

## Chapter CCXLVI. <sup>1</sup>

### READING OF PAPERS.

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1. Provisions of parliamentary law. Sections 2596-2598.
  2. General decisions. Sections 2599-2601.
  3. Instances of objections to reading. Sections 2602-2605.
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**2596. A Member may object to the reading of a paper on which the House is not required to vote at any time after reading has begun, and demand that the question of its reading be referred to the House for decision.**

**An instance in which the Committee of the Whole declined to permit the reading of a letter written by one not a member of the House charging a Member with having made "false statements."**

On February 12, 1909,<sup>2</sup> the Committee of the Whole House on the state of the Union was engaged in general debate on the Indian appropriation bill.

Mr. George D. McCreary, of Pennsylvania, being recognized for debate sent to the desk a letter to be read in his time.

The Clerk read as follows:

NEW YORK, *February 3, 1909.*

GEORGE D. MCCREARY.

DEAR SIR: On the 26th of January, in a speech in the House on the Panama Canal, Mr. Rainey of Illinois referred at length to a proposal for the construction of a railroad and a proposal for the purchase of timber, which were under consideration by the Government of the Republic of Panama, and in that speech he referred to me by name as being one of those who are interested in what he calls "an infamous, outrageous scheme to despoil that country," and calls me and others "financial buccaneers."

At the time this speech was made I was out of the country on business and beyond reach of the telegraph. I have just returned and read the speech of Mr. Rainey, made on the 26th of January, as well as his speech made on the 29th day of January, as printed in the Congressional Record.

Mr. Rainey said what he did, in respect to myself and other gentlemen, under the protection of his official position as a Member of Congress. As I am not able to refute his false statements in the public manner in which he has made them—

Here, Mr. Charles F. Booher, of Missouri, interrupted and raised a question of order against the further reading of the letter.

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<sup>1</sup> Supplementary to Chapter CXVI.

<sup>2</sup> Second session Sixtieth Congress, Record, p. 2294.

The Chairman<sup>1</sup> said:

The language to which the gentleman objected, as the Chair understands, in this sentence:

“As I am not able to refute these false statements in the public manner in which he has made them.”

The Chair understands that it is not unparliamentary to refer to a Member's statements as false, if that does not mean to charge that the Member knew them to be false, that they were intentionally false. The Chair was at first inclined to think that it referred simply to the statement as a matter of fact, and not to the knowledge that the Member had. It would not be parliamentary to state that a Member of the House knowingly made a false statement. The Chair thinks it is within the bounds to say that a statement itself is false, if it does carry with it the suggestion that the Member knew it to be false.

The Chair is inclined to think, on further consideration and examination of all the precedents, the point is such a close one, that if he errs at all he will err on the side of upholding the dignity of the House, and will rule in this case that the words “false statements” are unparliamentary under the circumstances, and will direct that they be omitted. The further fact that this language is in a letter written by a person outside the House, calling in question the words of a Member spoken in debate inclines the Chair to the full measure of strictness in dealing with the language.

Mr. John J. Fitzgerald of New York, objected to further reading of the paper. The Chairman thereupon submitted this question to the committee:

Shall the letter offered by the gentleman from Pennsylvania be read?

The question being decided in the negative, the Chairman announced:

The noes have it, and the committee refuses to permit the letter to be read.

**2597. If objection is made a Member may not read excerpts from the Congressional Record save by leave of the House.**

**A Member proposing to read in his own time a paper on which a vote was not to be taken, objection was made, and the Speaker submitted the question to the House.**

On February 16, 1918,<sup>2</sup> Mr. Scott Ferris, of Oklahoma, having the floor by unanimous consent to make a personal explanation, asked to have read at the desk a newspaper article which he had on a previous day inserted in the Record as an extension of his remarks.

Mr. Henry Allen Cooper, of Wisconsin, objected to the reading, and Mr. Ferris then proposed to read the article as a part of his speech.

Mr. Joseph Walsh, of Massachusetts, made the point of order that it was a violation of the rules of the House to read in his own time an article written by another, if objection was made.

The Speaker<sup>3</sup> sustained the point of order and put the question:

The question is to be decided by vote of the House without debate whether this paper be read or not. Shall it be read?

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<sup>1</sup> George P. Lawrence, of Massachusetts, Chairman.

<sup>2</sup> Second session Sixty-fifth Congress, Record, p. 2223.

<sup>3</sup> Champ Clark, of Missouri, Speaker.

**2598. If objection is made a Member must have leave of the House to read a paper in his place, even though it be his own written speech.**

**The anonymity of a letter proposed to be read by a Member in debate is not taken into consideration in determining its admissibility.**

**A motion to authorize the reading of a paper is not debatable.**

On September 16, 1919,<sup>1</sup> Mr. John I. Nolan, of California, addressing the house by consent, proposed to insert in the Record as a part of his remarks an anonymous communication which he had received through the mails.

Mr. Thomas L. Blanton, of Texas, objected to the reading of the letter.

The Speaker pro tempore<sup>2</sup> held:

The gentleman from California could not even read his own speech if any Member of the House objected to its being read.

It makes no difference what is in the document if objection is made by any Member.

The Chair will cite the rule:

“When the reading of a paper other than one upon which the House is called to give a final vote is demanded and the same is objected to by any Member it shall be determined without debate by a vote of the House.”

And there are cited a number of precedents:

“This principle applies even to the Member’s own written speech (V, 5258) or a report which he proposes to have read in his own time or to read in his place (V, 5293).

Mr. Nicholas Longworth, of Ohio, moved that the gentleman from California be permitted to read the letter.

Several Members rose asking recognition and the Speaker pro tempore said:

The gentleman from Ohio moves that the gentleman from California be permitted to read the document in question. This motion is not subject to debate.

The yeas and nays being ordered on the question, the yeas were 238, the nays 14, and Mr. Nolan began reading of the letter.

Mr. Blanton raised the question that it was not in order to read the letter because it was anonymous.

The Speaker<sup>3</sup> rules:

There is no point or order in that. The fact that the communication is anonymous does not keep it in order. The gentleman from California will proceed.

**2599. A Member may read as a matter of right a paper which has been held to constitute a question of privilege.**

On March 3, 1919,<sup>4</sup> Mr. Louis T. McFadden, of Pennsylvania, rose to a question of personal privilege and requested that the Clerk read a statement to the press reflecting upon him in his representative capacity, and upon which he based his question of privilege.

Mr. Otis Wingo, of Arkansas, objected to the reading of the statement and made the point of order that it could be read only by order of the House.

<sup>1</sup> First session Sixty-sixth Congress, Record p. 5520.

<sup>2</sup> Philip P. Campbell, of Kansas, Speaker pro tempore.

<sup>3</sup> Frederick H. Gillett, of Massachusetts, Speaker.

<sup>4</sup> Third session Sixty-fifth Congress, Record p. 4910.

Mr. James R. Mann, of Illinois, submitted:

Mr. Speaker, where a man rises to a question of personal privilege which is based on a written article, he has the right to read it.

The Speaker<sup>1</sup> said:

That is what the Chair thinks, and has so ruled two or three times.

**2600.** On October 3, 1917,<sup>2</sup> Mr. William E. Mason, of Illinois, rose to a question of privilege and asserted that he had been charged with treason in a speech delivered in the House by Mr. J. Thomas Heflin, of Alabama, and was recognized to speak to the question.

In the course of his remarks, Mr. Mason proceeded to read, as disproving charges brought against him, correspondence passing between himself and Mr. Heflin.

Mr. Edward B. Almon, of Alabama, raised a question of order against the reading of the letters.

The Speaker<sup>3</sup> overruled the point of order.

**2601. 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.**

On February 4, 1920,<sup>4</sup> Mr. Thomas L. Blanton, of Texas, was recognized to speak to a question of privilege based on a statement given to the press by Mr. Samuel Gompers, president of the American Federation of Labor, to the effect that "Blanton knows not the truth and would not tell it if he did."

In discussing the question of privilege, Mr. Blanton read the following letter:

OFFICE NEW YORK PRINTING PRESSMEN'S UNION, NO. 51,  
*New York, February 5, 1920.*

HON. THOMAS L. BLANTON,  
*Washington, D. C.*

MY DEAR SIR: Samuel Gompers is not the true representative of labor or the true ideals of labor. He is now in New York City playing the cheapest kind of peanut politics.

We can not get rid of him, as our method of elections is such that the rank and file of true Americans can not get a crack at him. His old cigar makers' union defeated him, and he was fourth in the race.

If the rank and file of labor could get a referendum vote, he would be removed. I want you to send me a copy of your last speech showing his want of Americanism. If you want some real data to "skin a skunk," I will send you same.

I have no personal grievance against him, but he disgraces honest labor, and with him and his type in the lead labor can never progress until it has a house cleaning. We who have a pride in our true Americanism look forward to a proper clean-up of our unions. I hope that I may hear from you soon.

Truly yours,

BERNARD NOLAN,  
*President Union No. 51.*

<sup>1</sup> Champ Clark, of Missouri, Speaker.

<sup>2</sup> First session Sixty-fifth Congress, Record p. 7713.

<sup>3</sup> Champ Clark, of Missouri, Speaker.

<sup>4</sup> Second session Sixty-sixth Congress, Record p. 2448.

The Speaker <sup>1</sup> interposed and said:

The Chair would admonish the gentleman that under the question of personal privilege he must confine himself, of course, strictly to the question of personal privilege. The gentleman must not include correspondence of that kind.

**2602. A Member in debate usually reads or has read by the Clerk such papers as he pleases, but his privilege is subject to the authority of the House if another Member objects.**

On February 20, 1919,<sup>2</sup> the bill (H. R. 16020) providing deficiency appropriation for the railroads was considered in the Committee of the Whole House on the state of the Union.

During general debate, Mr. Edward E. Denison, of Illinois, asked that the Clerk read in his time a press report taken from a recent issue of a Washington newspaper.

Mr. William W. Larsen, of Georgia, objected to the reading.

Mr. James R. Mann, of Illinois, argued that under the recent practice of the House objection might not be made to the reading of a paper by a Member in his own time.

The Chairman <sup>3</sup> said:

The objection is sustained. The present occupant of the Chair was of the opinion that the gentleman from Illinois had the right to read it in his own time, but the parliamentary clerk suggested that the rule was the other way, and he is more familiar with it than the Chair. It is very plain here in the rule as cited by the parliamentary clerk. Rule XXX is very clear on that.

The Chairman <sup>3</sup> said:

The objection is sustained. The present occupant of the Chair was of the opinion that the gentleman from Illinois had the right to read it in his own time, but the parliamentary clerk suggested that the rule was the other way, and he is more familiar with it than the Chair. It is very plain here in the rule as cited by the parliamentary clerk. Rule XXX is very clear on that.

Mr. Denison himself then proposed to read the article.

Mr. Larsen again objected, and Mr. Joseph Walsh, of Massachusetts, moved that the gentleman from Illinois be permitted to read the article in question.

The question being taken was decided in the affirmative, and Mr. Denison read the article in the course of his remarks.

**2603. Instance wherein the request of a Member to have read a paper not before the House for action encountered objection and was referred to the House.**

On January 20, 1920,<sup>4</sup> Mr. Edward J. King, of Illinois, asked unanimous consent to address the House for one minute.

There being no objection, Mr. King sent a telegram to the desk with the request that it be read by the Clerk.

Mr. Thomas L. Blanton, of Texas, objected to the reading of the telegram.

The Speaker <sup>5</sup> said:

It can be read by the Clerk only by unanimous consent. The gentleman objects. A Member can not read without consent of the House.

On motion of Mr. John I. Nolan, of California, the question was referred to the House which on a yeas and nays vote decided yeas 303, nays 2, that the telegram should be read.

<sup>1</sup> Frederick H. Gillett, of Massachusetts, Speaker.

<sup>2</sup> Third session Sixty-fifth Congress, Record, p. 3892.

<sup>3</sup> John N. Garner, of Texas, Chairman.

<sup>4</sup> Second session Sixty-sixth Congress, Record, p. 1782.

<sup>5</sup> Frederick H. Gillett, of Massachusetts, Speaker.

**2604. 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.**

On February 10, 1931,<sup>1</sup> during consideration of the naval appropriation bill in the Committee of the Whole House on the state of the Union, Mr. Thomas L. Blanton be permitted to read the resolution as a part of his remarks.

Mr. John Taber, of New York, made the point of order that the motion was not privileged.

The Chairman<sup>2</sup> ruled:

The gentleman from Massachusetts moves that the gentleman from Texas be permitted to read the matter which he has indicated.

The motion is privileged and in order.<sup>3</sup> The question is on the motion of the gentleman from Massachusetts.

**2605. The reading of papers other than the one on which the vote is taken are subject to the will of the House and any Member may object.**

**Rule XXX, providing for taking the sense of the House on the reading of a paper in debate, applies also to proceedings in the Committee of the Whole.**

**The rules of the House govern the Committee of the Whole in so far as applicable.**

**A motion that a Member having the floor be permitted to read a paper objected to in debate is privileged.**

On January 16, 1931,<sup>4</sup> The Committee of the Whole House on the state of the Union was considering the State, Justice, Commerce, and Labor Departments appropriation bill.

During debate, Mr. John J. Boylan, of New York, began the reading of resolutions adopted by the American Federation of Labor.

Mr. Charles L. Underhill, of Massachusetts, rose to a point of order and objected to the reading of the paper.

The Chairman<sup>5</sup> sustained the point of order and said:

In order that the gentleman may read the paper he must get either unanimous consent or an affirmative vote of the House.

There is a rule against reading a paper unless the Member gets consent to do so, Rule XXX, which reads as follows:

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<sup>1</sup> Third session Seventy-first Congress, Record, p. 4544.

<sup>2</sup> Frederick R. Lehlbach, of New Jersey, Chairman.

<sup>3</sup> Under Rule XXX.

<sup>4</sup> Third session Seventy-first Congress, Record, p. 2377.

<sup>5</sup> C. William Ramseyer, of Iowa, Chairman.

“When the reading of a paper other than one upon which the House is called to give a final vote is demanded, and the same is objected to by any Member, it shall be determined without debate by a vote of the House.”

Thereupon, Mr. Charles R. Crisp, of Georgia, offered a motion that the gentleman be permitted to proceed with the reading of the resolutions in debate.

Mr. William H. Stafford, of Wisconsin, raised the question of order that Rule XXX admitting such motions was limited to proceedings in the House and did not apply to proceedings in Committee of the Whole.

The Chairman ruled:

In the opinion of the Chair, it is within the power of the Committee of the Whole House to determine whether or not it will permit a paper to be read. The point of order is overruled.

**2606. Under a motion to suspend the rules and pass a conference report, the Speaker requested a Member to withdraw a point of order against the reading of the accompanying statement, indicating that the reading of the statement was not in order if objected to.**

On May 12, 1908,<sup>1</sup> Mr. George E. Foss, of Illinois, moved to suspend the rules and take from the Speaker's table and pass the conference report on the naval appropriation bill.

The motion having been agreed to, and the conference report having been read, the Speaker directed the Clerk to also read the statement accompanying the report.

Mr. James S. Sherman, of New York, made the point of order that the statement was no part of the conference report which it was proposed to pass; that the motion to suspend the rules had suspended the requirement that the statement be read and therefore the reading was not in order.

The Speaker<sup>2</sup> said:

The gentleman may be right, and still the Chair is in sufficient doubt, so that the Chair suggests the statement better be read.

After further discussion, Mr. Sherman, on the request of the Speaker, withdrew the point of order and the statement was read.

**2607. 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.**

On February 2, 1932,<sup>3</sup> Mr. William P. Connery, jr., of Massachusetts, while addressing the House by consent, announced that he would read an article from a current newspaper.

Mr. Mell G. Underwood, of Ohio, objected and raised the question of order that the reading of papers in debate was not in order unless authorized by the House.

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<sup>1</sup> First session Sixtieth Congress, Record, p. 6147.

<sup>2</sup> Joseph G. Cannon, of Illinois, Speaker.

<sup>3</sup> First session Seventy-second Congress, Record, p. 3281.

The Speaker <sup>1</sup> sustained the point of order and said:

The Chair will submit the question of the House. The question is, Shall the House permit the gentleman from Massachusetts to read the article referred to?

The motion was agreed to.

**2608.** On July 15, 1932,<sup>2</sup> the House was considering the conference report on the bill H. R. 9642, the relief bill, to authorize supplemental appropriations for emergency highway construction with a view to increasing employment.

Mr. Allen T. Treadway, of Massachusetts, in the course of debate, proceeded to read a statement issued that morning by the Reconstruction Finance Corporation in opposition to the conference report.

Mr. Edgar Howard, of Nebraska, submitted a point of order and objected to the reading of the statement.

The Speaker <sup>3</sup> sustained the point of order.

Whereupon, Mr. William H. Stafford, of Wisconsin, moved that Mr. Treadway be permitted to read the statement.

The Speaker submitted the question:

The question is on the motion of the gentleman from Wisconsin that the gentleman from Massachusetts be permitted to read the paper.

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<sup>1</sup> John N. Garner, of Texas, Speaker.

<sup>2</sup> First session Seventy-second Congress, Record, p. 15491.

<sup>3</sup> John N. Garner, of Texas, Speaker.