.

In the absence of a quorum 15 Members, including the Speaker, if there be one, are authorized to compel the attendance of absent Members. Volume **IV**, section **2982**.

Under the rule of the House a call of the House may not be ordered by less than 15 Members. Volume **IV**, section **2983**.

The call of the House must be ordered by a majority vote, and may not be ordered by a minority of 15 or more. Volume **IV**, section **2984**.

Reference to proceedings in the Senate to compel attendance of absentees (footnote). Volume **IV**, section **2980**.

A call of the House is in order both under the general parliamentary law and the Constitution. Volume **IV**, section **2981**.

There may be a call of the House with a Speaker pro tempore in the chair. Volume **IV**, section **2989**.

(20) Procedure in Procuring.—The Old and New Rules for Call of the House.

The old rule providing for a call of the House. Volume **IV**, section **2982**.

The rule whereby a quorum is obtained and the vote taken on the pending proposition by one roll call. Volume **IV**, section **3041**.

The new rule for a call of the House applies only to cases where a quorum is required on the vote, and hence not to motions to adjourn. Volume **IV**, section **3042**.

A call of the House ordered when no question is pending is taken in the old form. Volume **IV**, section **2990**.

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

A motion to adjourn may be made before the call of the roll under section 4 of Rule XV. Volume **IV**, section **3050**.

QUORUM—Continued.**(21) Procedure in Procuring.—Motions in Order During.**

The lack of a quorum being disclosed, two motions only are in order—for a call of the House or to adjourn. Volume **IV**, section **2988**.

A call of the House is not in order after the previous question is ordered unless it appears on an actual count by the Speaker that a quorum is not present. Volume **V**, section **5447**.

A quorum is not required on motions incidental to a call of the House. Volume **IV**, section **2994**. Less than a quorum may order the previous question on a motion incident to a call of the House. Volume **V**, section **5458**.

The yeas and nays may be ordered during a call of the House. Volume **IV**, section **3010**.

Under the old rule for a call of the House a motion to adjourn is in order in the midst of a call of the roll for excuses. Volume **IV**, section **2998**.

A motion for a recess is not in order during a call of the House. Volume **IV**, section **2995, 2996**. A quorum not being present, a resolution directing the enforcement of the statute relating to deductions from the pay of Members is not in order as a measure to compel the attendance of absentees. Volume **IV**, section **3011**.

Less than a quorum engaged in a call of the House to compel attendance of absentees may not order the record of any of the procedure to be omitted from the Journal. Volume **IV**, section **3009**.

During a call of the House a resolution construing the rule relating to the call or making a new rule is not in order. Volume **IV**, section **3008**.

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

During proceedings to secure a quorum the Chair ruled out of order a motion to reconsider the vote whereby an appeal had been laid on the table. Volume **IV**, sections **3037, 5068**.

An appeal from a decision of the Chair is in order during a call of the House. Volume **IV**, section **3010**.

An appeal from a decision of the Chair may be entertained during proceedings to secure the attendance of a quorum. Volume **IV**, section **3037**.

During a call of the House, when a quorum is not present, a question of privilege may not be present unless it be something connected immediately with the proceedings. Volume **III**, section **2545**.

(22) Procedure in Procuring.—The Call of the Roll.

Under the new rule for a call of the House the roll is called over twice and those appearing after their names are called may vote. Volume **IV**, section **3052**.

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**.

During proceedings under a call of the House the roll call may be repeated on order of those present. Volume **IV**, section **2991**.

As to the propriety of calling the roll a second time during a call of the House to ascertain who have absented themselves since the first call. Volume **IV**, section **3012**.

There is no rule or practice requiring a recapitulation of the names of those who appear on a call of the House after their names have been called. Volume **IV**, section **2993**.

(23) Procedure in Procuring.—Revoking Leaves of Absence.

A resolution revoking leaves of absence, being a proceeding to compel the attendance of absent Members, does not require a quorum for its adoption. Volume **IV**, sections **3003, 3004**.

A resolution revoking leaves of absence and directing the Sergeant-at-Arms to telegraph for absent Members is in order pending a call of the House, although a quorum may have been disclosed. Volume **IV**, section **3005**.

QUORUM—Continued.**(23) Procedure in Procuring.—Revoking Leaves of Absence—Continued.**

A resolution revoking leaves of absence, directing absentees to attend, and dispensing with proceedings under an existing call was held to have precedence of a simple motion to dispense with the call. Volume **IV**, section **3006**.

(24) Procedure in Procuring.—Excuses.

After the roll has been called for excuses and the House has ordered the arrest of those who are unexcused a motion to excuse an absentee is in order when he is brought to the bar. Volume **IV**, section **3012**.

During a call of the House less than a quorum may excuse a Member from attendance. Volume **IV**, sections **3000**, **3001**.

Under the old rule for a call of the House motions to excuse Members are in order while the roll is being called for excuses. Volume **IV**, section **2997**.

On a motion for a call of the House a motion to excuse a Member from voting was held not in order, although the rule at that time permitted the motion generally. Volume **IV**, section **3007**.

While less than a quorum may excuse a Member from attendance at the time, they may not grant a leave of absence. Volume **IV**, section **3002**.

A Member under arrest for absence may not when called on for an excuse question the authority of the House. Volume **IV**, section **3023**.

While the names of absentees are being called for excuses on a call of the House neither a motion to excuse nor an incidental appeal is debatable. Volume **IV**, section **2999**.

After the roll has been called under the new rule for a call of the House, and while the proceedings to obtain a quorum are going on, motions to excuse Members are in order. Volume **IV**, section **3051**.

(25) Procedure in Procuring.—Arrest of Members Under the New Rule.

The process of arresting absent Members under the new rule for a call of the House. Volume **IV**, section **3041**. Volume **VI**, section **690**.

The lack of a quorum being disclosed, in the absence of any motion the Speaker will issue warrants to bring in absent Members. Volume **VI**, section **680**.

Under the rule of a call of the House, the Speaker issues warrants for arrest of absentees without further authorization from the House. Volume **VI**, section **702**.

A motion directing the Speaker to issue warrant for arrest of absentees may be entertained during proceedings to secure the attendance of a quorum. Volume **VI**, section **681**.

The House having agreed to a motion directing the issuance of a warrant for arrest of absentees during proceedings to secure a quorum, the Speaker disregarded the direction and declined to sign the warrant. Volume **VI**, section **681**.

Under a call of the House warrants for the arrest of Members may be issued by the Speaker pro tempore. Volume **VI**, section **688**.

A proposition to arrest Members absent without leave is in order during proceedings to secure a quorum. Volume **VI**, section **685**.

On a call of the House under the new rule the Sergeant-at-Arms is required to detain those Members who are present and bring in absentees. Volume **IV**, sections **3045–3048**.

Under the new rule for a call of the House a resolution of the House is not required to empower the Sergeant-at-Arms to bring in absentees. Volume **IV**, section **3049**.

Form of warrant issued under the new rule for a call of the House (footnote). Volume **IV**, section **3041**.

Form of resolution for directing the Sergeant at Arms to arrest absent Members. Volume **VI**, section **684**.

Form of resolution for the arrest of Members absent without leave. Volume **VI**, section **686**.

Proceedings of arrest of Members and arraignment at the bar under section 4 of Rule **XV** for securing attendance of a quorum. Volume **IV**, section **3044**.

Instance wherein the House authorized the Speaker to issue warrant for the arrest of absentees. Volume **VI**, section **638**.

QUORUM—Continued.**(25) Procedure in Procuring.—Arrest of Members Under the New Rule—Continued.**

Instance wherein the House ordered the arrest of absentees during proceedings to secure a quorum. Volume **VI**, section **686**.

A motion to require the Sergeant at Arms to report at the bar of the House on progress in securing a quorum is in order during a call of the House. Volume **VI**, section **687**.

An alleged attempt to 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**.

(26) Procedure in Procuring.—Arrest of Members Under the Old Rule.

Under the old rule for a call of the House an order for arrest of absent Members may be made after a single calling of the roll. Volume **IV**, sections **3015, 3016**.

On a call of the House the Sergeant-at-Arms is required to execute an order of arrest wherever the Members referred to may be found. Volume **IV**, section **3017**.

A proposition to arrest Members who absent themselves after answering on a call of the House is in order during continuance of the call. Volume **IV**, section **3018**.

A Member who appears and answers during a call of the House is not subject to arrest for absence. Volume **IV**, section **3019**.

Leave for a committee to sit during sessions of the House does not release its members from liability to arrest during a call of the House. Volume **IV**, section **3020**.

For permitting a Member under arrest to escape the Doorkeeper was arraigned at the bar of the House. Volume **I**, section **291**.

A Member complaining that he had been wrongfully arrested during a call of the House, the House ordered the Sergeant-at-Arms to investigate and amend the return of his writ. Volume **IV**, section **3021**.

A Member having escaped from arrest during a call of the House it was held that he might not be brought back on the same warrant. Volume **IV**, section **3022**.

Discussion of the authority of the Speaker to issue a warrant for the arrest of absent Members during a call of the House. Volume **IV**, section **3043**.

Form of resolution for directing the Sergeant-at-Arms to arrest absent Members (footnote). Volume **IV**, section **3018**.

Form of warrant for the arrest of absent Members under the old rule for a call of the House (footnote). Volume **IV**, section **2982**.

(27) Procedure in Procuring.—Continuing Orders of Arrest.

During a call, but after the appearance of a quorum, penalties were once imposed which contemplated the future appearance of absent Members at the bar. Volume **IV**, section **3024**.

A quorum appearing on a call, the House sometimes orders absent Members to be arraigned on the succeeding day. Volume **IV**, sections **3030, 3031**.

Less than a quorum may not order the arraignment of absent Members at a future meeting of the House. Volume **IV**, sections **3032–3035**.

Under proceedings of a call of the House, and sometimes by less than a quorum, the House has made an order to arrest which continued beyond that day's session. Volume **IV**, sections **3025–3029**.

A question as to the constitutionality and propriety of a continuing order of arrest was held not to supersede a motion to discharge the Sergeant-at-Arms from further execution of the order. Volume **III**, section **2617**.

Instance wherein the Sergeant-at-Arms reported at the bar of the House his proceedings under a continuing order of arrest. Volume **IV**, section **3017**.

(28) Procedure in Procuring.—Fines and Deductions.

Those present on a call of the House may prescribe a fine as the condition on which an arrested Member may be discharged. Volume **IV**, sections **3013, 3014**.

QUORUM—Continued.**(28) Procedure in Procuring.—Fines and Deductions—Continued.**

Instance wherein Members in custody on a call of the House were discharged on payment of fees. Volume **IV**, section **3025**.

The House once established a fine for absence (footnote). Volume **IV**, section **3011**.

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

(29) Procedure in Procuring.—Dispensing with Call.

A quorum is not required on a motion to dispense with further proceedings under a call of the House. Volume **IV**, section **3038**.

The motion to dispense with proceedings under a call is in order, although Members under arrest may not have had opportunity to make excuses. Volume **IV**, section **3039**.

A call of the house ordered under the old rule may be dispensed with on the appearance of a quorum, although actual proceedings may not have begun. Volume **IV**, section **3040**.

A motion to dispense with proceedings under a call of the House is not in order pending a motion that the Sergeant-at-Arms take into custody absent Members. Volume **IV**, section **3029**.

A motion to dispense with proceedings under the call having been once entertained was ruled not to be in order again pending a motion for the arrest of absent Members. Volume **IV**, section **3037**.

A motion directing the Speaker to issue his warrant for the arrest of absent Members being pending, a motion to dispense with further proceedings under the call was ruled out. Volume **IV**, section **3036**.

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**.

(30) Procedure in Procuring.—In Committee of the Whole.

When a quorum fails in Committee of the Whole the roll is called and the Committee rises and reports. Volume **IV**, section **2966**.

When the Committee of the Whole finds itself without a quorum, the motion to rise is privileged. Volume **VI**, section **671**.

On the failure of a quorum in Committee of the Whole the roll is called but once. Volume **IV**, section **2967**.

While formerly the roll was called but once on failure of a quorum in the Committee of the Whole, the recent practice is to call the roll twice, as in the House. Volume **VI**, section **668**.

Early practice of the House on the failure of a quorum in Committee of the Whole. Volume **IV**, sections **2977–2979**.

Instance wherein a Chairman, disregarding the vote of the Committee of the Whole, rose and reported the absence of a quorum (footnote). Volume **IV**, section **2977**.

The Chairman having announced the absence of a quorum in Committee of the Whole, a motion to rise is in order and if a quorum develops on the vote by which the motion is rejected the roll is not called and the Committee proceeds with its business. Volume **VIII**, section **2369**.

The Speaker can not review any matter in Committee of the Whole, not even the failure of a quorum, unless it be mentioned in the report to the House. Volume **IV**, section **4914**.

When a Committee of the Whole rises and reports the lack of a quorum, the sitting of the Committee is resumed upon the appearance of a quorum. Volume **IV**, section **2968**.

The Committee of the Whole, rising to report the lack of quorum, resumes its sitting upon the appearance of a quorum without intervening motion or debate. Volume **VI**, section **672**.

A quorum having voted on a motion to rise, made after the Committee of the Whole had found itself without a quorum and before the roll was called, the Committee resumed its session. Volume **VI**, section **670**.

QUORUM—Continued.**(30) Procedure in Procuring.—In Committee of the Whole—Continued.**

A quorum having voted on a motion to rise, following the announcement by the Chairman that a quorum was not present, the committee resumed consideration of interrupted business. Volume **VI**, section **671**.

When the Committee of the Whole, for supposed lack of a quorum, rises and reports a roll call a motion to adjourn may be admitted before the Speaker, on information of a quorum, directs the committee to resume its sitting. Volume **IV**, section **2969**.

The Committee of the Whole having risen and reported that finding itself without a quorum the roll was called under the rule and a quorum had appeared, the Speaker declined to entertain a motion to adjourn, and the committee resumed its sitting. Volume **VI**, section **673**.

While the Committee of the Whole, rising to report the lack of a quorum, resumes its sitting on the appearance of a quorum, the rule does not so provide if a quorum fails to appear, and in such event a quorum of the House is required. Volume **VI**, section **674**.

The Committee of the Whole having risen to report proceedings incident to securing a quorum the Speaker declined to entertain a motion to adjourn. Volume **VIII**, section **2436**.

When the roll which is called in Committee of the Whole when a quorum fails shows that a quorum responded, the Speaker directs the committee to resume its session, although less than a quorum may have appeared on an intervening motion to adjourn. Volume **IV**, section **2969**.

After the Chairman of the Committee of the Whole has reported to the House proceedings incident to securing a quorum of the committee, the Speaker declines to recognize for any purpose, including requests for unanimous consent, and the House automatically resolves again into the Committee of the Whole. Volume **VIII**, section **2379**.

When the Committee of the Whole rises to report a quorum call no other business is in order, and immediately upon the report of the Chairman the House resolves automatically into the committee for the further consideration of the proposition originally committed to it. Volume **VIII**, section **2377**.

Where the report of absentees by the Committee of the Whole, after a call of the roll, discloses a quorum of the committee but not of the House, the Speaker, nevertheless directs the committee to resume its sitting. Volume **IV**, section **2970**.

A Committee of the Whole finding itself without a quorum, and the roll having been called, rose and made a report showing a quorum of the Committee but not of the House, whereupon the Speaker directed that the committee resume its sitting. Volume **IV**, section **2971**.

No quorum being present when a vote is taken in the Committee of the Whole, and the committee having risen before a quorum appeared, such vote is invalid, and the question on which it was taken is pending when the committee again resumes its session. Volume **VI**, section **676**.

(31) As Related to Organization.—Oath, Messages, etc.

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

A message from one House that a quorum has appeared is not delivered in the other until a quorum has appeared there also. Volume **I**, section **126**.

At the beginning of a second session of a Congress the House proceeded to business, although a quorum had not appeared in the Senate. Volume **I**, section **126**.

At the beginning of a second session of Congress unsworn Members-elect were taken into account as ascertaining the presence of a quorum, but in the absence of the Speaker they were not sworn until the next day. Volume **I**, section **175**.

Members have been sworn in when a roll call had just disclosed the absence of a quorum. Volume **I**, section **174**.

Instance wherein the oath was administered in the absence of a quorum. Volume **VI**, section **21**.

QUORUM—Continued.**(31) As Related to Organization.—Oath, Messages, etc.—Continued.**

Administration of the oath before the reading of the Journal and while a point of no quorum was pending. Volume **VI**, section **21**.

It has been held in order to administer the oath to a Member during a roll call, in the absence of a quorum, or on Calendar Wednesday. Volume **VI**, section **22**.

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

The House being organized, but a quorum having failed, the Speaker declined to administer the oath to a contestant who had been declared elected. Volume **II**, section **875**.

(32) As Related to Organization.—For Election of Officers.

In 1879 it was held that a Speaker might be elected by a majority of those present, a quorum voting, a majority of all the Members not being required. Volume **I**, section **216**.

(33) In Relation to the Electoral Count.

In the joint meeting for the electoral count of 1877 a Member of the House raised a question as to the presence of a quorum of the Senate, but it was disregarded by the President pro tempore. Volume **III**, section **1956**.

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

(34) In the Senate Sitting for an Impeachment Trial.

Instance of a call for a quorum in the Senate sitting for an impeachment trial. Volume **III**, sections **2105–2107**.

The Presiding Officer of the Senate sitting in an impeachment trial directed the counting of the Senate to ascertain the presence of a quorum. Volume **III**, section **2107**.

No question was made on an occasion during the Swayne trial when less than a quorum of the managers were in attendance. Volume **III**, sections **2035, 2036**.

(35) In Relation to Procedure of Committees.

A majority of a committee is the quorum. Volume **IV**, section **4540**.

A majority of a committee constitutes a quorum for business. Volume **IV**, section **4552**.

Discussion of distinction as to requirement of quorum in House and committee procedure. Volume **VIII**, section **2222**.

Where a committee has a fixed date of meeting, a quorum of the committee may convene on such date without call of the chairman and transact business regardless of his absence. Volume **VIII**, sections **2213, 2214**.

A committee having adjourned on a stated day of meeting for lack of a quorum, subsequent sessions on the same day, even when attended by a quorum, are not competent for the transaction of business. Volume **VIII**, section **2213**.

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**.

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

In a committee a majority vote, a quorum being present, is sufficient to authorize a report, even although later, by action of absentees, those signing minority views outnumber those who voted for the report. Volume **IV**, section **4585**.

No report is valid unless authorized with a quorum of the committee present. Volume **VIII**, section **2222**.

A report may be authorized by a committee only when a quorum is present and acting together at a duly authorized meeting. Volume **VIII**, section **2221**.

Committee reports are admissible only when authorized by a majority vote taken at a formal meeting of the committee with a quorum present. Volume **VIII**, section **2249**.

QUORUM—Continued.**(35) In Relation to Procedure of Committees.**—Continued.

Action of a committee is recognized by the House only when taken with a quorum actually assembled and meeting as a committee. Volume **VIII**, section **2211**.

Action taken by a committee in the absence of a quorum was held to be invalid when reported in the House. Volume **VIII**, section **2212**.

While the presence of a quorum at the session of the committee at which authorized is essential to the validity of a report, it is too late to raise that question after consideration has begun in the House. Volume **VIII**, section **2223**.

The House sometimes authorizes less than a quorum of a committee (a quorum being a majority) to act. Volume **IV**, sections **4553**, **4554**.

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

A quorum of a joint committee seems to have been considered to be a majority of the whole number rather than a majority of the membership from each House. Volume **IV**, section **4424**.

In the early days the House insisted on the larger portion of the membership of a joint committee and that the quorum and votes should be on a per capita basis. Volume **IV**, section **4431**.

The joint committee on the conduct of the war ordered that less than a quorum should be sufficient to take testimony. Volume **IV**, section **4424**.

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

The recording of members of a committee as present on their telephonic request does not constitute attendance and physical presence is necessary to make a quorum for the transaction of business. Volume **VI**, section **345**.

In order to support a charge of perjury it must be shown that a quorum of the committee of investigation was present at the time the offense was committed. Volume **VI**, section **345**.

Recognition of voting proxies by standing committees is a matter to be respectively determined by each committee for itself, but proxies may not be counted to make a quorum. Volume **VIII**, section **2219**.

(36) Of a Legislature for Election of a Senator.

For the election of a United States Senator the joint meeting of the legislature is a distinct and separate body with a quorum of its own. Volume **II**, section **1060**.

A quorum being actually present in a joint meeting of a legislature for election of a Senator, it is not necessary that a quorum actually vote. Volume **II**, section **955**.

In a State whereof the Constitution required two-thirds for a quorum of each house of the legislature, a Senator was elected by a majority merely of the total membership of the two houses. Volume **I**, section **545**.

A legislative body recognized by the State executive and having an elected but not certified quorum was once preferred to a rival body having a certified but not elected quorum. Volume **I**, section **343**.

A Senate discussion favoring recognition of a legislative body having a legally certified but not legally elected quorum, in preference to one having an elected but not certified quorum. Volume **I**, section **358**.

A quorum of each house being present at joint meeting of legislature for election of Senator, a majority of those in attendance elects, and a majority of all members of the legislature is not required. Volume **VI**, section **104**.