

FELTS
PARLIAMENTARY
PROCEDURE

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PARLIAMENTARY PROCEDURE

FOR

Deliberative Assemblies

WITH PROPER FORMS FOR DISPOSING OF
PARLIAMENTARY INQUIRIES, POINTS OF
ORDER, APPEALS, ETC. ALSO, PRACTICAL
LESSONS ON STATING THE QUESTION, PUT-
TING TO VOTE AND DECLARING THE RESULT

By ORSON B. FELT



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PREFACE.

A book of reference, wherein each motion or principle of parliamentary procedure is described in a form at once compact and reliable, is a want that has long been felt. To partially meet this want by giving a condensed and complete outline of the subject, and to aid those who are not well informed, and do not wish to spare the time necessary to consult the many larger works of the kind, are the objects of this volume. Believing that few of the works published are practical for the use of beginners, and feeling the necessity for a book which is at once accurate and comprehensive, the author, after many years of both careful study and close observation, and urged by a desire to present to the public a work that will relieve the student of the labor which a thorough examination of the many authorities on parliamentary law necessarily involves, offers this little volume.

In preparing this book such well-known authorities as Reed, Cushing, Robert, Crocker, Shattuck, and other kindred works have been consulted. These authorities have been carefully studied and compared, and, where they seem to conflict, preference has been given to those rules which seem most applicable and helpful to such assemblies as are not legislative.

While simplicity has been his chief aim, the author has endeavored to give a complete outline of the subject in as few words as possible, by omitting nothing which should be said and saying nothing which might be omitted, and to arrange and explain each motion in so concise a manner that any person, whether informed or not upon parliamentary law, will, after a careful perusal of these pages, be competent to take an active part in the proceedings of any deliberative assembly, or be able to preside at a public meeting with the ease and dignity expected of a presiding officer.

By explaining the reason for the rule, and by giving proper forms for presenting

questions to the assembly, the author hopes to give the student information which will enable him to understand the basic principles of parliamentary law. While giving forms for stating the question, putting to vote and declaring the result, the author does not assert that said forms are the best, but that they are good forms, which may be varied at the will of the chairman.

That this handbook of present procedure may be to the student a friend in need, and as such receive a kindly welcome, is the desire of the author.

O. B. F.

PARLIAMENTARY PROCEDURE.

PARLIAMENTARY RULES.

I. The system of rules (practiced in deliberative assemblies, known as parliamentary law) had its origin, and derives its name from the method of transacting business in the English Parliament. The system used in this country acknowledges as its source the rules for conducting business in the United States House of Representatives. The original rules and forms under either system have from time to time undergone such marked changes as to be of little value, except as precedents, and, therefore, ill suited for general use.

The rules of either system, although they have arisen at different times and under many circumstances, are neither capricious nor accidental, but are founded on reason and justice. With an understanding of the rational principles which underly these

numerous rules, the student cannot fail to be convinced that the system is well adapted to the purpose of guiding deliberation.

Parliamentary law is not firmly fixed, but is in continual process of development by acceptance of new usages which experience has shown to be desirable; when such usages are generally recognized as good, by having received the approval of many deliberative assemblies, they take their place as a part of the system. When a rule has been generally superceded by the adoption of another rule on the subject, the old rule ceases to be a part of the common law and the new rule takes its place. Therefore, the term "Parliamentary law" should be applied only to those rules which are in present use, or have been generally adopted by deliberative assemblies.

While the rules adopted and used by the House of Representatives are recognized authority in legislative bodies of this country, yet because it is so large a body, its business so complicated, and the supremacy of party so strong, its laws cannot always

be followed as a model. It is also unwise for an ordinary society to adopt the widely differing and constantly changing rules of the various state legislatures, since in all large assemblies the deliberating is usually done by committees. Then, too, because these rules are adapted to the peculiar wants of large bodies, and are often not suitable for ordinary assemblies, it follows that legislative rules should not be appealed to as governing ordinary assemblies in every matter of detail, but only in the absence of special rules or of an adopted authority are they of any force in other assemblies.

NEED OF RULES.

2. It is important that all deliberative assemblies should have certain rules for their government in debate and for directing their method of transacting business, since without rules any large assembly might become unmanageable and therefore unable to accomplish its purpose. It is therefore necessary that any deliberative assembly, in order to be expeditious in its work, to command respect, and proceed

with as little discord as possible, should adopt certain rules, and conduct its business with a regard for certain forms and rules of procedure in order that the will of the majority may be carried out with due regard to the rights of the minority, and that the will of the assembly be ascertained with as little delay as possible consistent with fair dealing.

It is not of so much importance whose or what set of rules is adopted, as that the assembly recognize and govern itself by some rule or system in conducting its business so that there may be uniformity of proceeding, decorum and regularity, and that the dignity of the body be preserved. It is therefore customary for societies to adopt some authority as a guide in its procedure. When such authority is adopted it should be closely adhered to in all cases to which it is applicable, and is not inconsistent with the organic law or special rules of the society. Any assembly may, however, modify the rules or make for its government special rules which supersede the adopted authority and common parliamentary usage in all

points to which they relate, and are binding on its members so long as in force, but have no force in any assembly except that which created them. If, however, the assembly or society be a branch of a superior body, or parent organization, it cannot make a rule which conflicts with the constitution, by-laws, or rules of the parent organization, since the constitution, by-laws, etc., form the organic law of the organization, and cannot be suspended by the subordinate body. When a society has such special rules, and an adopted authority, the order of precedence is as follows:

- 1st. The organic law.
- 2nd. The special rules.
- 3rd. The adopted authority.
- 4th. Parliamentary usage.

The student should bear in mind that great care should be taken to keep the distinction clear between the organic law, special rules, and principles which are of general application, and adopted to meet the requirements of certain assemblies. In the absence of such special rules or adopted authority the common parliamentary usage governs.

DEFINITION OF TERMS.

3. In the study of this volume much misunderstanding may be avoided if the reader will bear in mind the difference in meaning and use of the following terms:

Motion. Question. Vote. A *motion* is the proposition submitted to the assembly. After it has been stated to the assembly by the presiding officer it becomes the *question* before the assembly—as it can then be answered by yea or nay. After it has been decided, it becomes the *vote* or expression of the will of the assembly.

Precedence. A motion is said to have precedence over another when it has priority in rank over that motion, and therefore may be brought before the assembly and be first put to vote when the motion of lower rank is pending.

Assembly. By the assembly is meant that particular collection of members, as another meeting of the same society may be attended by other members, and would be regarded as another assembly.

Pending. Ordered. A proposition or motion is said to be *pending* after it has been stated to the assembly by the presiding officer, and until a vote has been taken on it, or until it has been at least temporarily disposed of. After the vote on the question is taken, if in the affirmative, it is then *ordered*.

Yields to. When the pending motion may be forced to give way to another it is said to *yield* to that motion.

Applies to. One motion is said to apply to another when it may be used for the purpose of changing or disposing of it.

Meeting. Session. For a distinction between these terms see Sec. 29.

TEMPORARY ORGANIZATION.

4. Wherever a number of persons are assembled for the transaction of business the first business necessary is to organize by providing suitable officers, so that the assembly may conduct its business with dig-

ntiy, order and harmony. As there are so many kinds of societies, organized for a variety of purposes, it is impossible to give a rule for organization applicable to all cases. In determining the organization required, much depends upon the nature of the assembly. If the society be but a branch of a parent organization, the rules for the organization of such branches are usually set forth in the constitution or regulations, which form the fundamental or organic law of that order, and the society is necessarily governed by the constitution, by-laws and rules of said order. Therefore no rule for organization that could be given here would be applicable in such cases, except the general parliamentary rules governing the action of ordinary assemblies.

5. If the assembly is a mass meeting, or a meeting of citizens called for some particular purpose, a simple or temporary organization is all that is necessary. Since such temporary assemblies are usually called together for some temporary purpose and their members are not responsible to a con-

stituency and therefore need no credentials; they transact the business for which they have assembled, and then adjourn, to meet at some future time, or dissolve by adjournment without day. At such assemblies all who respond constitute the meeting, and shortly after the time set in the call for the meeting arrives, some person who has been instrumental in calling the meeting will rise, face the assembly, and say the meeting will please be in order. He may here state briefly the object for which the meeting has been called, and either nominate some person present for chairman, or call for nominations for chairman.

6. While it is customary for some friend of the nominee to second the nomination, such a nomination does not require to be seconded, for the reason that it is the inseparable right of any member to nominate and to vote for one of his own choice, whether any one else coincides or not, and for the further reason that a nomination for office (unless by special rule of the assembly) is not an essential preliminary to voting, because it cannot control the right of

voting for one not nominated, and for the further reason that a majority of the votes cast (unless there is a by-law, rule, or constitutional provision which provides otherwise) always elects, whether the person so elected has been nominated or not. A second, however, especially when done with a speech, is supposed to add force or weight, particularly in large assemblies. If the nomination is made in the form of a motion, for example, "I move that Mr. A. act as secretary," said motion should be treated as a nomination only by the chair saying, "Mr. A. is nominated. Are there any other nominations?" Further nominations are not entitled to be first put to a vote, as in case of amendments.

7. A motion to close nominations is in order after every member who so desires has had an opportunity to make his nomination, but not until then. However, the closing of nominations, while it prevents other nominations, does not preclude voting for persons not nominated, and, moreover, it is in order at any time between ballots to move to reopen the nominations.

Let us suppose that Mr. A. has been nominated for chairman. The member calling the meeting to order will say, "Mr. A. has been nominated for chairman. Are there any other nominations?" (After a short pause for other nominations) he will say: "As many as are in favor of Mr. A. for chairman say Aye. Those opposed No. If the ayes be in majority he will declare Mr. A. elected, and invite him to the chair. If the noes are in the majority he will say, "The noes have it; there is no election. Nominations are again in order."

8. If more than one name be placed in nomination the acting chairman should put the name he first hears, and if the vote be in the negative, the next name proposed, and so on until a choice is effected.

After the chairman has been selected he takes the chair and proceeds to complete the organization by the election of a secretary and such other officers, if any, as are deemed necessary. These selections are usually made in the same manner as the

chairman, except that after the chairman has been elected he has the power of recognition in deciding who has the floor; therefore, when a member desires to make a nomination, motion, or to offer any business he must first obtain the floor. (See section 23.)

In most cases this temporary organization is all that is necessary, and after it is effected the business for which the meeting has been called should be introduced by a resolution, or motion made by some member of the assembly.

PERMANENT ORGANIZATION.

9. If the society is to be a permanent one the presiding officer is usually called the president. A vice president is also elected, to preside in the absence of the president; a secretary to keep a record of the doings of the society, and such other officers as are necessary to properly perform the duties required by the organization. In such cases immediately after the temporary organization, as described in section 5, has

been completed, a carefully selected committee should be appointed to draft a constitution, by-laws and rules. This should be presented at a full meeting of the society, and after amendment, if necessary, of the several sections, should be adopted as a whole. The constitution and by-laws, after adoption, constitute the organic law of the society, and must be strictly adhered to.

10. The *constitution* should contain only such fundamental rules as the society will never need to suspend, to-wit: The name of the society; the purpose for which the society was organized; eligibility to membership; the officers of the society; their duties; how elected; how vacancies may be filled, etc., and should be so carefully drawn as to avoid the necessity of frequent amendment. Such amendments should be made difficult by requiring that notice of any proposed amendment be submitted in writing at a regular meeting, also requiring previous notice to all members of the proposed amendment at a certain meeting and by making a two-thirds vote necessary to carry such amendment. The constitution should be

adopted before the permanent officers are elected, and after such adoption an opportunity should be given all to sign. This act makes them members of the society or organization, since only those who have fulfilled this requirement are members and allowed to vote.

II. The *by-laws* should contain nothing which conflicts, in any way, with the constitution, and may include such matters as initiation fee, dues, rules for the government of the society's affairs, number necessary to constitute a quorum, time and place of meeting, how special meetings may be called, business which may be transacted at such special meetings. Amending the by-laws should also be made difficult by placing it out of the power of any one meeting to modify them by requiring previous notice; also by making a two-thirds vote necessary for adoption. It should be remembered, however, that while an amendment to the constitution or by-laws requires previous notice and a two-thirds vote, either the constitution or the by-laws *before adoption* may be amended by a majority vote.

12. *Standing Rules* should not conflict with either the constitution or by-laws, and may include such permanent rules as are of less importance than the by-laws, and are subject to the will of a majority at a regular meeting. They should be binding upon the society until rescinded; but may be suspended, modified, or rescinded at any regular meeting by a majority vote. Societies usually prescribe methods for amending their constitution, by-laws and rules. When such methods are not provided, parliamentary law regulates such action.

13. In conventions or assemblies, whose members claim their seats by virtue of an election by their constituents, or by appointment, or on the ground of conformity to some requirement, and the membership may not be known, or is in dispute, it becomes necessary to know who are properly members of the assembly before a permanent organization can be effected, as it is evident they cannot fully organize until the question of membership is settled, since only members have the right to participate in the proceedings of the assembly. In

such cases it is customary to first effect a temporary organization by electing temporary officers, as described in section 4. The chairman of such temporary organization then appoints a committee on credentials to examine into and report upon the evidences of election, or the validity of the credentials, of those claiming seats as members. This committee will, after consultation, report as to who are entitled to seats in the assembly, or the committee will report disputed cases with recommendations. These disputed cases will be decided by the assembly.

14. If a delegate's right to membership is questioned he is entitled to a hearing by the committee on credentials, or by the convention before the final vote is taken. Only those whose credentials are not disputed have a right to vote. After the membership has been decided, the assembly will, by vote, perfect the organization by making the temporary officers the permanent, or by electing permanent officers, or by appointing a committee to nominate permanent officers, to be approved by the assembly.

As soon as the permanent officers are elected the temporary officers retire, the permanent officers taking their places and the assembly is fully organized for business.

DUTIES OF A PRESIDING OFFICER.

15. It is the duty of the presiding officer of an assembly to call the meeting to order promptly at the proper time, ascertain if a quorum (45) is present, announce the business in its order before the assembly, receive and submit all motions or business regularly presented by the members, put to vote and announce the result on all questions before the assembly, and conduct the proceedings in accordance with parliamentary procedure and its own rules. While being careful not to be too strict, he should require that the rules of the society be complied with; that all debate be confined to the question before the assembly and he should be ready at all times to interfere for the preservation of order.

16. As the order and decorum of an assembly often depends more upon the con-

duct of the presiding officer than upon any other condition, it therefore follows that in order to have perfect control of the assembly he should be able to control himself, pay strict attention to all debate, be ready to answer all parliamentary inquiries and to explain the parliamentary effect of proposed acts of the assembly. Remembering always that he is not the autocrat, but the servant of the assembly, subject always to its control, and he should be ready at all times to obey its commands, since if he abuses his authority the assembly has power to censure, reprimand or, (unless the term of office be fixed by higher authority) to remove him from office for violation of the rules or for misconduct while in office.

17. When a motion has been made and seconded it is the duty of the presiding officer (if the motion is in order) to state the question so that the members may know what question is before them. The question should be stated in the form in which it will appear in the minutes (21) if it passes in the affirmative. The chair should state the motion in language as near

to the original as possible; he may, however, suggest any necessary correction in its wording before stating it to the assembly.

18. While the presiding officer unquestionably has the right to participate in debate (after first calling a member to the chair) he should rarely exercise that right, because by virtue of his position he has great power over the assembly and great influence in debate, and when he takes the floor he cannot divest himself of that power or influence. Therefore, after having taken part in debate, common courtesy to the assembly requires that he do not resume the chair until the question to which he has spoken is disposed of.

DUTIES OF THE SECRETARY.

19. It is the duty of the secretary to keep a correct record of the proceedings of the assembly. The character of this record depends upon the kind of meeting and upon the nature of the society. In ordinary societies where the minutes are not published

it is only necessary that he record what is done—what business is introduced and how it is disposed of. It is often as important to know what measures were introduced and rejected as what ones were adopted. What is said by the members or merely proposed, or moved without coming to a vote, has no place in the record. There are, however, assemblies in which it is necessary to know what is said as well as what is done. In such assemblies where the duties of the secretary are difficult, he should have one or more assistants. When more than one secretary is elected the one first elected is considered the secretary, the others his assistants.

20. In the absence of the presiding officer (if there be no vice presidents present) it is the duty of the secretary to call the meeting to order, state the fact of the presiding officer's absence, call for nominations and preside at the election of a temporary presiding officer. He should be attentive to his duties, capable of expressing himself accurately in writing, be a good reader with a voice strong enough to be

heard in all parts of the place of meeting. He should have charge of all papers and documents of every description belonging to the assembly and not otherwise assigned. He should notify members of their appointment on committees; also of the purpose of their appointment, and give to the chairman of such committee the names of the members of the committee and all papers, if any, referred to it. He should keep for the convenience of the presiding officer a record of all committees which are expected to report, and of the time when such report is due; also of all unfinished business which should come up before that meeting. He should generally attend to all the clerical work of the presiding officer and authenticate by his signature all the acts or proceedings of the assembly.

MINUTES.

21. The minutes are the record of the doings of the assembly, as noted by the clerk or secretary, and ought to be approved or corrected, if necessary, at the next succeeding meeting. If the adjourn-

ment is without day, or if the next meeting will not occur for a long time, it is customary to have the minutes read for correction and approved before adjournment in order that the report may be corrected if necessary, while the transactions are fresh in the memory of the members.

Such corrections before approval should be only for the purpose of correcting errors of the secretary, and not for changing or attempting in any way to alter the record of the action of that meeting. Since the record is the legal evidence of the proceedings of the society it should be a correct transcript of what was done, no matter how objectionable.

If, however, it is found that an *error* has been made in the record it is in order at any time to *correct* it, even after approval, for there is no limit of time for such a correction.

22. If the society at a previous meeting had taken action which is found to be unwise or inexpedient the assembly should

not *expunge* from the minutes the record of such action. It may, however, take steps toward rescinding or repealing, since if an error has been committed it may be rectified by another act, but the record should not be falsified by striking out business that actually occurred, or by inserting business that did not occur. Therefore, if the assembly wishes to annul some action previously taken the proper course to pursue is to rescind the objectionable act. If, however, any improper motion has been made or improper or indecorous language used the assembly may *at once* order such motion or words expunged from the minutes.

HOW TO OBTAIN THE FLOOR.

23. Whenever a member desires to introduce any business or to speak to the question before the assembly, it is necessary to *first obtain the floor*. In order to do this he rises in his place and addresses the presiding officer by his official title, as "Mr. Chairman," or "Mr. President," *and awaits recognition*. When offering a motion or

when desiring the floor for any purpose the speaker, after addressing the chair, should remain standing and silent until recognized by the chair. This recognition is shown by the chairman calling the name of the member, or by some sign of recognition, which signifies to the assembly who has the floor. (For exceptions see Sec. 79). If more than one member asks the floor at the same time, upon the chair's decision as to which is entitled to the floor, all others should be seated and await another opportunity. If, however, any member considers himself aggrieved by the decision it is his privilege to appeal (124) to the assembly.

24. Upon recognition by the chairman the member is entitled to the floor and states his proposition, business or motion, which must be reduced to writing, if requested by the chairman. Until the member has the floor the introduction of any business is not in order. After the member has the floor he cannot be interrupted by calls for the question, or by a motion to adjourn, or for any purpose by either the chairman or any member, so long as he

keeps within the rules of the assembly, except to have entered on the minutes a motion to reconsider (135), by a call to order (32), by an objection to the consideration of the question (126), by a call for the orders of the day (*89), or by a question of privilege requiring immediate action (87).

SECONDING A MOTION.

25. After a motion has been made it should have the support of another member (to assure the assembly it has more than one supporter, and is worthy of consideration), who rises in his place and without waiting for recognition says: "I second the motion." There are many reasons why a member should rise in seconding a motion. Among these reasons may be mentioned that it bars a non-member

**Note.*—Some writers hold that a speaker cannot be interrupted by call "call for the orders," but this ruling is not generally accepted at present, because the member speaking might defeat the orders by prolonging his speech until adjournment, and declining to yield the floor, except for a motion to adjourn.

from seconding a motion, and also where a record is kept of those who second as well as of those who make motions, it enables the secretary to see who seconds the motion.

26. In many assemblies too much importance is placed on the formality of seconding motions. This is contrary to the principle that every member has a right to introduce any proper business and have it acted upon by the assembly. Furthermore, if the presiding officer is a member of the assembly, he has a right to second it, and if the motion is put without a second he is understood to second it. If, however, a formal second is insisted upon, the chair may inquire if the motion is seconded before stating it to the assembly, but it is not his duty to inquire if the motion is seconded. However, if a second is insisted upon, the motion is not before the assembly for consideration or debate until it has been seconded and stated to the assembly by the presiding officer. Until that time no member has a right to make any motion in relation to it, or debate it, or to ask the floor for

either purpose. Until the presiding officer has stated it to the assembly, the member offering the motion may modify it, or, with the consent of the seconder, he may even withdraw it entirely. When the mover modifies his motion, the member who seconded it may withdraw his second. On the other hand, after it has been stated by the chair, the question is in the possession of the assembly to adopt, postpone, modify, reject or suppress according to its pleasure, and cannot be withdrawn except by *unanimous* consent of the assembly, or by a motion and vote granting leave to withdraw (37), nor can it be modified except by unanimous consent, or by the regular process of amendment (106). The proposition thus before the assembly is called the "main or principal question."

MAIN QUESTION.

27. The main or principal question is any particular subject brought before the assembly for its consideration. It takes precedence of nothing except another principal question, and therefore cannot be in-

roduced when any question is before the assembly. In order to insure correctness in stating, and to prevent a misunderstanding of a complicated motion, the mover of any principal motion or resolution must (if requested by the presiding officer) submit it in writing. It requires to be seconded (for exceptions see Sec. 76), and is not before the assembly for debate until it has been stated by the chair.

By parliamentary courtesy the member upon whose motion a subject is brought before the assembly is first given the floor. In case of the report of a committee this courtesy is extended to the member who presents the report.

28. If a principal motion be indefinitely postponed (122), or rejected, it cannot be brought up again at that session, except by a motion to reconsider (135) the vote by which it was postponed or rejected; this rule applies also to the equivalent of, or to the negative of that motion.* But, inasmuch, as one assembly cannot dictate to or

*See also equivalent motions (71).

control the action of another assembly, the same question may be again brought up at any succeeding session.

Whenever a question has been postponed on motion to a certain day, or hour (102), it becomes on that day or that hour one of the orders of the day (89).

MEETING AND SESSION.

29. A *meeting* is the coming together or assembling of the members of a society, or body, and covers only the time between the calling to order and an adjournment. If the adjournment is to a fixed time before the next regular session, the second meeting will be another meeting of the same session: since any meeting which is not an adjournment of another meeting begins a new session.

30. A *session* is the time, period, or term during which an assembly meets for the transaction of its business, and includes all the time between the first calling to order and the final adjournment.

This is illustrated either by a session of Parliament, which is opened by a speech from the throne and, after many meetings, is closed by prorogation, or by a session of Congress, which includes many meetings.

In the case of a permanent society holding regular meetings at stated times, as weekly, semi-monthly, or monthly, each meeting should be regarded as a separate session unless the adjournment be to a fixed time before the next regular session.

31. *Special* meetings are those called by the officers or members of a society,—through proper notice to each member in some regular way as set forth in the by-laws or by rule of the organization,—for the transaction of some special business. The rules for calling special meetings should be strictly enforced. The object of the meeting should be specified in the call convening the meeting and should be so guarded that no business can be legally transacted at said special meeting except such as is germane to the business specified in the call. If, however, all the members

of the society are present at a special meeting, other business than that specified in the call may be legally transacted, if there is no objection.

POINTS OF ORDER.

32. Every member of an assembly has the right to require that the business of the assembly be transacted in order, in accordance with parliamentary usage and its own rules. Therefore, when any rule of the assembly or of parliamentary law is violated, or when any member is not speaking to the question, or is guilty of indecorum in debate, or, in fact, whenever the procedure varies from the regular order, the means provided for adjusting such irregularity or correcting mistakes in the method of procedure is to rise to a point of order. The raising of the point suspends proceedings until the question of order is decided.

A question of order (provided it is made at once) takes precedence over all other business, except questions of privilege (87); delay in making the point renders it inad-

missible; if, however, there was confusion in the assembly so that the member desiring to raise the question could not be heard, the fact that he had risen and endeavored to secure recognition saves all rights.

33. The form is, "Mr. Chairman, I rise to a point of order." The speaker, if any, should remain silent until the point of order is decided. (*Note to 34.) The member making the point is then asked by the chair to state his point of order, which he does. After the member states his point, the chair, with or without debate (at the option of the chair), decides whether the point is, or is not, well taken. This decision is subject to an appeal to the assembly. The chair is not compelled to give the reason for his decision, but he may do so to satisfy the member or the assembly.

*Note—Some authorities hold that the speaker, if any, should be seated; but as this would be practically yielding the floor before the decision of the chair, and might be so construed by the chairman and members, it is deemed sufficient if the member remains standing and silent until the point is decided.

34. A point of order should not be raised until the question is fully before the assembly, i. e., until it has been stated by the presiding officer, since it is the presiding officer's first privilege to rule it out of order, but if he fails to do so any member may even interrupt a speaker to make the point. After the point of order is raised it is not amendable or debatable. If, however, the chair is in doubt he may ask the advice of members before deciding the point (this advice should not partake of the nature of debate) and the chair may at any time put an end to the discussion by rendering his decision; or, if the chair is unwilling to assume the responsibility of the decision, he may at once submit it to a vote of the assembly. But if an appeal (124) from the decision of the chair on a point of order is taken the merits of the point of order may be fully debated under the appeal. (See, also, 95b.)

PARLIAMENTARY INQUIRY.

35. If at any time a member is in doubt as to whether a rule of the assembly or of

parliamentary law is violated, or if he wants information as to the parliamentary effect of any question before the assembly, or to a motion which he desires to bring up for consideration, or if he is in doubt as to the proper form relative to some business before the assembly, he may rise to a parliamentary inquiry for the purpose of information, or to secure a ruling of the chair on the subject.

Parliamentary inquiries are of the nature of privileged questions, and may even interrupt a highly privileged question if requiring immediate action; they rank with points of order, questions of privilege, questions of consideration, etc., inasmuch as they do not require to be seconded and the member making the inquiry does not wait for recognition before stating his object in rising. They should not interrupt a member speaking unless they refer to a matter requiring immediate action. When a speaker is so interrupted he retains his right to the floor, after the inquiry is answered.

36. The form is, "Mr. Chairman, I rise to a parliamentary inquiry." The chair then asks the member to state his inquiry, which he does. After the member has stated his inquiry, the chair gives the desired information, or if the chair is undecided as to the proper procedure, he may either submit it at once to the vote of the assembly, or he may ask the opinion of the members before answering the inquiry; this giving of such opinions should not take the form of a debate, and the chair may at any time decide the question. This decision is subject to an appeal to the assembly.

WITHDRAWAL OF A MOTION.

37. If, after making a motion, the mover does not want it to go to vote, or if he wishes to modify it, or substitute another in its place, he may, with the consent of the member who seconded it, withdraw the motion if it has not been stated by the chair. If the motion has been stated by the chair, it becomes the property of the assembly and cannot be withdrawn without

consent of the assembly, or modified except by the regular process of amendment.

If any one objects to the withdrawal of the motion, it must either go before the assembly to be voted on, or a motion may be made granting leave to withdraw it. The motion granting leave to withdraw cannot be debated or amended. When a motion has been withdrawn the effect is the same as if it had not been moved.

RENEWAL OF A MOTION.

38. Sometimes it is found advisable to renew a motion, resolution, or amendment, which has been withdrawn to make room for other business, to prevent defeat, or for other reasons.

A question that has been acted upon and either adopted or rejected, cannot be renewed at that session except by a motion to reconsider (135).

A motion which has been withdrawn (37) has not been acted upon. Therefore, it may be renewed.

A motion to adjourn may be renewed if business or debate has intervened. A motion to suspend the rules (130) cannot be renewed at the same meeting for the same purpose; but it may be renewed at the next meeting, although the meeting be held on the same day.

After any business has been introduced that alters the state of affairs, it is in order to renew any defeated motion, since by reason of the altered state of affairs the question before the assembly is a different one; but, in such cases, it is not in order to call for the orders of the day again, or to offer the same amendment a second time, or to move a suspension of the rules (130) for the same purpose, because in these cases the questions involved remain the same.

DEBATE AND DECORUM.

39. Debate is defined as a conflict or strife expressed in words for the purpose of making clear the point under discussion or of influencing action.

In all assemblies there is sure to be a difference of opinion among the members on the question before them, and said difference of opinion will lead to debate.

It is important for the welfare and orderly conduct of any assembly that its debates should be treated with liberality and that every member who has an opinion on the subject should be given the opportunity to freely express his views. It is the duty of the chairman to see that the question (if debatable) is fully and fairly discussed, and that such discussion is conducted with decorum. Experience, however, has shown the necessity of complying with certain rules governing debate, in order to confine the speakers within certain limits, and to protect the more timid members in their individual rights as members of the assembly.

After a question has been stated to the assembly by the presiding officer (if it is a debatable one), it is properly before the assembly for debate. If two or more rise to speak to it, and if the mover of the measure is one of them, the chair ought first, as a matter of courtesy, to recognize

the mover of the proposition, for, since it is his proposition, it is fair to presume he can best explain it. (But this is understood to be purely a matter of courtesy, and not of right.) Then the chairman should recognize one opposed to the question, and so conduct the debate that both sides of the question may be fully and fairly discussed.

40. The subject of debate is always the last debatable question submitted to the assembly, whether it is the main question or any incidental or subsidiary question. So if a member has spoken to a main question, he may speak upon any dependent question if debatable. For example, if he has spoken to a question or resolution, and if it be moved to refer the subject to a committee, he may speak as to the propriety of referring it, and also on the question presented by the report of the committee. If the last question is an undebatable one (75), then all debate ceases until the undebatable question is disposed of. Sometimes the pending question is one that opens to debate the entire merits of the

question (122, 135); in that case the subject of debate includes the whole range of pending propositions.

The presiding officer should not participate in debate while in the chair, or take part in the proceedings in any other capacity than as its presiding officer. He is, however, allowed to state matters of fact within his knowledge, state the parliamentary effect of proposed acts of the assembly, inform the assembly on points of order, and when an appeal (124) is taken from his decision he may state to the assembly his reasons for the decision before putting the appeal to vote.

41. When a member has the floor, the chairman or any other member cannot interrupt him as long as he keeps within the rules of the assembly. (See exceptions in section 78).

Each member in speaking should confine himself to the question before the assembly, and should bear in mind that all language must be decorous. He should not

address himself to the assembly, or to any particular member, but to the presiding officer. This rule does not apply when some other member desires to interrupt the member speaking in order to make a personal inquiry, or to ask permission to move an adjournment, as the speaker is then master of the situation and courtesy demands that such inquiries shall be addressed to him. Such questions and answers should not be allowed to degenerate into a dialogue between the members, since an inexperienced debater, if subject to frequent questions, might lose his self-possession. The chair should not allow a speaker to be annoyed by unnecessary interruptions.

42. Instead of mentioning by name anyone then present, the member speaking should describe him by such phrase as the gentleman on the other side of the question; or, on my left; or, on my right; the gentleman who spoke last; or, last but one, or by any respectful term which indicates the person meant. In fact, the speaker should not allow himself to indulge in

personal reflections concerning any member. Any use of personalities should be promptly stopped by the presiding officer. If the presiding officer fails to do this, any member may interrupt the speaker by a call to order. The speaker should not arraign the motives of any member. He may, however, assail the argument in the strongest terms, or use any fair means to show the deception, injustice, or fallacy of the argument.

43. Debate on any debatable question (unless the previous question [97] is ordered) is not closed until the negative is put, and until the negative is put, it is in order for any member to ask the floor to speak for or against the question. If, after the chairman has announced the vote, it is found that a member who had not spoken to the question had risen for the purpose of speaking to the question before the negative was put, he is as much entitled to a hearing as if the vote had not been taken. In such cases the question is in the same condition as if it had not been put, and must be put over again, on the affirmative

as well as the negative side; therefore, before putting a question to vote, the chairman should be careful to give every member who so desires an opportunity to be heard by saying, "Are you ready for the question?" and waiting a reasonable time before putting it to vote.

When the vote is by the Yeas and Nays (47) debate cannot be re-opened after the voting has commenced.

44. When a member is speaking he may yield the floor for a question addressed to himself without losing his right to continue, since if yielded for a question common courtesy would assign him the floor for an answer; or he may yield for a motion to adjourn, or for a recess, without losing his right to continue if either of these motions is lost; on the other hand, if the motion is carried, he is entitled to resume at the next meeting. He has no right to yield to another member to speak for or against the question, or to another member to make an explanation, unless under the cognizance of the chair. If he

yields to another member for any purpose—except as above noted—he yields for all purposes.

QUORUM.

45. A quorum is that number of the members of a society necessary to transact business legally, and in the absence of a rule adopted by the organization, or fixed by law, consists of a majority of the members. The society may (unless it is an assembly whose quorum is fixed by law) adopt any number, even a small part of its membership. In many societies having a large membership, a majority of the members is seldom, if ever, present: therefore, in such societies a rule requiring that a majority must be present to constitute a quorum would be decidedly unwise. For this reason, every society should adopt a rule fixing the quorum.

The quorum of a committee, however, is a majority of the committee, unless the superior body has otherwise directed. In a

temporary meeting the question of quorum does not arise, since those present constitute the competent number.

In ascertaining if a quorum is present, it is not necessary that all vote or had voted on a question. The fact that a sufficient number is present renders the assembly competent to transact business, as those who refrain from voting are regarded as consenting to the result.

46. The chair or any member may raise the question of quorum. When it is raised the chair should count the members, to ascertain if a quorum is present. Members present, but not voting, count in determining a quorum; but in nothing else. If a quorum is present, business proceeds as before. If the number is less than the required quorum, the assembly has ceased to be a deliberative one, and the chair should declare the assembly adjourned. If, however, no time or place has been fixed for the next meeting, those present (even if there be less than a quorum) may, by reason of the necessity and urgency of the

case, fix the time or place for the next meeting and adjourn to that time or place. Otherwise, the assembly might be *dissolved* by less than a quorum. Business transacted without a quorum is legal until the question of quorum is raised.

VOTING.

47. The methods of voting in general use are :

1st. By *sound*, commonly called the Ayes and Noes, or the *viva voce* vote, in which the chair decides by the volume of voice whether the ayes or the noes are in the majority.

2nd. By *rising*, or by uplifted hands, in which the chair, or some one designated by the chair, counts the vote.

3rd. By the *Yeas and Nays*, in which the roll is called and the vote recorded by the clerk. This method of voting is rarely used except in an assembly whose members are responsible to a constituency and is peculiar to legislative bodies. Its object is to

hold each member personally responsible to his constituents.

It is usually ordered by vote of one-fifth of the members present. In legislative bodies, such as legislatures, city councils, etc., where constituents have a right to know how the members vote, a small number of the members should be able to order the vote taken by the yeas and nays, and this should be provided for in the rules.

4th. By *ballot*, in which each member deposits his vote. It is the only method by which secrecy is preserved, and is generally used in elections to membership and to office, where the members do not desire to express their preferences openly. The principle underlying all elections is the right of the voter to a secret expression of opinion.

48. In most societies it is provided in the constitution or by-laws that elections to membership and to office shall be by ballot. When such elections have been by ballot, that vote should not be reconsidered (135). In counting the ballots, all votes cast for

an eligible candidate are legal and should be counted, whether the candidate was nominated or not, and if any eligible person receives the requisite number of votes he is legally elected. In assemblies where a majority of all votes cast is required to elect, all votes cast for ineligible candidates should be counted in determining the number of votes cast (unless the voters had notice of the ineligibility of the candidate before voting), but when an ineligible candidate receives the requisite number of votes to elect, there must be a new election.

In determining how many votes have been cast, blanks should not be counted, because by casting a blank the member shows that he has no preference between the candidates and is willing to abide by the result.

40. If after voting on any question by the *Ayes and Noes*, the chair is in doubt, or if before or after the decision by the chair, and before other business has been taken up by the assembly, any member calls for a division of the vote, a rising vote is taken. The chair will say, "As many as are in

favor of —— will rise and remain standing until counted." After the count he will say, "The ayes will be seated and the noes will rise." The chair may count the vote or appoint tellers, or any disinterested member, to count it and announce the vote to him; the chair then announces the result to the assembly. After the vote has been counted, and verified by a rising vote, or otherwise, another verification of the vote is not in order except by general consent, or after reconsideration of the former vote. (135.) Debate cannot interfere with the verification of the vote.

50. A member has a right to change his vote (when not made by ballot) before the decision of the question has been announced by the chair; but not afterward. In most legislative assemblies, or in assemblies whose members are responsible to a constituency, members are permitted to change their vote (even after the result has been announced by the chair) as long as this change does not alter the result. They are by this means able to appear on the right side in the eyes of their constituents.

This practice, however, should only be allowed by unanimous consent, since it has the disadvantage of allowing a member of the defeated party the right to move to reconsider. The chairman is entitled to vote when the vote is by ballot, and in all other cases when his vote will change the result. (*Note to section 52.) Therefore, when there is a tie vote the motion fails unless the chair votes in the affirmative, or when his vote will make a tie, he can cast it and thus defeat the measure. In the case where a two-third vote is necessary and his vote thrown with the minority would prevent the adoption of the question, he can cast his vote; so, also, he can vote with the majority when it will make a two-third vote and thus cause the motion to carry. In any of these cases the chair may vote or refrain from voting.

51. If the vote is by the *Yeas and Nays*, the chairman's name should be the last called, in order that the assembly may not be in any way influenced by his vote. If, however, the chairman's name is called in alphabetical order with the other members,

he may refrain from voting, and if the vote is a tie he may have his vote recorded and thus decide the question. If the vote is by *ballot*, the chairman must cast his vote before the tellers have commenced to count the ballots, or his right to vote is lost.

52. It is the duty of members to vote when clear as to their convictions; but while a society may make a rule making it obligatory upon all members present to vote on every question, there is no rule in parliamentary law requiring that all members of the assembly vote on any question; therefore, by a majority vote is meant a majority of the members voting on the

**Note.*—It will be seen that the above rule from Robert's Rules of Order, section 40, confers great power upon the chair, possibly too much in assemblies where the lines are closely drawn, or where party feeling runs high. Therefore, while good authorities may concede this right, and many presiding officers under certain circumstances would exercise the right, yet since the general practice in ordinary deliberative assemblies contradicts this, it seems wiser for the chairman to refrain from voting, except when the vote is by ballot, or when necessary to decide a tie vote.

question, *not* a majority of all the members, nor of the members present. Those who sit silent are regarded as agreeing to the result, be it in the affirmative or negative. When there is no response on either side it is assumed that the assembly has no interest in the question and the chair may declare the result in the affirmative or negative. Said vote is subject to verification as in doubting the vote. (49.)

PROXY VOTING.

53. A proxy is a power of attorney given by a person who has a right to vote to another person, granting this second person the right to vote in his place. Proxy voting is allowable only when the charter of the society or corporation, the organic law of the order, or some law passes by competent authority, gives proxy power. A proxy may be unlimited, or it may be limited as to the subject, to how he shall vote, the time, etc. It must be in writing, signed by the one having the right to vote, and if limited, should be definite as to the extent of the power given.

Where proxy voting is allowed a proxy committee should be appointed a reasonable time before the voting begins, in order that this committee, after ascertaining who have given proxies, to whom given, extent of power conferred, etc., may prepare a list for the use of the secretary, and report to the assembly before the voting begins.

COMMITTEES.

54. A committee is a miniature assembly appointed or elected to consider some special subject, to transact some special business, or perform certain duties and report to the assembly.

Ordinary committees are of two kinds, *standing* or permanent committees and *special* or temporary committees, and in making reports they rank in the order named.

Standing committees are those appointed or elected at the beginning of the session or the year to take charge of such matters as appropriately come under their jurisdiction during the whole session or year.

Special committees are such as are appointed, or elected for a specific purpose, or to take charge of some special subject.

Most fraternal organizations have a standing committee known as an executive committee or council of administration whose duty is to attend to pressing matters of the organization between its annual meetings.

55. Where there are two or more bodies auxiliary to each other it is customary to have appointed a committee consisting of an equal number from each body known as a conference committee (which ranks with standing committees) to which is referred all matters concerning both or all the bodies. This committee meets to discuss the business referred to them and after agreement report to their respective assemblies. In such assemblies courtesy to the auxiliary body requires that precedence be given to the report of the conference committee. In order for a conference report to be valid it must be agreed to by a majority of those from each body on this committee and the

report is not binding upon either body until agreed to by *all* the bodies.

56. In small assemblies, especially those in which but little business is transacted, there is not much use for standing committees; but in large or legislative assemblies, or in permanent organizations which have to deal with important and difficult questions, committees are of the utmost importance in saving time, also in preventing hasty or unwise action.

In nine cases out of ten when such committees are properly selected their action or recommendations as embodied in their reports decides that of the assembly. It is the work of such committees to prepare matters to be acted upon, to digest and put into proper form for the action of the assembly all matters relating to the subject of which they are in control, and to report their recommendations to the assembly for its modification, adoption or rejection. The assembly acts only on the report of the committee (63).

57. When an assembly has such committees all matters are on their first presentation usually referred without reading to the proper committees, because the reading of all such communications would consume too large a portion of the session, leaving but little time for action. If the committee is one for action, it should be small and consist of only those in favor of the proposed action, since if any member of the committee is hostile to the measure he cannot be expected to assist in perfecting it. When the committee is one for deliberation, or investigation, it should be larger and represent all parties, so that the fullest debate may be had in committee, and its opinion and recommendations, as contained in its report, carry as great weight as possible, because if any important faction is not represented the usefulness of the committee may be greatly impaired, and the chance of unpleasant debate in the assembly increased. In either case it is well to have a committee consist of an uneven number, in order to avoid a tie vote.

58. The number of a committee, and also how it shall be appointed, are usually decided without the formality of a motion, by the chairman asking, "Of how many shall the committee consist?" or, "How shall the committee be appointed?" If only one number is suggested he announces that the committee will consist of that number. If several numbers are suggested he states the different numbers suggested and takes a vote, as in filling blanks (133), until one number receives votes sufficient to adopt it. After the committee has been formed the presiding officer has no power to change it—even though he appointed the committee. Usually committees are appointed by the chair, in which case he names the members of the committee, and no vote is taken on them; or the committee may be nominated by the chair, or by the members of the assembly, and the assembly vote on the appointment. If more names are nominated than the number of the committee a separate vote should be taken on each name until the committee is filled.

59. The first person named on the committee acts as its chairman or presiding officer in the preliminary steps of arranging for the meeting of the committee and of calling the committee to order, and by common consent he is usually permitted to so act through the whole proceedings of the committee; this, however, is understood to be by courtesy only, for (unless the chairman is designated by the assembly) every committee has a right to elect its own chairman to preside over it and report its proceedings to the assembly.

60. The custom in many societies of the presiding officer appointing as chairman of the committee the member making the motion for its appointment is objectionable and has no good precedent or warrant in parliamentary procedure; he is no more entitled to be chairman, or even to be one of the committee, than any other member is; moreover, such an appointment often leads to a very embarrassing condition of affairs, since the mover may be the most incompetent member for the position; furthermore, the custom bars all the members but one

from being chairman of such committee. The presiding officer of an assembly will generally succeed best who makes it a rule never to appoint as chairman of a committee the person who made the motion, but such members, who from interest in the matter or from general ability, are best fitted to do its peculiar work. Then, if the mover of the motion be one of the committee, and the members so desire, they can upon their first calling together elect him chairman.

61. In many societies the presiding officer of the assembly is regarded as *ex-officio* a member of all committees; there is, however, no good authority for this, since only those persons regularly placed on a committee should be regarded as members thereof, neither does it follow that if he is a member of a committee he is the chairman of such committee, as, unless it is so ordered by the assembly, the committee cannot be deprived of its right to elect its own chairman. When the presiding officer is by rule of the society an *ex-officio* member of a committee he may, or may

not, attend the committee meetings, and his presence or absence should not affect the question of quorum.

62. The authority of a committee extends only so far as authorized by common parliamentary law, or as instructed by the assembly at the time of its appointment; therefore, when a committee is instructed it must follow instructions, and has authority only over the business referred to it. The committee may, however, be further instructed by the assembly while in the exercise of its duty as such committee. A committee may submit a part of its work to a sub-committee, but such sub-committee should report to the committee creating it, and not to the assembly. If the committee is given full powers its action is final, and upon report the assembly is bound by such action. If the committee is to act upon any report, resolution, or other paper submitted to it by the assembly, it cannot alter the text of such paper by amendment, addition or erasure. The original paper should be returned to the assembly intact, with the committee's amendments, if any,

written on a separate sheet, to be submitted to the assembly for its adoption or rejection. The committee may, however, alter or amend any paper which originates with said committee. (See also note to section 143).

After the committee has finished its business some member should move that "the committee rise and report" (which is equivalent to adjournment) and, if carried, the chairman or some member previously selected for the purpose reports to the assembly.

REPORTS OF COMMITTEES.

63. There is a wide difference between the *reception* and the adoption of the report of a committee. The reception of a committee's report only brings it before the assembly for its adoption, rejection, or modification, and it becomes the subject of action like any other business; it may be amended, and it is subject to all proper motions. The fact that the report has been read shows that it has been received; the

question then before the assembly is on the adoption or rejection of the report. A vote to accept a report is equivalent to adopting it.

When a committee's report is adopted, accepted, or agreed to, it becomes the action of the assembly the same as if done by the assembly without the intervention of a committee.

64. When no time is fixed for the report, the proper procedure is: when the committee or some member reports that the committee is ready to report, the assembly may by vote receive the report then, or at some future time; when said report is read then take steps toward the adoption or rejection of such report; the fact that the assembly has voted to receive the report only indicates that the assembly is willing to take up its consideration. Should the committee recommend amendments, the amendments so recommended should be first voted on, because they are in fact offered by the assembly itself, which created the committee and gave it power to act. When

the report is merely explanatory or advisory it is read solely for the information of the assembly, and action is had on the main question, which is the subject of procedure.

65. When a *special* committee (54) has reported in full to the assembly, said committee is thereby discharged without further action of the assembly and the committee can act no more unless revived by a vote to recommit. When the report is only a partial one the reception of the report does not discharge the committee. If, however, the committee has made but a partial report or reported progress, it would be in order to move that the committee be discharged from further consideration of the subject.

On the other hand, if the report when offered to the assembly is not received, the committee is not thereby discharged, but must await a more favorable time.

After a *standing* committee (54) has made a full report, while it continues to exist, it has no further control of the matter reported on without a new reference.

66. Sometimes the members of a committee do not agree upon a report. In this case the majority of the members determine the report of the committee, which is sometimes erroneously called the *majority* report. The other members of the committee may desire to present their views in opposition, which they do collectively or individually by consent of the assembly in a report known as the *minority* report.

It is customary to receive the minority report immediately after receiving the report of the committee, so when the committee's report is presented the minority may by courtesy be permitted to submit their report—this permission is seldom refused—but said minority report has simply the standing of a substitute (141) except that it is known to be backed by certain members of the committee who have been investigating the subject and are therefore competent to instruct the assembly on the subject; but said minority report can only be acted upon by first voting to substitute it for the report of the committee.

COMMITTEE OF THE WHOLE.

67. Sometimes the question before the assembly is a complicated and important one, and the assembly is not ready for final action upon it, but desires an informal discussion to consider the question more fully and with less formality. This can be done by the assembly resolving itself into a "committee of the whole," which is simply a committee meeting of the whole body. The form is, "I move this assembly do now resolve itself into a committee of the whole to consider the question of (naming the question)." If this carries, the presiding officer appoints a member to the chair and takes his seat among the members, or if the assembly objects it may *elect its own chairman*.

68. As a committee of the whole, or any committee, is but a creature of the assembly, any action taken is not final or is not binding on the assembly until adopted by the assembly; therefore its report or recommendation should be submitted to the assembly at large for final action. A mem-

orandum should be kept of the proceeding for the use of the committee and to assist the chairman in making his report; but such memorandum should not be recorded on the minutes of the assembly, only the *report* of the committee is so recorded, and said report becomes a part of the proceedings of the assembly.

69. While the assembly is acting as a committee of the whole the only action in order is to recommend to the assembly at large the adoption of, or rejection of the matter under discussion, or such other recommendation or action as comes within the authority of ordinary committees, and to move that the committee rise and report. Being a dependent body it cannot make any rule for itself unless authorized by the parent body, and its decision only amounts to an informal vote on the question at issue. Each member may speak as often as he can secure recognition by the chair, and there is no limit to be placed on debate in the committee except such limit as may be made by order of the assembly. The yeas and nays cannot be ordered because it would destroy

the original purpose of going into committee by having the record show how the members voted on the question. It cannot refer any matter to another committee; because if the committee of the whole should rise during the conference of such sub-committee, the sub-committee would have no body to report to. The committee of the whole may, however, recommend in their report to the assembly that the matter under discussion be referred to a committee.

70. Should the committee become disorderly the chairman of the assembly may take the chair and declare the committee dissolved, or when order is restored the presiding officer may leave the chair and the committee resumes. When the committee has finished its business a motion is made that the committee "rise and report." If this motion is carried the committee has re-converted itself into the assembly without leaving their seats by simply agreeing to rise—the presiding officer of the assembly resumes the chair and the chairman of the committee makes his re-

port. This report is then before the assembly for final action.

EQUIVALENT MOTIONS.

71. Equivalent motions are those which have either the same effect, or effects exactly opposite to each other, or those which exactly deny a proposition already decided—for example—if a motion or resolution approving any action has been adopted, or rejected, it would not be in order to offer a motion or resolution disapproving of such action. Since the question to be decided by the assembly is the same—an affirmative vote in one case is equivalent to a negative in the other—a decision on one question decides the other.

CLASSIFICATION OF MOTIONS.

72. Privileged, or independent motions, Sec. 80.

Subsidiary, or preferred dependent motions, Sec. 93.

Incidental, or dependent motions, Sec. 123.

Miscellaneous motions, Sec. 132.

Main, or principal motions, Sec. 27.

ORDER OF MOTIONS AND THEIR
PRECEDENCE TO ONE
ANOTHER.

73. To fix the time to which to adjourn.

To adjourn.

Questions of privilege.

Orders of the day.

To lay on the table.

The previous question.

To postpone to a certain time.

To commit.

To amend.

To postpone indefinitely.

Appeals.

Objection to consideration.

Withdrawal of a motion.

Division of a question.

Suspension of the rules.

To fill blanks.

Reading of papers.

To reconsider.

To substitute.

Main, or principal motion.

Note.—The above is the order in which motions may be said to have precedence over one another. It is understood that motions com-

pelled by necessity, questions of privilege, questions of order, and questions of consideration (when applying to the main question) should take precedence for the time being over everything in the order named; but since there are many exceptions and much conflict of authorities on the subject of precedence and since many emergencies may arise, the chairman should be guided largely by common sense. As "necessity knows no law," he should be the judge (subject to an appeal to the assembly) whether the motion so offered is of such character that necessity requires it should have precedence. (a) For instance, while good authorities assert that the motion for adjournment is not in order after the previous question (97) has been called for, still there are good reasons why it should be permissible after the previous question has been acted upon and ordered. Because if ordered and the adjournment is decided in the affirmative, then the question would come up immediately upon re-assembling—since the previous question is still in force—and the vote so ordered by the previous question would then be taken. (b) So also there seems to be no good reason why the previous question, both motions for postponement, and to commit should be regarded of equal rank, and therefore the previous question not allowed while either of these questions, or in fact any debatable question, is pending. (c) Furthermore, if an amendment is pending why should not a motion to indefinitely postpone be allowed without first acting on the

amendment? Because it is presumable that the members are competent to judge whether they desire to dispose of the whole matter for that session by indefinite postponement.

74. CANNOT BE AMENDED.

A call for the orders of the day.

To adjourn (when unqualified).

To lay on the table.

To take from the table.

The previous question.

To postpone indefinitely.

An appeal.

Objection to consideration.

Withdrawal of a motion (granting leave for).

Suspension of the rules.

Reading of papers (granting leave for).

To reconsider.

Amendment of an amendment.

75. CANNOT BE DEBATED.*

To fix the time to which to adjourn (when another question is before the assembly).

To adjourn (when unqualified).

A call for the orders of the day.

Suspension of the rules.

To lay on the table.

To take from the table.

The previous question.

Objection to consideration.

Granting leave to read papers.

Questions of order (on an undebatable question).

Questions as to the method of voting.

To go into committee of the whole.

Any matter that interrupts an undebatable question.

All motions limiting or closing debate.

Granting leave to withdraw a motion.

To reconsider (if on an undebatable question).

Note.—"A level-headed chairman will recognize the difference between discussing the question pure and simple, and making suggestions or asking a question, as business may often be facilitated by allowing such informal remarks, and when such suggestions or questions will assist in determining the question they may be allowed to a limited extent (if no objection is offered) even though the question before the assembly is undebatable."

Granting leave to continue his speech (to one deemed guilty of indecorum in debate).

An appeal, when it relates to indecorum in debate, or to a transgression of the rules, or to priority of business, or if the previous question is pending.

The main question (27) cannot be debated while an amendment (106) is pending, or when an amendment to an amendment (112) is pending the amendment can be debated only so far as is necessary to show the propriety or impropriety of adopting the amendment to the amendment.

The motions to postpone indefinitely (122) and to reconsider (135) if applied to a debatable question, opens to debate the merits of the question sought to be postponed or reconsidered.

DO NOT REQUIRE TO BE SECONDED.

76. A call for the orders of the day.
Objection to consideration.
A nomination (unless by special rule).

REQUIRE A TWO-THIRDS VOTE.*

- 77. To make a special order.
- To take up out of order.
- Suspension of the rules.
- Objection to consideration (in the negative to suppress).
- The previous question.
- To amend the rules (usually requiring previous notice also).
- To close or limit debate.
- To close nominations.
- Any question which has the effect of changing or suspending a rule of the society, or its established order of business.

Note.—Notwithstanding that a question may require a two-thirds vote to adopt it, it may be amended before adoption by a majority vote.

BUSINESS THAT MAY INTERRUPT
A MEMBER WHILE SPEAKING.

- 78. A point of order.
- Question of privilege requiring immediate action.
- A call for the orders of the day.
- Objection to consideration of the question.

To have entered on the minutes "a motion to reconsider."

79. *Questions which do not require recognition by the chair before stating the object in rising:*

Parliamentary inquiry.

Question of privilege.

Appeal.

A call for the orders of the day.

Point of order.

Objection to consideration.

Call for division of the vote.

Withdrawal of a motion.

Seconding a motion.

Doubting title to the floor.

Questions of no quorum.

Changing a vote.

Doubting a vote.

Nominations (after the first).

PRIVILEGED MOTIONS.

80. Privileged motions (sometimes called independent motions) are those which on account of their importance, and of the needs of the assembly as a deliber-

ative body, or by reason of the necessity or urgency of their nature, are entitled to precedence over the main question (27) and over all subsidiary (93) and incidental (123) questions and are as follows in their order of precedence among themselves:*

To fix the time (or place) to which to adjourn.

To adjourn.

Questions of privilege.

Orders of the day.

Note.—It is understood that any of these questions may be interrupted, but is not cut off by any of the following:

A question of privilege requiring immediate action.

Points of order relating to the question.

Notice to have entered on the minutes a motion to reconsider.

Motions as to the method of voting.

Parliamentary inquiries—or any question which from necessity or urgency requires immediate action.

TO FIX THE TIME OR PLACE TO WHICH TO ADJOURN.

81. This motion is the highest in rank and takes precedence of all other motions.

It may, however, be interrupted by a question of privilege (87) [if requiring immediate action] or by a point of order (32). It may be either a privilege or an unprivileged motion, and it may be debatable or undebatable, according to the circumstances under which it is moved. For example, if the privileged motion to adjourn (83) had been made, and no time or place for reassembling had been previously determined by vote or rule, then the motion to fix the time or place would be a highly privileged motion, taking precedence of, but not cutting off, the unqualified motion to adjourn, and it "must be first acted upon," but when it interrupts the undebatable motion "to adjourn," while it may be amended by changing the time or place of meeting it must be decided without debate.

82. It is in order even after a vote to adjourn has been taken if the result of the vote on the motion to adjourn has not been announced by the chair, but it does not have privilege over a motion for a recess already pending, and cannot be repeated without in-

tervening business. It may be amended by changing the time or place of meeting, or it may be reconsidered. If made when no question is before the assembly it becomes a principal motion (27) and is debatable, but if made when another question is before the assembly it is undebatable. [See also note to Section 127].

TO ADJOURN.

83. The motion to adjourn takes precedence of all questions, except to fix the time to which to adjourn, questions of privilege requiring immediate action and questions of order relating to the adjournment. It is not in order when another member has the floor, or while the members are voting on any question, or when the previous question (97) is *pending* [See note to Sec. 73 A]. It cannot be renewed until some business has intervened, or until such length of time has been consumed in debate as to make the question virtually a new one.

If *unqualified* the motion to adjourn cannot be debated or have any other motion applied to it, but in order to take precedence

and be acted upon without debate it must be simply a motion to adjourn without any qualification whatever.

84. If the assembly has not determined by vote or otherwise the time or place for re-assembling, the motion to adjourn is liable to be interrupted by a motion to fix the time or place to which it will adjourn; otherwise an adjournment would be a dissolution. While the effect of an adjournment is simply to interrupt proceedings until the assembly meets again, the effect of a dissolution is to destroy the assembly. Therefore when the motion to adjourn would, if carried, dissolve the assembly, it loses all privilege and becomes highly debatable. If, however, the assembly was convened for a session of a number of days, and no hour is fixed by vote or rule for another day's sitting an adjournment should be considered as for the hour and place named for the first sitting. If action has been had fixing the time for adjournment, when that time arrives the chair should call attention to the fact and declare the assembly adjourned, unless a motion is made to extend the meeting.

*EFFECT OF ADJOURNMENT ON
UNFINISHED BUSINESS.*

85. The effect of an adjournment on the pending question varies according to the nature of the assembly. When a question is interrupted by adjournment of the session (30) of an assembly whose members are elective, and the terms of a portion of them expire with the session, or when the meeting is one called for some special purpose, the question under consideration at the time of adjournment would be defeated and would not stand before the assembly at the next session; the same question may, however, be introduced at the next session as if it had never been before the assembly.

86. If the adjournment does not close the session the question should come up at the next meeting after the reading of the minutes and be treated as if there had been no adjournment. When the adjournment closes the session of an assembly holding regular sessions oftener than once each year, said adjournment does not put an end to unfinished business; all such business

should be taken up in its regular order at the next session under the order of unfinished business and consideration upon it resumed at the point where it was interrupted by adjournment.

QUESTIONS OF PRIVILEGE.

87. Questions of privilege are those affecting the rights and privileges of an assembly, or of its individual members. They are of two kinds—those affecting the whole assembly as a body, and those affecting an individual member, and rank in the order named—i. e., the questions affecting the rights, safety, dignity, or integrity of the assembly as a body take precedence of and should be acted upon before those affecting a member. All such questions take precedence of questions of order and of all other questions for the time being, or if the question of privilege is requiring immediate action it may even interrupt a member while speaking. While questions of privilege, questions of order and questions of consideration are not, properly speaking, motions, they take a high rank in every de-

liberative assembly and may give rise to motions which may even supersede a motion to adjourn, or to fix the time to which to adjourn. The questions of privilege and the motions arising from them must first be acted upon.

When rising to a question of privilege the member should not wait for recognition by the chair before stating his object in rising.

88. The form is, "Mr. Chairman, I rise to a question of privilege." The chairman will ask the member to state his question. After the member states the question it is the chairman's prerogative to decide whether it is properly a question of privilege or one that requires immediate action. This decision is subject to an appeal (124) to the assembly. If it is decided to be a question of privilege, it temporarily supersedes the question pending at the time, together with all subsidiary (93) and incidental (123) motions, and it must be disposed of, though not of necessity *decided at once*, as it may be postponed or have any

subsidiary motion applied to it, but if the question is postponed, tabled or referred to a committee it loses its right of precedence. After the question of privilege has been disposed of the assembly resumes the business interrupted by the question and the member speaking at the time of interruption, if any, is entitled to the floor.

ORDERS OF THE DAY.

89. Orders of the day are questions that have been by vote of the assembly assigned to a certain day or hour, and are thereby made privileged questions for that day, or hour; therefore, when that time arrives they take precedence of all other questions except questions of privilege and adjournment, and of all other business except reading and approval of the minutes, together with all subsidiary and incidental questions connected with them. But the orders for the day cannot be taken up before the assigned time, except under "suspension of the rules (130)" for that purpose.

90. Orders of the day are of two kinds, *General* and *Special*. General orders are made by a majority vote; they cannot interfere with the established rules of the assembly and if no time is fixed for their consideration they should be considered as for the entire day, or any part of it. If they are not called up or disposed of at the time assigned they fall, but may be renewed in the usual way. If, however, any order is under consideration at the time of adjournment, it comes up at the next meeting under unfinished business.

Special orders are made by a two-thirds vote. They take precedence of general orders and suspend all rules of the assembly that interfere with their consideration at the time specified.

91. It is the duty of the chairman to call up the orders at the time assigned to them, or when the time arrives anyone may call for them even though another member has the floor. If no objection is made they are taken up at once, but if an objection is made the chair says: "Shall the orders be now

taken up?" and a vote is then taken. If the vote is in the affirmative the orders will be taken up in the order of their assignment—i. e., the first one assigned should be the first one considered, and the question then under consideration, if any, would be suspended until the orders are disposed of. If any particular order has been made for a certain hour, when that hour arrives it may be taken up and assigned to another time; if the particular order is acted upon the order under consideration at the time of interruption would be suspended until the business for that hour is disposed of. If the vote on taking up the orders is in the negative the orders are postponed only until the business then before the assembly is transacted, when they are next in order.

92. A motion to take up the orders does not require to be seconded, is not debatable or amendable, and a member speaking may be interrupted for the purpose of making that motion, or when the time arrives, if there is no objection, the chair may lay the orders before the assembly without the formality of a motion, but when called up

they need not be then considered, as they may be assigned to some future time. A majority vote is competent to postpone even a special order. A motion to take up any particular order would not be a privileged motion; it must be for the orders generally if there be more than one. But when orders in general are taken up, each order in its turn may be disposed of temporarily by postponement until the desired order is reached; or if it is desired to consider any particular order not yet reached it may be done by a motion to "take up the question out of order," which is virtually a suspension of the rules (130) and requires a two-thirds vote.

SUBSIDIARY MOTIONS.

93. Subsidiary motions (sometimes called preferred dependent motions), are applied to other motions for the purpose of disposing of that particular business, and therefore must be decided before the question giving rise to them can be acted upon.

To lay on the table.

The previous question.

To postpone to a certain time.

To commit or re-commit.

To amend.

To postpone indefinitely.

TO LAY ON THE TABLE.

94. The effect of this motion is to postpone the subject then before the assembly in such a way that at any time later it can be considered. While in most cases the object of the mover in moving to lay a question on the table is to kill it by preventing further consideration and the motion is usually made by the opponents of a measure, still its effect is only to postpone until such time as the assembly decides by motion and vote to take it from the table. It is, therefore sometimes advisable for the friends of a measure, if they are convinced it will be defeated if allowed to come to vote to move to lay it on the table. Later, when a more favorable opportunity offers, they may move to take it from the table. It applies to almost all motions. The exceptions are to fix the time to which to adjourn (when privileged). To adjourn

(when unqualified). To lay on the table. To take from the table. Orders of the day (except one at a time), and questions as to priority of business.

95. While the motion to lay on the table is a subsidiary motion, a motion to take from the table is practically a motion to renew a question (38), and since it is a principal motion possessing no privilege, it cannot be acted upon when another question is under consideration. The form is, "I move the question be laid on the table."* This motion takes precedence of all other motions except privileged motions (80), and to suspend the rules (130). It cannot

**Note.*—Speakers opposed to a question frequently obtain the floor for the purpose of opposing the proposition and after speaking in opposition to it close their speech with a motion to "lay on the table." This, while not strictly out of order, is a very unparliamentary proceeding, since the speaker has got his argument in and those opposed to him have no opportunity to say a word; therefore, in such cases, fair play would seem to justify the chair in refusing to entertain the motion until those opposed have had at least the same opportunity to be heard.

be debated or amended or have any other motion applied to it, nor can an affirmative vote on it be reconsidered, because if laid on the table the proper motion would be to take it from the table.

It is renewable after an amendment or when there has been such progress in debate or a sufficient lapse of time as to make the motion practically a new one. If decided in the affirmative it takes with it everything adhering to the subject, and carries to the table the motion to commit (104) amendments (106) postponement (102), or any question which may be pending with the following exceptions:

Exceptions to the above rules

a—An *amendment to the minutes* (21) being laid on the table does not carry the minutes with it.

b—An *appeal* (124) being laid on the table shows that the assembly approves of the decision; it has only the effect of sustaining the chair and does not carry the original question to the table.

c—The *previous question* (97) being laid on the table does not carry the other questions to the table, as the object in laying the previous question on the table is that the main question may be further discussed.

d—A motion to *reconsider* (135) if laid on the table is only equivalent to a refusal to reconsider the question; it thereby clinches the action it is sought to reconsider for the time being and does not carry the original question to the table.

e—A *question of privilege* (87) does not adhere to the subject it may happen to interrupt, and if laid on the table does not carry with it the question pending when the question of privilege was raised.

A negative decision has no effect whatever.

96. When a question which has been laid on the table is again taken up it comes before the assembly as it was prior to the motion to lay on the table, with all the amendments and motions then pending.

THE PREVIOUS QUESTION.

97. The term "previous question" is misleading, and is in itself perplexing, as it seems to refer to the question previous to the one under discussion, when in fact it is the name of a motion which is used to bring the matter before the assembly immediately to vote. In other words it is a motion to suppress debate on the question then under discussion, or one subsidiary to it, and to stop further compilation of new amendments or motions by bringing it to vote at once in the form in which it then exists. To illustrate—a question before the assembly is being debated, when some member moves the previous question. If this is seconded and there is no objection the question then under consideration will be put to a vote first on the pending question or amendment, if any, and then the main question; or the chairman may say "the previous question has been moved and seconded, the question before you is, Shall the question be now put?" (making this the previous question) and a vote is then taken. This motion requires a two-thirds vote for

its adoption; it cannot be debated or amended, or have any other motion applied to it except to lay on the table.

98. The motion for the previous question should not be confounded with the motion to close debate, or that debate be closed at a certain time. If it be moved that debate be now closed or that it be closed at a certain time, or that a certain time be allowed each speaker, the motion may be amended as to time, or if carried when that time arrives there may be a further motion "to extend the time," which may refer either to the one speaker whose time has expired, or to the debate in general. Notwithstanding that the motion to close or limit debate requires a two-thirds vote to carry it, it may be amended before adoption by a majority vote.

If it is desired to close debate on any dependent question only, for example, the amendment, or amendment of the amendment, or to commit or to postpone, this limitation must be definitely stated.

99. If the previous question be decided in the affirmative (two-thirds vote)—i. e.,

that the question shall be now put, all debate or offering of new motions or amendments ceases and the main question is put, beginning with the pending question or amendments, if any. The vote, however, may be further delayed by the raising and decision of a question of privilege, or by a point of order, or by a motion to divide the question, or to read a paper bearing upon the question which is under consideration, or to decide upon the method of voting upon the measure. (Any of these questions must be decided without debate). If, however, there is pending a motion to postpone, or to commit, and the mover of the previous question does not specify in his motion that it shall apply to the postponement or commitment, the ordering of the previous question cuts off either or both of these motions. Otherwise the will of the assembly in ordering an immediate vote might be invalidated by the postponement or commitment. The reason for this is that in ordering the previous question the assembly has decided to act upon the question then, instead of at some future time, and in the condition in which it *then exists*,

instead of acting upon the report of a committee. It therefore cuts off all the obstructive motions. If the mover of the previous question desires that it shall apply to the postponement or commitment he should definitely so state it. Otherwise the previous question (when unlimited) applies to all pending questions and is not exhausted until a vote has been taken on all the questions then pending.

100. The previous question applies to all debatable motions. It is sometimes moved by the mover of a resolution or motion at the same time the resolution or motion is offered. This is, however, a very unparliamentary proceeding, and the same reasons will apply as in note to Sec. 96. Therefore the chair should not recognize any subsidiary motion when offered with a main motion until the other side has had an opportunity to be heard.

101. The previous question may be moved on a pending amendment or amendments only (if so specified) and when so moved it cuts off debate and further amend-

ment until the questions upon which it is moved have been voted on, when the previous question is exhausted and has no further influence. Or, if several questions are before the assembly the previous question may (if this limitation is specified) be moved on the pending question only, when that is a debatable one, and if it is adopted, debate closes on the pending question only. After the pending question has been voted on the main question is again open to debate. If, however, it is not so specified in the motion and the previous question is ordered, nothing but an adjournment or one of the questions noted in Sec. 99—upon which debate is barred—can inter-

Note.—In small societies or meetings there is not much use for the previous question, since the members are generally unwilling to shut off discussion. In such assemblies said motion would be impolitic, as well as unjust to the minority, but in large or legislative assemblies where there is a disposition to use debate, or to filibuster for the sole purpose of wasting time and preventing action, a due regard for the interest of all often calls for some provision for closing debate, and in such cases the use of the previous question is one of the necessities of orderly business.

vene to prevent an immediate vote on all questions to which it applies, together with the main question. "If an adjournment is had after the previous question is *ordered*, the subject comes up the first thing after the reading of the minutes the next meeting and the previous question still operates, making the main question privileged over all other business whether new or unfinished."—Reed's rules, Sec. 125. [See also sections 73, 75].

POSTPONE TO A CERTAIN TIME.

102. If a question arises which the assembly prefers not to decide at once, or if the members desire further time for reflection or examination than they then possess, or if they desire to take up some other business, the question then under consideration may be postponed to a certain day or hour, but such postponement should not be to a day when the assembly will not be in session—because such motion would be equivalent to indefinite postponement, or to a time beyond the next succeeding session, because this would be equivalent to an

attempt to prevent the next assembly from considering the question. It cannot be applied to a subsidiary or to any of the strictly parliamentary questions alone; if moved when any such question is pending it relates to the main question also.

103. A motion to postpone to a certain time may be amended by changing the time and is debatable as to the propriety of postponing the question, but such debate should be confined strictly to the motion and should not involve the merits of the question it is sought to postpone, since if the postponement be lost the question is still before the assembly for debate, or if carried the main question may be fully debated when again before the assembly. When two or more questions have been postponed to the same time they should be taken up in the order in which they were postponed, even though they are not taken up at the time appointed, but they cannot be taken up before the time appointed, except by a motion to take up out of order, requiring a two-thirds vote, or by a suspension of the rules (130) for that purpose,

also requiring a two-thirds vote. When the time arrives for the question postponed to be taken up everything yields to it except privileged motions (80). When a question has been postponed to a certain day or hour it becomes on that day or hour one of the "orders of the day" (89).

TO COMMIT OR RE-COMMIT.

104. Resolutions are often offered which are not in the best form to express the judgment or carry out the will of the assembly; or questions may arise upon which the assembly desires more information than is then before it, or that need more careful consideration than can well be given it by the assembly itself, and the members may think the work of perfecting such a resolution or motion can be more satisfactorily performed by means of a committee to inquire into the merits of the question, put it into proper form for consideration and report its deliberations and recommendations to the assembly for final action. This can be done by a motion to commit, or if the subject has been already in the hands of the committee, to re-commit.

105. A motion to refer to a standing committee takes precedence of, but does not cut off, a motion to refer to a special committee.

This motion is usually made upon the first presentation of a question or resolution and the assembly acts upon the report of the committee; it may, however, be referred after discussion and efforts to amend have shown the need of more careful investigation. The motion to commit may be amended by changing the committee, which amendment may refer to the nature of the committee or the number of members to compose the committee, or by giving instructions to the committee. It is debatable as to the propriety of referring the question to the committee, but such debate should not involve the merits of the main question, as that debate will be in order and the question may be fully debated when the committee reports. If however in the motion to commit, or in an amendment, there be instructions as to the main question, then debate may be had on the merits of the main question, and if the

motion to commit is adopted it sends all pending motions and amendments to the committee as well as the main question.

TO AMEND.

106. If a motion or a resolution is not satisfactory, or if not in the best form to express the judgment, or carry out the will of the assembly, it may in most cases be amended so as to modify the meaning, or to change the meaning entirely, even if such a change defeats the original purpose of the motion. An amendment must be germane to the question; that is, it must have a direct bearing on the subject. While to amend means strictly to put into a better or more perfect form, to change or modify in any way, be it for better or worse, is called an amendment; therefore amendments may be used as a means of defeating a proposition by making it so different from what the mover originally intended—as making praise out of censure or by so changing it that friends of the original question may be forced to vote against the motion in its amended form.

107. There are five forms of amendment :

1. To insert or add certain words, Sec. 113.
2. To strike out certain words, Sec. 113.
3. To strike out certain words, and insert, or add certain other words, Sec. 117.
4. To divide the question into two or more questions, Sec. 128.
5. To substitute another proposition on the same subject for the one under consideration, Sec. 141.

107. Any proposition which seeks to merely change the vote from the affirmative to the negative, or vice versa, or to simply reverse the meaning of the proposition, would not be a proper amendment ; for example, if it be moved that the assembly do a certain thing, it would not be in order to amend by inserting the word "not", or by striking out a word or words and to insert others so that the effect would be exactly to deny the proposition—for example, to strike out the word approve, and insert disapprove—because the question before the assembly is not changed and the object of such amendment is merely to reverse the

vote; since a negative vote in one case being equivalent to an affirmative vote in the other, a decision of one decides the other without further action. Changes in words, which do not affect the sense or meaning of the proposition are not, properly speaking, amendments, and if such action is necessary they do not require a motion, though such motion is not prohibited.

The motion to amend takes precedence of nothing but the question it is proposed to amend. The mover of a motion may offer an amendment to his motion, but he cannot speak against his motion.

109. Amendments are often offered which the mover of the original motion is willing to accept. This he may do provided there is no objection. In this case the amendment so accepted becomes a part of the original motion without a separate vote being taken upon it; but this acceptance is understood to be with the consent of the entire assembly, as it can be prevented by the objection of any member. If objected to the amendment must go before the assembly for its adoption or rejection.

When an amendment is pending the main question cannot be debated except so far as the amendment necessarily involves the main question, or in so far as debate is necessary in order to show the propriety or impropriety of adopting the amendment, and such debate should be limited in its scope to that portion of the main question which is involved.

110. While an amendment is pending all other amendments must apply to that. Therefore, it would not be in order to offer an amendment to a different part of the proposition; the one first offered must be disposed of before the second would be in order. A member may, however, give notice of his intent to offer an amendment (stating its meaning) when the opportunity offers, as in such case the members may vote differently upon the one before them, but the member who thus gives notice will have no prior right to the floor for the purpose of presenting the proposed amendment; he must get the floor regularly when the time comes for the amendment to be in order.

III. When notice has been given that a proposed amendment to the constitution or by-laws will be acted upon at another meeting, it should be taken up under the order of "new business," and if the proposed amendment be to a constitution or by-law already in force, it should be treated as a principal or independent motion, instead of as a subsidiary motion, as in case of an amendment to a proposed by-law not yet in force. When there is a series of propositions to be amended, as the constitution or by-laws of a society, the whole should be read first to give the members a general idea of its scope, then they should be considered section by section, amending each section if necessary in its order, but any section should not be adopted until all amendments necessary have been made, since it might become necessary to further amend an adopted section and since constitutions, by-laws, resolutions, etc., usually have a preamble setting forth the objects of the society or reasons for the action; the preamble should be acted upon last, because amendments to the constitution, by-laws or resolutions may require a corre-

sponding alteration in the preamble. Finally, the subject should be adopted as a whole.

AMENDMENT OF AN AMENDMENT.

112. When an amendment is offered and the amendment is not satisfactory the amendment may be amended by moving an amendment to the amendment; but in order to avoid confusion and to facilitate business there must be some limit to the number of pending amendments. Therefore, practice has placed this limit at one primary amendment and one secondary amendment (or amendment of the amendment). If, however, after the secondary amendment has been acted upon and either adopted or rejected, or after the amendment has been acted upon and either adopted or rejected, other amendments would be in order, which may also be adopted or rejected, and so on until the assembly is satisfied, because since a resolution or motion may require many amendments to express the deliberate judgment of the assembly, the only limit to the number of amendments that may be made

is the will of the assembly. In amending an amendment you may amend in any of the forms of amendment—i. e., by inserting or adding, by striking out, by striking out and inserting or adding, by division of the proposed amendment, or by substitution. When an amendment to an amendment is before the assembly it requires three separate votes to decide the question. Provided all are carried, the questions will be as follows :

1. On the amendment to the amendment.
2. On the amended amendment.
3. On the main question as amended.

TO STRIKE OUT OR TO INSERT WORDS.

113. When it is moved to strike out words from a paragraph, or to strike out a paragraph, the words to be struck out must be consecutive words. Or, if it is moved to insert words into a paragraph the words to be inserted must be inserted together and the description of the words to be struck out and the place it is proposed to insert

others should be definite. Otherwise the rule prohibiting amending different parts of the proposition at the same time would be violated.

EFFECT OF AFFIRMATIVE ACTION

114. If the motion to strike out certain words from a paragraph be decided in the affirmative, then the words so struck out cease to be a part of the paragraph and (unless by a reconsideration [135] of the vote by which they were struck out) cannot be reinstated in whole or in part, except with other words—because the assembly has decided they shall not in their present form stand as a part of the paragraph, but the same words with others, or part of the same words with others may be again inserted, provided they constitute a proposition different from the one already decided.

EFFECT OF NEGATIVE ACTION.

115. So if a motion to strike out certain words is rejected it cannot be renewed as

to the same words, or part of the same words, because the assembly by deciding in the negative as to striking out has really adopted the words (a negative decision in one case is equivalent to an affirmative in the other); the assembly has by vote decided said words shall stand as a part of the proposition, and (unless by reconsideration) it cannot be so amended. It may, however, be moved that the same words with others or part of the same words with others be struck out, provided with the other words said motion constitutes practically a new proposition.

116. The same rules will apply to a motion to insert certain words in a paragraph. If the motion to insert be decided in the affirmative, then the words so inserted, or any of them, cannot be struck out except with other words. And then only when with the other words they present a new proposition. So if the motion to insert is rejected, it cannot be repeated as to the same words, or part of them—because by a negative decision on the vote to insert the assembly has decided said words in their

present form shall not become a part of the proposition, and having been once acted upon it cannot be renewed as an amendment, but it may be moved to insert the same words with others, or part of the same words with others, provided the said motion presents a new proposition. This is upon the principle that what has been agreed to by an assembly on vote, either adopting or rejecting, becomes the judgment of the assembly and cannot be again brought into question at that session unless the former vote is reconsidered.

TO STRIKE OUT AND INSERT WORDS.

117. If the motion be to strike out certain words and insert other words, said motion is a combination of the other two forms—to strike out, and to insert—and if the motion prevails the words so struck out, or any of them, cannot be again inserted except with other words, or the words so inserted, or any of them, cannot be struck out except with other words.

This, however, does not prevent a further use of the motion to strike out; or to insert, or to strike out and insert, as the same words with others or part of the same words with others may be again inserted, or the same words with others, or part of the same words with others, may be struck out, provided a new proposition is thereby presented: because, inasmuch as said motion is a combination of the other two motions if rejected, while it cannot be renewed in the same form, it is subject to a great variety of changes; for example, if it be moved to strike out A and B and insert C and D, and the motion is rejected, it does not prevent a motion to strike out A and B and insert nothing, or to insert C only or D only, or to insert E, or to strike out nothing and insert C and D, or C only, or D only, or in fact any way by which a new proposition is presented.

118. One motion cannot be changed into another, under color of amendment, or no amendment which has the effect of changing one form of motion into another, is in order. For example, a motion to adjourn

to meet at 7:30 p. m. could not be amended by striking out all after adjourn, because it changes it from a qualified to an unqualified motion; or a motion fixing the time could not be amended by striking out the time and inserting the place of meeting.

**Note*—As a rule, the motion to strike out and insert is indivisible, because it might lead to confusion, and is held by most authorities to be strictly one proposition, since if the proposition to strike out is rejected the proposition to insert would fall of its own weight; or the words, if inserted, might destroy the sense of the motion or resolution. Therefore, the chairman should exercise his best judgment as to whether the questions presented are properly divisible, for since it is a combination of the two forms—to strike out and to insert—there seems to be no good reason why this question may not be divided into these two forms, provided each of the propositions into which it is proposed to divide the question is a distinct proposition, capable of standing by itself if the other is not adopted.

(For further description of this form of amendment see division of the question, Sec. 128).

AS APPLIED TO PARAGRAPHS.

119. If it is moved to strike out a paragraph, then a new principle is involved, because inasmuch as the whole paragraph is to be struck out there will be nothing left upon which to ingraft an amendment, and if struck out it cannot be restored in whole or in part, or if the motion to strike out is rejected the assembly has really adopted the paragraph and it cannot be amended; therefore, it must be amended before the vote to strike out is taken, if at all. For this reason, the rule as to striking out and inserting words is modified when applied to striking out and inserting paragraphs.

120. When it is moved to strike out a paragraph the friends of the paragraph have a right to perfect the paragraph by amendment before the vote to strike out is taken. Or if it be moved to insert a paragraph, the assembly may modify the paragraph by amendment pending the motion to insert—because if the motion prevails the paragraph so inserted cannot be amended at that session; hence, it must be amended before it is inserted, if at all.

The only way by which action could be reversed at that session would be to reconsider the vote by which said paragraph was struck out, or inserted. This reconsideration, if it prevailed, would place the question again before the assembly in precisely the same condition as before the vote to strike out or insert was taken, and then the desired amendment would be in order.

121. If the motion is to strike out one paragraph and insert another, said motion takes on the form of a substitute (141), and as such the friends of the paragraph it is proposed to strike out, and the friends of the paragraph it is proposed to insert (beginning with the proposition to strike out), have the right to perfect said paragraphs by amendment before the test vote; because by said proposition the assembly would otherwise have simply a choice between two paragraphs, neither of which might be fully acceptable, and if the motion prevailed the paragraph struck out could not be restored, and the paragraph inserted could not be struck out or amended.

If the assembly desires to reject both propositions, that is, the original paragraph and the one it is proposed to insert, it should reject the motion to strike out and insert, and then by a new motion strike out the original paragraph. (See also substitute Sec. 141.)

Note.—It is the common practice in legislative assemblies after a bill has been perfected by amendment in committee to move to strike out all after the “enacting clause” and substitute the bill as perfected, or to amend a resolution by striking out all after the word “resolved” and substituting another resolution on the same subject.

If the “enacting clause” is struck out the bill is deprived of the words which give it life and make it law, and it is thus defeated.

(See also note to Sec. 143.)

TO POSTPONE INDEFINITELY.

122. The object of this motion is to defeat the question by removing it from before the assembly for that session. After an affirmative decision on the postponement the question upon which it is moved or any question of substantially the same

nature cannot be again introduced at that session.

The motion to postpone is not only debatable as to the propriety of postponing, but it also opens to debate the merits of the whole range of pending propositions to as great an extent as if they were directly before the assembly. It cannot be amended, postponed, committed, or tabled, but may be reconsidered. It cannot be applied to any subsidiary question alone, but if moved while a subsidiary motion is pending it relates to the main question also.

Note.—Some authorities hold that the motion for indefinite postponement should have no place in parliamentary law, or at least should be allowed only when authorized by special rule, because the object of the mover, which is not to postpone, but to defeat the question, could be accomplished as quickly and effectually by a negative vote on the main question. Further, since an affirmative vote on the postponement is equivalent to a negative vote on the main question, the use of this motion not only gives the opponents of the measure the advantage of an affirmative vote, which is an important one where the members are indifferent as to the result, but also serves to furnish the op-

ponents of the main question a test of strength at any stage of the proceedings without any risk to themselves or advantage to the friends of the measure except such as results from such an exhibition of strength. If the postponement is lost the opposition would still have another opportunity to defeat the main question when it comes to a final vote. This use of the motion is a strategic one, valuable when the opposition is doubtful of its strength. On the other hand, in spite of the reasons offered against the motion to postpone indefinitely, it is, if properly used, simple and helpful, and it is, therefore, recommended.

Because the motion to amend is generally regarded as higher in rank than indefinite postponement, some authorities hold that it is not in order to move to postpone indefinitely while an amendment is pending; but that it is in order after the amendment has been acted upon, and the main question, either amended or not amended, is before the assembly. This, however, is not now the practice in deliberative assemblies, unless authorized by special rule.

(See also note to Sec. 73c.)

INCIDENTAL MOTIONS.

123. Incidental motions (sometimes called dependent motions) are those which legitimately arise out of other questions imme-

diately pending and are capable of interrupting the question to which they are incidental. Therefore, when the necessity for an incidental motion arises it takes precedence of and supersedes all pending propositions, and should be decided before the questions which give rise to it.

Appeal.

Objection to consideration.

Division of a question.

Suspension of the rules.

APPEAL.

124. The will of the majority is the supreme power in all deliberative assemblies. If, therefore, any member thinks the chairman has not decided the question correctly, or in accordance with justice, or if he considers himself aggrieved by a decision of the chairman, or if any member desires to correct a decision of the chair which was hastily or erroneously made, or possibly made under undue influence, it is the privilege of any member to appeal to the assembly. The object of an appeal is to give the assembly an opportunity to correct such decision.

The form is, "I appeal from the decision of the chair." An appeal must be made at once or the question is presumed to have been correctly decided and is not afterward subject to appeal. This does not require recognition from the chair, is debatable, unless it refers to indecorum, or a violation of the rules, or to priority of business. The presiding officer has precedence, and also the right to speak without leaving his chair.

While a point of order (32) is undebatable, unless so requested by the chair, an appeal from a decision of the chair on a point of order is debatable. If, however, any appeal has interrupted an undebatable question, it is then undebatable.

125. When an appeal is made the chairman may or may not state his reasons for his decision without leaving the chair, and say, "Shall the decision of the chair be sustained?" when a vote will be taken. If the vote is in the affirmative, the chair is sustained, or if the vote is a tie the chair is sustained, because a decision of the chair can only be reversed by a majority of the assembly. If the vote is in the negative

the appeal is sustained and the decision is changed accordingly.

An appeal is not in order when another appeal is pending. It may be made when the previous question (97) is pending; but if made at such a time the appeal cannot be debated. It cannot be amended. It may be reconsidered whether the decision of the chair is, or is not, sustained, unless immediate action has followed the vote on the appeal. An appeal may be laid on the table, but the effect of laying it on the table is to sustain the chair only until the appeal is acted upon. The appeal, if laid on the table, does not carry to the table the question to which it is incidental.

OBJECTION TO CONSIDERATION.

126. An objection may be made to the consideration of any principal motion, order of the day, conference report, or resolution, by any member, if he considers it devoid of interest, out of place, calculated to make trouble, or irrelevant to the object of the assembly, or for other reasons; but

the objection can be made only when the question is first presented or before debate has begun.

The question of consideration applies only to such questions as bring a subject before the assembly for consideration, and not to any strictly parliamentary motion. For example, to adjourn,* to lay on the table, to amend, to commit, etc. It can be made when another member has the floor, or the chairman may put an objection on his own responsibility.

It does not require to be seconded, cannot be debated, or amended, or have any other motion applied to it; and upon the principle that when a motion has been made and seconded a simple majority cannot dispose of the question without debate; it requires a two-thirds negative vote to suppress the question.

**Note.*—The motion fixing the time or place to which to adjourn (if made when no question is before the assembly) would be a principal motion; but the question of consideration would not apply.

127. The form is, "I object to the consideration of the question." This does not require recognition from the chair, or to be seconded.

When the objection is made the chairman says, "Shall the question be considered?" and a vote is then taken. If decided in the negative (two-thirds vote), the whole matter is dismissed for that session, unless reconsidered. If the negative vote is less than two-thirds the question is before the assembly for consideration. Objection to the consideration of any question is seldom made in legislative assemblies or in assemblies of a political nature; in such assemblies the motion is not in general use, unless authorized by special rule; but in fraternal societies, in order to prevent the discussion of political questions or such questions as are peculiarly objectionable and tend to create ill-feeling among the members, the question may be profitably used and is, therefore, recommended.

DIVISION OF A QUESTION.

128. When a question is composed of two or more propositions, and these propositions are so far independent of each other that if one were adopted and the others rejected it would still be an intelligible expression of the opinion of the assembly, the question may be divided to enable the assembly to vote on each proposition separately.

The division cannot be demanded as the right of any member, but the question may be divided by the chair (subject to an appeal to the assembly) or by a motion regularly made and seconded for the purpose; but each proposition into which it is proposed to divide the question must be distinct and capable of standing upon its own merits if none of the other propositions were adopted. In other words, the division of a question is a form of amendment used to secure a separate vote on different parts of a motion or resolution, and is subject to all rules governing amendments. It may be amended by dividing the question dif-

ferently, and is debatable if the question it is sought to divide is debatable.

129. When the motion for the division is made the mover should specify in his motion the manner in which he proposes to make the division by stating the word with which each part ends; but since the last part must end with the last word of the motion or resolution, that ending should not be included in the motion to divide. If the vote be in the affirmative each proposition created by the division must be acted upon separately (and in its turn, beginning with the first) and if debatable, each in its turn may be debated.

When the motion for the division has been rejected, and the object of the motion was to accept one proposition and reject another, then the desired object may be accomplished by the motion to strike out (113), or by offering a substitute (141).

SUSPENSION OF THE RULES.

130. When the rules of an assembly interfere with the speedy transaction of any

business which it is desired to bring at once to completion, or when it seems desirable to take up some other business out of its proper order, the rules of the assembly may be suspended for the purpose of admitting that business, and any member may move the suspension of the rules that interfere [*see note;] but since the rules should not be suspended except for a definite purpose, the mover of the motion must specify in his motion the object of the suspension. If there is no objection, the rules may be suspending without the formality of a motion. A rule can be suspended only temporarily; therefore, any permanent change must go through the regular process of amendment.

**Note.*—If, however, the assembly is but a branch of some parent organization (as in fraternal orders) and is governed by the rules of that organization, the subordinate body cannot suspend the rules regularly adopted by the superior body for the government of such subordinate bodies.

An assembly cannot suspend any part of its Constitution or By-laws even by a unanimous vote, unless the Constitution or By-laws provide for such suspension. No rule of parliamentary law can be suspended for any purpose.

131. The form is, "I move the suspension of the rules that interfere with (specifying the object of the suspension)." This motion cannot be debated, or amended, or have any other motion applied to it, and in the absence of any special rule requires a two-thirds vote for its adoption. If acted upon it cannot be renewed at the same meeting for the same purpose, but the motion may be made at the next meeting, even when that meeting is held the same day.

MISCELLANEOUS MOTIONS.

132. Miscellaneous motions are those that on account of the rules which govern them cannot be included in any of the other classes.

To fill blanks.

Reading of papers.

To reconsider.

To rescind.

To substitute.

TO FILL BLANKS.

133. Sometimes resolutions are introduced, or reports of committees made, in

which blanks are left to be filled by the assembly. It is not necessary to make a motion to fill them (although such a motion is not prohibited), but any number of persons may suggest the number with which to fill them.

This motion or suggestion does not require to be seconded, because it is the right of any member to suggest one name, date, place, or sum for the consideration of the assembly, whether anyone else coincides with him or not.

The second, or any number following, is not to be considered as an amendment, for the reason that the rule applied to amendments—first come, first served—does not apply in filling blanks, but the filling of the blank should be decided by putting to vote, beginning with that number or time which is likely to unite the fewest members in its support, and if this is rejected the next number or time, and so on until one receives votes sufficient to adopt it. After the blank has been filled, the resolution or report is ready for adoption, rejection or

modification by the assembly, and may be amended like any other proposition.

READING OF PAPERS.

134. Every member of an assembly has a right to hear a paper once read before a final vote on it. There should, however, be a reasonable limit to the number of times the request may be made, because the delay which would naturally ensue from reading every paper that might be called for might consume the principal part of the session, leaving but little time for action.

Whenever any member asks for the reading of any paper which is then under consideration, and it is evident that the request is made for the purpose of gaining information and not for the sake of delay, the chairman should direct that the paper be read.

The reading of any paper upon which a final vote is not being taken is not in order, if anyone objects.

If there is an objection, leave may be obtained of the assembly for its reading by

a motion and vote for that purpose; but this motion cannot be debated or amended.

TO RECONSIDER.

135. When a motion, or an amendment, or a resolution has been acted upon, it is sometimes found advisable afterward to modify, reverse, or otherwise change the action taken. This can be done by a motion to reconsider the vote by which said action was taken. (For exceptions, see Sec. 138.) The motion to reconsider is in order even after a vote to adjourn has been taken, if the result of the vote to adjourn has not been announced by the chair, and for the purpose of having the motion to reconsider entered upon the minutes it is in order to interrupt a member speaking (*note), but cannot further interfere with the business or discussion then before the assembly, and cannot be acted upon when any other business is before the assembly.

**Note.*—For the purpose of defeating action of an assembly at which there is not present a fair representation of the members, or when it is evident that such action does not express the will of

a majority of the members, it is well to have a special rule allowing the member who has notice of a reconsideration entered on the minutes the sole right to call it up at the meeting at which the notice was given. Such a rule would give ample time to notify the absent members, that all who are interested may be present, and while it may work an injury in some cases, the benefit to be derived from such a rule controlling reconsideration when the time is short, will more than overbalance the evil.

It cannot be amended and it may be laid on the table (for effect, see Sec. 95d). It requires only a majority vote, regardless of the vote necessary to adopt the action it is sought to reconsider.

It is debatable or undebatable, as the question it is sought to reconsider was debatable or undebatable, and if debatable it opens to debate the merits of the question sought to be reconsidered, even though the action it is sought to reconsider was passed under the previous question.

136. The motion to reconsider must be made by one who voted on the prevailing side—that is, by one of the successful party

on the former vote, be it in the majority or minority—and at the same meeting the vote was taken it is proposed to reconsider; or if the assembly holds a meeting on the next succeeding day (Sunday and holidays not included) and no action authorized by said vote has been taken, the reconsideration may be moved at the next meeting; or if there is on another day before the next regular session an adjourned meeting of the one at which the vote it is proposed to reconsider was taken, and the mover gives notice before the adjournment of the meeting at which the vote was taken of his intention to move a reconsideration, it may be called up at the adjourned meeting. If, however, the vote which it is proposed to reconsider was taken by ballot, the right to move a reconsideration would destroy the secrecy of the vote, which is the chief object of the ballot, and in such cases, except in cases of elections (when a reconsideration is not permissible), any member may move to reconsider.

137. After the motion to reconsider has been entered on the minutes it suspends all

action required by the original vote until the motion to reconsider has been disposed of; but if not called up its effect terminates with the expiration of the time during which it is in order to act upon the reconsideration, and when called up if the reconsideration carries, it places the question again before the assembly in precisely the same condition as before voted on, and the presiding officer should again put the question to vote. It does not follow, however, that the reconsideration when called up must be *decided immediately*, as unless the previous question (97) is ordered it is subject to postponement, commitment or any other action.

If the reconsideration is upon the main question the reconsideration may be laid on the table or postponed; but when applied to any dependent question having a direct bearing upon and adhering to the main question it cannot be tabled or postponed without carrying with it the main question.

If the vote on the reconsideration is lost, the effect is to clinch or reaffirm the former vote, which then stands safe from reversal.

138. Reconsideration is applicable to almost all motions; the exceptions are the motion to adjourn, an affirmative vote to lay on the table, suspension of the rules, elections to office, the motion to reconsider itself, or any action that has been wholly or partly executed, or that has determined or influenced subsequent proceedings, or caused action that cannot be reversed. No question can be twice reconsidered; but if on reconsideration an amendment has been adopted making a material change another reconsideration may be had, because the question before the assembly is by reason of the amendment a different one.

139. An amended motion must be reconsidered before the amendment; hence, whenever an amended motion has been adopted, a motion to reconsider an amendment previously adopted would not be in order; it would be necessary first to reconsider the vote by which the amended mo-

tion was carried, and if the reconsideration prevailed a motion to reconsider the amendment would be in order.

If the previous question is ordered when this motion is pending, it applies only to the motion to reconsider, and if the vote on the reconsideration is in the affirmative the question for reconsideration is again before the assembly.

TO RESCIND.

140. When an assembly desires to annul or reverse an action taken at some former meeting, and it is too late to reconsider such action because the motion to reconsider had not been made within the prescribed time, the proper procedure is to rescind.

The motion to reconsider and to rescind should not be confounded, since it is not in order to move to rescind during the time a motion to reconsider is in order; in other words, reconsider an action taken at this meeting, rescind an action taken at some former meeting.

The motion to rescind is debatable if the action it is sought to rescind was debatable, and any subsidiary action may be taken upon it. It requires the same vote as did the question to which it refers.

It cannot be reconsidered, because it is in itself a reconsideration of the former vote. If decided in the affirmative the former action is rescinded; if decided in the negative the former action is reaffirmed.

TO SUBSTITUTE.

141. A substitute is really equivalent to the amendment to strike out and insert, and is governed by the same rules. It is usually applied to a whole paragraph, or to a whole amendment; there is nothing, however, to prevent the substitution of certain words for words in the main or pending question, or to substitute one motion for another: but the words or proposition it is proposed to substitute must be germane or relevant to the original proposition.

It, therefore, embodies the two forms of amendment: to strike out a paragraph, and to insert another. If a question is under amendment a substitute for the whole is not in order until the amendment is first disposed of.

142. Example:

A offers a motion.

B offers a substitute for the motion.

C offers an amendment to the substitute.

The above should be acted upon in inverse order, i. e., beginning with C, unless the friends of A's motion desire to perfect it by amendment before the substitute is acted upon. The friends of both—the motion and the substitute—beginning with the motion, have a right to perfect them before the test vote is taken.

Example:

A offers a motion.

B offers an amendment.

C offers an amendment to the amendment.

D offers a substitute for A's motion.

E offers an amendment to the substitute.

In this example A's motion should first be perfected by acting upon its pending amendments and such other amendments as may be offered, then the substitute should be perfected in like manner, then comes the test vote to ascertain if the assembly prefers the substitute as perfected instead of the motion as perfected. If the result of the vote is in the negative, then the question recurs on the adoption or rejection of the motion as perfected.

If the test vote is in the affirmative the question recurs on the adoption or rejection of the substitute, as perfected.

143. If the result of the test vote is in the affirmative, then the substitute takes the place of the proposition for which it was offered and is the question before the assembly; it, therefore, follows that if the proposition for which it was offered is one that had been acted upon and was in force (such as a section of the by-laws), then the substitute is in force without further action. If, however, the substitute was offered for some proposed action which the assembly

has not yet adopted, it is simply a question as to which the assembly prefers, and if the substitute is carried it takes the place of such proposed action and is subject to further modification by amendment, postponement, commitment, or other action. The assembly may reject both motion and substitute.

Note.—In legislative assemblies bills are often referred to a committee to examine and put into proper form, with such recommendations as the committee may offer for the action of the assembly. And said committee, after deliberation, often offers another bill on the same subject as a substitute for the original bill, or any member may offer such a substitute. This is what is known as a “substitute bill.”

ORDER OF BUSINESS.

144. Since societies are organized and meetings held for such a variety of purposes, it is impossible to give an order of business acceptable to all societies or meetings. Inasmuch as some order of business should be adopted to restrain individual members from calling up favorite measures or business out of its proper order, it is

necessary that any society having a permanent existence should arrange in advance the order that will be most suitable for the transaction of its business—though the order must necessarily depend upon the nature and amount of business to be transacted. In the absence of such special arrangement, or of a constitutional provision, the following will be found suitable for ordinary purposes :

Call to order.

Reading and approval of the minutes.

Reports of standing committees.

Reports of special committees.

Unfinished business.

New business.

Adjournment.

It will be readily seen that the above form may be modified by inserting other orders, or by changing their arrangement in any manner that will best serve the interest of the organization. Since no form that could be given here would be suitable for all cases, each society must judge for itself as to the extent of such modification.

PRACTICAL LESSONS.

145. For the purpose of illustrating by practice some of the questions that may arise in any assembly, let us suppose a meeting has been called to discuss some of the current topics or political questions of the day. Shortly after the time for which the meeting was called some member will rise, face the assembly, and say: "The meeting will please come to order." He may here state briefly the object of the meeting, and conclude his remarks by saying, "Nominations for chairman are in order."

Mr. Newton (rising): I nominate Mr. Adler for chairman.

The Acting Chairman: Mr. Adler has been nominated. Are there other nominations? (After a short pause.) As many as favor Mr. Adler for chairman say Aye. Those opposed, No.

If the ayes are in majority he will say: "The ayes have it. Mr. Adler is elected and will please take the chair."

Or if the noes are in majority he will say: "The noes have it. There is no election. Nominations for chairman are again in order."

When the chairman is elected he takes the chair and proceeds to complete the organization by the election of a secretary. This election is conducted the same as the election of a chairman, except that since the chairman is elected he has the power of recognition in deciding who has the floor. Therefore, when any member desires to introduce any business, or speak on any subject, he must *first obtain the floor* by rising and saying, "Mr. Chairman," and *wait until recognized*.

146. Mr. Hansell (rising): Mr. Chairman.

The Chairman: Mr. Hansell.

Mr. Hansell: I nominate Mr. Newton for secretary.

The Chairman: Mr. Newton has been nominated. Are there other nominations?

. . . As many as favor Mr. Newton for

secretary say aye. Those opposed, no. . . .
The ayes have it. Mr. Newton is elected
and will please assume the duties of secre-
tary.

147. Mr. Briggs (rising): Mr. Chair-
man.

The Chairman: Mr. Briggs.

Mr. Briggs: I move the adoption of the
resolution. *Resolved*, That Education
should be compulsory.

Mr. Brown (rising): I second the mo-
tion.

The Chairman: It is moved and sec-
onded to adopt the resolution. *Resolved*,
That Education should be compulsory.
Are you ready for the question?

Mr. Dalton (obtaining the floor): I
move to amend the resolution by inserting
the words "in the grammar grades" after
the word education.

Mr. Kane (rising): I second the mo-
tion.

The Chairman: It is moved and seconded to amend the resolution by inserting the words "in the grammar grades" after the word education. So that the resolution, if amended, will be, *Resolved*, That education in the grammar grades should be compulsory. Are you ready for the question? (Amendment debatable.) As many as favor the amendment say aye. . . . Those opposed, no. . . . The ayes have it. The amendment is adopted. The question now recurs on the amended resolution, *Resolved*, That education in the grammar grades should be compulsory. Are you ready for the question? As many as favor the amended resolution say aye. . . . Those opposed, no. . . . The ayes have it. The *amended* resolution is adopted.

148. Mr. Colvin (obtaining the floor): I move the adoption of the resolution, *Resolved*, That High Schools should be maintained at public expense.

Mr. Little (rising): I second the motion.

The Chairman: It is moved and seconded to adopt the resolution, *Resolved*, That High Schools should be maintained at public expense. Are you ready for the question?

Mr. Lissenden (obtaining the floor): I move to amend the resolution by striking out the word High.

Mr. Newton (rising): I second the motion.

The Chairman: It is moved and seconded to amend the resolution by striking out the word High. So that the resolution, if amended, will be: *Resolved*, That schools should be maintained at public expense. Are you ready for the question? (Amendment debatable.) As many as favor the amendment say aye. . . . Those opposed, no. . . . The ayes have it. The amendment is adopted. The question now recurs on the amended resolution, *Resolved*, That schools should be maintained at public expense. Are you ready for the question? As many as are in favor say aye. . . . Those opposed, no. The ayes have it. The amended resolution is adopted.

149. Mr. Rollins (obtaining the floor) : I move we adjourn.

Mr. Clancy (rising) : I second the motion.

The Chairman: It is moved and seconded that we adjourn. Are you ready for the question? (Undebatable.)

Mr. Scales (obtaining the floor) : I move that when we adjourn it shall be to meet in Handel Hall next Tuesday, 7:30 p. m.

Mr. Kane (rising) : I second the motion.

The Chairman: It is moved and seconded that when we adjourn it shall be to meet in Handel Hall next Tuesday at 7:30 p. m. Are you ready for the question?

(The question is now open to amendment as to the time or place of meeting; but since it interrupts the undebatable motion—to adjourn—it cannot be debated.)

Mr. Colvin (obtaining the floor) : I move to amend by striking out the word Handel and inserting the word Studebaker.

Mr. Peters (rising): I second the motion.

The Chairman: It is moved and seconded to amend the motion by striking out the word Handel and inserting Studebaker. So that the motion, if amended, will be: That when we adjourn it shall be to meet in Studebaker Hall next Tuesday at 7:30 p. m. Are you ready for the question? (Undebatable.)

Mr. Harter (obtaining the floor): I move to amend by striking out 7:30 and inserting 8.

Mr. Kane (rising): I second the motion.

The Chairman: The chair rules the amendment offered not in order, because it does not apply to the amendment before the assembly—striking out the word Handel and inserting Studebaker. It is in fact an amendment to a different part of the motion, and therefore cannot be entertained until the amendment now before the assembly is disposed of. As many as are in favor of the amendment—striking out the word

Handel and inserting Studebaker—say aye. . . . Those opposed, no. . . . The ayes have it. The amendment is adopted. The question now recurs on the amended motion. That when we adjourn it shall be to meet in Studebaker Hall next Tuesday at 7:30 p. m. Are you ready for the question? (Undebatable.)

Mr. Harter (obtaining the floor): I move to amend by striking out 7:30 and inserting 8.

Mr. Kane (rising): I second the motion.

The Chairman: It is moved and seconded to amend the motion by striking out 7:30 and inserting 8. Are you ready for the question? (Undebatable.)

Mr. Scales (obtaining the floor): The hour 7:30 is too early for those residing in the suburbs. I am in favor of—

The Chairman (interrupting): The gentleman is not in order. In this case the question before the assembly—fixing the time and place—interrupts the undebatable

motion—to adjourn—and cannot be debated. The question is on the amendment striking out 7:30 and inserting 8. As many as favor the amendment say aye. . . . Those opposed, no. . . . The ayes have it. The amendment is adopted. The question now recurs on the amended motion. That when we adjourn it shall be to meet in Studebaker Hall next Tuesday at 8 p. m. As many as are in favor say aye. . . . Those opposed, no. . . . The ayes have it. The motion is adopted. The question now recurs on the motion to adjourn. As many as favor adjournment say aye. . . . Those opposed, no. . . . The ayes have it. We are adjourned to meet in Studebaker Hall next Tuesday at 8 p. m.

NEXT MEETING.

150. When the time for reassembling arrives the officers take their places and the chairman says, "The meeting will come to order. The secretary will read the minutes of the last meeting." After their correction, if necessary, and approval, the order of business (144) should be followed, un-

less at some time during the proceedings (when no other business is before the assembly) a motion is made to suspend the rules for the purpose of taking up some business out of its regular order.

Let us suppose that immediately after the approval of the minutes of the last meeting Mr. Murphy desires to introduce new business without following the regular order of business.

Mr. Murphy (rising): Mr. Chairman.

The Chairman: Mr. Murphy.

Mr. Murphy: I move a suspension of the rules that interfere with action on the subject of capital punishment.

Mr. Briggs (rising): I second the motion.

The Chairman: It is moved and seconded to suspend the rules and take up the subject of capital punishment (this requires a two-thirds vote). Are you ready for the question? (Undebatable.) As many as are in favor of suspending the rules say

aye. . . . Those opposed, no. . . . The ayes have it. The rules are suspended.

Mr. Murphy (obtaining the floor): I move the adoption of the resolution, *Resolved*, That capital punishment should be abolished.

Mr. Harding (rising): I second the motion.

The Chairman: It is moved and seconded to adopt the resolution: Resolved, That capital punishment should be abolished. Are you ready for the question?

Mr. Scales (obtaining the floor): I move to amend the resolution by inserting the words "is a relic of barbarism and" after the word punishment.

Mr. Clancy (rising): I second the motion.

The Chairman: It is moved and seconded to amend the resolution by inserting the words "is a relic of barbarism and" after the word punishment. So that the resolution, if amended, will be: Resolved, That capital punishment is a relic of bar-

barism and should be abolished. Are you ready for the question? (Amendment debatable.) As many as favor the amendment say aye. . . . Those opposed, no. . . . The noes have it. The amendment is rejected. The question now recurs on the resolution, Resolved, That capital punishment should be abolished. Are you ready for the question? As many as are in favor say aye. . . . Those opposed, no. . . . The noes have it. The resolution is rejected.

Mr. Clancy (obtaining the floor): I move the adoption of the resolution, *Resolved*, That intemperance is the chief cause of hard times.

Mr. Briggs (rising): I second the motion.

Mr. Newton (rising): I rise to a parliamentary inquiry.

The Chairman: The member will state his inquiry.

Mr. Newton: Since the rules have been suspended for the purpose of taking up the

subject of capital punishment, would it be in order to act upon a resolution on intemperance?

The Chairman: The chair would rule that when the rules are suspended it must be for a definite purpose, and that no business can be transacted except that specified in the motion for suspension. In this case the suspension was for the purpose of taking up the subject of capital punishment. Therefore, no business of another nature is in order. If, however, the assembly desires to take up the subject of intemperance the rules may be again suspended for that purpose. If there is nothing further on the subject of capital punishment the assembly will resume the regular order of business.

(Business proceeds accordingly.)

151. The resolution, *Resolved*, That civil service examinations should be abolished, is before the assembly.

Mr. Dolton (obtaining the floor): I move to amend the resolution by inserting the words "as now conducted" after the word examinations.

Mr. Brandon (rising): I second the motion.

The Chairman: It is moved and seconded to amend the resolution by inserting the words "as now conducted" after the word examinations. So that the resolution, if amended, will be: Resolved, That civil service examinations as now conducted should be abolished. Are you ready for the question?

Mr. Harter (obtaining the floor): I move to amend the amendment by adding the words "are a nuisance and."

Mr. Kane (rising): I second the motion.

The Chairman: It is moved and seconded to amend the amendment by adding the words "are a nuisance and." So that the question on the amendment, if amended, will be on inserting the words "as now conducted are a nuisance and" after the word examinations. Are you ready for the question? (Amendment to the amendment debatable.)

152. Mr. Newton (obtaining the floor): I move that the question be laid on the table.

Mr. Hansell (rising): I second the motion.

The Chairman: It is moved and seconded that the question be laid on the table. Are you ready for the question? (Undebatable.) As many as are in favor of tabling the question say aye. . . . Those opposed, no. . . . The ayes have it. The question is laid on the table.

Mr. Harter (obtaining the floor): I move to amend the amendment by adding the——

The Chairman (interrupting): The motion to amend is not in order, because there is no question before the assembly, the whole subject having gone to the table.

Mr. Newton (obtaining the floor): In making my motion to lay on the table I meant to lay the amendment to the amendment *only* on the table. After that motion

has been disposed of can we not take further action on the question?

The Chairman: When an amendment, or an amendment to the amendment, is laid on the table the whole subject goes with it, for the reason that an amendment so closely adheres to the subject it is proposed to amend, that it would not be practical to go on with the question if there were amendments on the table liable to be called up at any time. So, also, if the main question is laid on the table, all amendments and vitally connected questions go with it.

Mr. Dempsey: I rise to a parliamentary inquiry.

The Chairman: The member will state his inquiry.

Mr. Dempsey: After the resolution has gone to the table, how may the question be brought up?

The Chairman: By a regular motion and vote to take the question from the table.

153. Mr. Dolton (obtaining the floor): I move the resolution on civil service examinations be taken from the table.

Mr. Scales (rising): I second the motion.

The Chairman: It is moved and seconded to take the resolution on civil service examinations from the table. Are you ready for the question? (Undebatable.)

Mr. Clancy: I rise to a point of order.

The Chairman: The gentleman will state his point of order.

Mr. Clancy: Since the resolution has gone to the table, it cannot be taken up at this session.

The Chairman: In the absence of a special rule, or of custom of the assembly of such length of standing as to acquire the force of law, when a question is laid on the table it goes to the table only until such time, sooner or later, as the assembly decides to take it from the table. The chair rules the point *not well taken*. The ques-

tion before the assembly is on taking the resolution on civil service examinations from the table. Are you ready for the question? (Undebatable.) As many as favor taking the resolution from the table say aye. . . . Those opposed, no. . . . The ayes have it. The resolution is taken from the table. The question now before you is on the amendment to the amendment, adding the words "are a nuisance and." Are you ready for the question? As many as favor the amendment to the amendment say aye . . . Those opposed, no. . . . The noes have it. The amendment to the amendment is rejected. The question now recurs on the amendment, inserting the words "as now conducted" after the word examinations. Are you ready for the question? As many as favor the amendment say aye. . . . Those opposed, no. . . . The ayes have it. The amendment is adopted. The question now recurs on the amended resolution: Resolved, That civil-service examinations as now conducted should be abolished. Are you ready for the question? As many as are in favor say aye. . . . Those opposed,

no. . . . The ayes have it. The amended resolution is adopted.

154. The resolution, Resolved, That intemperance is the chief cause of hard times, is before the assembly.

Mr. Colvin (obtaining the floor): I move to amend by striking out the word *intemperance* and inserting the word *speculation*.

Mr. Briggs (rising): I second the motion.

The Chairman: It is moved and seconded to amend the resolution by striking out the word *intemperance* and inserting the word *speculation*, so that the resolution, if amended, will be "Resolved, That speculation is the chief cause of hard times." Are you ready for the question? (Amendment debatable).

Mr. Peters: I rise to a point of order.

The Chairman: The member will state his point of order.

Mr. Peters: The amendment is not germane to the question, and therefore not in order. (Undebatable).

The Chairman: Whether the proposed amendment is or is not germane to the question, would depend largely upon the nature of the assembly, or the purpose for which the meeting was called. If the meeting was called for the purpose of discussing the temperance question, or the resolution was offered to show the effect of intemperance, the amendment would not be germane; but in an ordinary assembly, the resolution being offered for the purpose of ascertaining what is the cause of hard times, the amendment would be germane. The chair rules the point *not well taken*.

Mr. Peters (without waiting for recognition): I appeal from the decision of the chair.

The Chairman: The decision of the chair is appealed from. The question before you is: "Shall the decision of the chair stand as the judgment of the assembly?" (Debatable). Note* As many as are in

favor of sustaining the chair say aye. . . . Those opposed no. . . . The noes have it. The chair is overruled. The assembly decides the amendment not in order, and it is not in order (or)—the ayes have it. The chair is sustained. The assembly decides the amendment to be in order, and it is in order. (Business proceeds accordingly).

**Note.*—The student will notice that while a point of order is not debatable (unless debate is requested by the chair) an appeal from a decision of the chair on a point of order is debatable.

155. The resolution, *Resolved*, That this assembly approve the action of the board of education in assigning doctors to duty in the public schools, is before the assembly.

Mr. Ryan (obtaining the floor): I move to amend by striking out the word approve and inserting the word disapprove.

The Chairman: The amendment offered does not change the question before the assembly. The question to be decided by the original resolution, or by the resolution, if so amended, is whether the assembly approves or does not approve of

the action of the board of education, which would be as effectually decided by a direct vote on the resolution. It is in fact an equivalent motion, having only the effect of reversing the vote. The chair decides the amendment *not in order*. The question is on the adoption or rejection of the resolution. Are you ready for the question.

Mr. Hansell (obtaining the floor) : I believe this to be an important question, and one which our constituents have a right to know how each member votes on this question. I move——

Mr. Newton (interrupting) : I rise to a question of privilege.

The Chairman: The member will state his question of privilege.

Mr. Newton: This part of the room is uncomfortably cold, many of the members are obliged to wear their overcoats; cannot something be done that will make the room more comfortable?

The Chairman: The question of privilege is in order. The members are not expected to endanger their health by sitting in a cold room. Will Mr. Brown kindly see the janitor and have more steam turned on, so that the room may be made comfortable in all parts. . . .

Mr. Hansell has the floor.

156. Mr. Hansell (continuing): I move the vote on the resolution be taken by the yeas and nays.

Mr. Drake (rising): I second the motion.

The Chairman: It is moved and seconded that the vote be by the yeas and nays (in the absence of a rule adopted by the assembly the yeas and nays are ordered by one-fifth of the members voting). Are you ready for the question? (Undebatable). As many as are in favor of ordering the yeas and nays say aye. . . . Those opposed no. . . . Since a sufficient number have voted in the affirmative the yeas and nays are ordered. The secretary

will call the roll. As each member's name is called he will answer yes or no.

(After the calling of the roll is completed the secretary announces to the chairman the number voting in the affirmative; also the negative, and the chairman declares the result.)

The Secretary: Mr. Chairman.

The Chairman: Mr. Secretary.

The Secretary: Total number of votes, 20; affirmative votes, 11; negative votes, 9.

The Chairman: Since a majority has voted in the affirmative the resolution is adopted, (or if it is a motion requiring a two-thirds vote), since less than two-thirds have voted in the affirmative the motion is rejected.

157. Let us suppose some member has introduced a resolution, motion, report, or petition which some other member deems profitless, out of place, irrelevant to the object of the assembly, likely to create trouble or ill feeling, or for other reasons. Imme-

diately after the question is stated by the chair, and before debate or other action is taken upon it any member may object to its consideration as follows: (*Note).

**Note.*—This rule applies only to business which introduces a subject for consideration, and not to any parliamentary question as to lay on the table, to amend, to postpone, to reconsider, etc.

Mr. Scales (without waiting for recognition): Mr. Chairman, I object to the consideration of the question.

The Chairman: The question of consideration is raised. The question before you is: Shall the question be considered? (A two-thirds negative vote is required to prevent consideration). Are you ready for the question? (Undebatable). As many as favor consideration say aye. . . . Those opposed no. . . . Two-thirds having voted in the negative, the noes have it. The assembly refuses to consider; or, more than one-third having voted in the affirmative, the ayes have it. The question is before the assembly for consideration. (Business proceeds accordingly).

158. The resolution, *Resolved*, That science has benefited humanity more than literature has, and that education should be conducted on scientific rather than literary lines.

Mr. Rollins (obtaining the floor): This is a question upon which we ought not act hastily. I would be in favor of referring it to a committee, giving the committee ample time to consider the question, and to offer such suggestions or amendments as may seem proper. I therefore move that the resolution be referred to a committee of five members, to be appointed by the chair, and that said committee be instructed to report at our next meeting.

Mr. Little (rising): I second the motion.

The Chairman: It is moved and seconded to refer the resolution to a committee of five members, to be appointed by the chairman, and said committee be instructed to report at our next meeting. Are you ready for the question? (Debatable as to propriety of referring to a committee).

Mr. Clancy (obtaining the floor): I move the question be divided into three parts, the first part ending with the word committee, the second part ending with the word chairman.

The Chairman: The question is not properly divisible for the reason the parts into which it is proposed to divide the question are not capable of standing by themselves, because if the assembly rejects the proposition to commit, the question as to how the committee shall be appointed, or when the committee shall report would fall of their own weight. The chair rules the motion to divide *not in order*. The question is on the motion to commit. As many as are in favor of referring to a committee say aye. . . . Those opposed no. . . . The noes have it. The resolution is still before you.

Mr. Dolton (obtaining the floor): Since there are two distinct propositions in the resolution some of the members may be in favor of one and opposed to the other, and in order to get a fair expression of opinion

I move the resolution be divided into two parts, the first part ending with the words literature has.

Mr. Peters (rising) : I second the motion.

The Chairman : It is moved and seconded to divide the resolution into two parts, the first part ending with the words "literature has." Are you ready for the question? (Debatable as to the propriety of dividing). As many as favor division say aye. . . . Those opposed no. . . . The ayes have it. The resolution is divided. The question now recurs on the first part, *Resolved*, That science has benefited humanity more than literature has. Are you ready for the question? (This question is now open to debate and amendment). As many as favor the resolution say aye. . . . Those opposed no. . . . The ayes have it; the resolution is adopted. The question now recurs on the second part, *Resolved*, That education should be conducted on scientific rather than literary lines. Are you ready for the question? (This question is now open to debate and amendment).

As many as favor the resolution say aye.
. . . Those opposed no. . . . The noes
have it. The resolution is rejected.

159. The resolution, Resolved, That competition is more favorable to business than co-operation is before the assembly.

Mr. Burton (obtaining the floor) : I move to amend by substituting the following: Resolved that the formation of so-called trusts is detrimental to business.

Mr. Clute (rising) : I second the motion.

The Chairman : It is moved and seconded to amend by substituting the following: Resolved, That the formation of so-called trusts is detrimental to business. Are you ready for the question?

Mr. Brown (obtaining the floor) : I move to amend the substitute by adding the words "and should be prohibited."

Mr. Kempf (rising) : I second the motion.

The Chairman : It is moved and seconded to amend the substitute by adding the words

“and should be prohibited,” so that the proposed substitute, if amended will be, Resolved, That the formation of so-called trusts is detrimental to business, and should be prohibited. Are you ready for the question?

Mr. Harter (obtaining the floor) : I move to amend the amendment by adding the words “by law.”

The Chairman : Since the proposed substitute is itself an amendment to the resolution, the proposition to amend by adding the words “and should be prohibited” is a secondary amendment. Therefore, the proposition to further amend by adding the words “by law” is a violation of the rule allowing but two amendments to a proposition to be pending at the same time. The chair rules the third amendment not in order. The question before the assembly is on adding the words “should be prohibited.” As many as are in favor say aye. . . . Those opposed no. . . . The ayes have it. The amendment is adopted. The question now recurs on the amended substitute. Are you ready for the question?

Mr. Harter (obtaining the floor) : I move to amend by adding the words "by law."

Mr. Harding (rising) : I second the motion.

The Chairman: It is moved and seconded to amend the substitute by adding the words "by law," so that the substitute if amended will be, Resolved, That the formation of so-called trusts is detrimental to business and should be prohibited by law. Are you ready for the question? As many as favor the amendment say aye . . . Those opposed no. . . . The ayes have it. The substitute is amended.

The question now recurs on the amended substitute, Resolved, That the formation of so-called trusts is detrimental to business and should be prohibited by law. Are you ready for the question? As many as favor the substitute say aye. . . . Those opposed no. . . . The ayes have it. The substitute is adopted. The question now recurs on the substituted resolution. Are you ready for the question?

Mr. Kane: I rise to a parliamentary inquiry.

The Chairman: The member will state his inquiry.

Mr. Kane: Have we not already decided this question by our last vote on the substitute?

The Chairman: The question decided by the last vote was whether the assembly preferred the original resolution, or the resolution offered as a substitute. The vote being in the affirmative, the substituted resolution takes the place of the original resolution and becomes the resolution before the assembly for adoption or rejection, like any other amended proposition. The question is on the adoption or rejection of the substituted resolution. As many as are in favor say aye. . . . Those opposed no. . . . The ayes have it. The resolution is adopted.

160. The resolution, *Resolved*, That school examinations should be abolished, is before the assembly.

Mr. Scales (obtaining the floor) : I move to amend by inserting the words "as tests for promotion" after the word examinations.

Mr. Brandon (rising) : I second the motion.

The Chairman : It is moved and seconded to amend the resolution by inserting the words "as tests for promotion" after the word examinations, so that the resolution, if amended, will be, Resolved, That school examinations as tests for promotion should be abolished. Are you ready for the question?

Mr. Harding (obtaining the floor) : I move to amend the amendment by adding the words "are injurious to children and."

Mr. Clancy (rising) : I second the motion.

The Chairman : It is moved and seconded to amend the amendment by adding the words "are injurious to children and," so that the question on the amendment, if amended, will be on inserting the words "as tests for promotion are injurious to chil-

dren and," after the word examinations. Are you ready for the question?

Mr. Kane: I rise to a question of privilege.

The Chairman: The member will state his question of privilege.

Mr. Kane: It is worse than useless for this assembly to waste its time in discussing such nonsensical amendments——

The Chairman (interrupting): The speaker is not speaking to a question of privilege. If he wishes to discuss the question he must obtain the floor in the usual way.

Mr. Scales (obtaining the floor): I move the previous question.

Mr. Newton (rising): I second the motion.

The Chairman: The previous question is moved and seconded (this requires a two-thirds vote). The question before you is "shall the vote on the pending questions be now taken?" Are you ready for the ques-

tion? (Undebatable). As many as are in favor of ordering the previous question say aye. . . . Those opposed no. . . . Two-thirds having voted in the affirmative the previous question is ordered. The question now recurs on the amendment to the amendment, adding the words "are injurious to children and." As many as favor the amendment to the amendment say aye. . . . Those opposed no. . . . The ayes have it. The amendment is amended. The question now recurs on the amended amendment, inserting the words "as tests for promotion are injurious to children and," after the word examinations. Are you ready for the question? (Undebatable).

Mr. Brown (obtaining the floor): I am opposed to the amendment. I believe—

The Chairman (interrupting): The gentleman is not in order. After the previous question is ordered no debate, amendment or further compilation of motions is in order. The question is on the amended amendment. As many as favor the amendment say aye. . . . Those opposed no. . . .

The ayes have it. The amended amendment is adopted. The question now recurs on the amended resolution, Resolved, That school examinations as tests for promotion are injurious to children and should be abolished. Are you ready for the question? As many as favor the amended resolution say aye. . . Those opposed no. . . . The ayes have it. The resolution is adopted.

161. The resolution on school examinations (Sec. 160) is before the assembly and debate is being had on the amendment inserting the words "as tests for promotion" after the words examinations.

Mr. Colvin (obtaining the floor) : I move the previous question on the amendment.

Mr. Kempf (rising) : I second the motion.

The Chairman : The previous question is moved and seconded on the amendment. (This requires a two-thirds vote). The question before you is "Shall the vote on the amendment be now taken?" (Undebatable). As many as favor ordering the pre-

vious question on the amendment say aye.

. . . Those opposed no. . . . The ayes have it. The previous question is ordered on the amendment. The question now recurs on the amendment inserting the words "as tests for promotion" after the word examinations. As many as favor the amendment say aye. . . . Those opposed no. . . . The ayes have it. The amendment is adopted. The question now recurs on the amended resolution, Resolved, That school examinations as tests for promotion should be abolished. Are you ready for the question?

Mr. Murphy (obtaining the floor) : I am in favor of the resolution as amended. Still, it seems to me the resolution might be made stronger by giving a reason for such action. I move to amend by inserting the words "are injurious to children and" after the word promotion.

Mr. Harding: I rise to a point of order.

The Chairman: The member will state his point of order.

Mr. Harding: The gentleman is attempting to debate and amend the resolution after the previous question is ordered.

The Chairman: In this case the previous question was limited to the amendment. After the amendment was voted on the previous question was exhausted and the resolution is again open to debate and amendment. The chair decides the point of order not well taken.

(Business proceeds accordingly).

162. Let us suppose that after Mr. Colvin's resolution (Sec. 148) has been offered and before it was seconded, he may for some reason wish to withdraw it. (Procedure would be as follows):

Mr. Colvin: I withdraw the resolution.

The Chairman: The resolution is withdrawn. (If the resolution has been seconded procedure would be as follows).

Mr. Colvin (rising): With my second's consent I withdraw the resolution.

The Chairman: Does the second consent?

Mr. Little (rising) : I consent.

The Chairman : The resolution is withdrawn.

(If the resolution had been stated to the assembly, it would then be the property of the assembly and could only be withdrawn by unanimous consent or by a regular motion and vote granting leave to withdraw. In such case procedure would be).

Mr. Colvin (rising) : I desire to withdraw the resolution.

The Chairman : The mover desires to withdraw the resolution. Is there any objection? If there is no objection the chairman declares the resolution withdrawn, or——

Mr. Kempf (rising) : I object.

Mr. Murphy (obtaining the floor) : I move leave be granted to withdraw the resolution.

Mr. Little (rising) : I second the motion.

The Chairman: It is moved and seconded that leave be granted to withdraw the resolution. Are you ready for the question? (Undebatable). As many as are in favor of granting leave to withdraw say aye. . . . Those opposed no. . . . The ayes have it. The resolution is withdrawn; or the noes have it. The assembly refuses to allow the withdrawal of the resolution. (Business proceeds accordingly).

163. The resolution on Capital Punishment (Sec. 150) was rejected. Mr. Hansell (who voted in the negative) has for some reason changed his mind and wishes to bring the resolution before the assembly.

Mr. Hansell (obtaining the floor): I move to reconsider the vote on the resolution on capital punishment.

Mr. Briggs (rising): I second the motion.

The Chairman: Did Mr. Hansell vote with the prevailing side?

Mr. Hansell (rising): I voted on the negative.

The Chairman : It is moved and seconded to reconsider the vote on the resolution on capital punishment. Are you ready for the question? (Opens to debate the question sought to be reconsidered). As many as favor reconsideration say aye. . . . Those opposed no. . . . The ayes have it. The vote is reconsidered. The resolution, Resolved, That capital punishment should be abolished is before you. Are you ready for the question?

Mr. Murphy (obtaining the floor) : When the vote on the amendment inserting the words "is a relic of barbarism" was before the assembly I voted on the prevailing side. I now desire to set myself right on this question. I therefore move to reconsider the vote on the amendment.

Mr. Newton (rising) : I second the motion.

The Chairman : It is moved and seconded to reconsider the vote on the amendment. Are you ready for the question? (Debatable). As many as are in favor of reconsidering the vote on the amendment

say aye . . . Those opposed no. . . . The ayes have it. The vote on the amendment is reconsidered. The question now before you is on the amendment inserting the words "is a relic of barbarism" after the word punishment. Are you ready for the question? (Debatable). As many as are in favor of the amendment say aye. . . . Those opposed no. . . . The ayes have it. The amendment is adopted. The question now recurs on the amended resolution, Resolved, That capital punishment is a relic of barbarism and should be abolished. Are you ready for the question? As many as are in favor say aye . . . Those opposed no. . . . The ayes have it. The resolution is adopted.

164. The following resolution is before the assembly:

Resolved, That the French revolution was due to the revolutionary spirit of the times.

Mr. Murphy (obtaining the floor): I move to amend the resolution by inserting the words "to an overtaxed peasantry, to bad government and" after the word due.

Mr. Newton (rising) : I second the motion.

The Chairman: It is moved and seconded to amend the resolution by inserting the words "to an overtaxed peasantry, to bad government and" after the word due, so that the resolution, if amended, will be Resolved, That the French revolution was due to an overtaxed peasantry, to bad government and to the revolutionary spirit of the times. Are you ready for the question?

Mr. Lissenden (obtaining the floor) : I move to amend the amendment by striking out the words "to an overtaxed peasantry."

Mr. Dolton (rising) : I second the motion.

The Chairman: It is moved and seconded to amend the amendment by striking out the words "to an overtaxed peasantry," so that the question on the amendment, if amended, will be on inserting the words "to bad government and." Are you ready for the question? As many as favor the amendment to the amendment say aye. . . . Those opposed no. . . . The ayes have it. The

amendment is amended. The question now recurs on the amended amendment, inserting the words "to bad government, and." Are you ready for the question? As many as favor the amendment say aye. . . . Those opposed no. . . . The ayes have it. The amendment is adopted. The question now recurs on the amended resolution, Resolved, That the French revolution was due to bad government and to the revolutionary spirit of the times." Are you ready for the question? As many as favor the resolution say aye. . . . Those opposed no. . . . The ayes have it. The amended resolution is adopted.

ANOTHER EXAMPLE.

165. The following resolution is before the assembly :

Resolved, That the French revolution was due to an overtaxed peasantry, to bad government and to the revolutionary spirit of the times.

Mr. Colvin (obtaining the floor) : I move to amend the resolution by striking out the

words "to an overtaxed peasantry, to bad government and."

Mr. Lessenden (rising): I second the motion.

The Chairman: It is moved and seconded to amend the resolution by striking out the words "to an overtaxed peasantry, to bad government and," so that the resolution, if amended, will be: Resolved, That the French revolution was due to the revolutionary spirit of the times. Are you ready for the question?

Mr. Hansell (obtaining the floor): I move to amend the amendment by striking out the words "to bad government and."

Mr. Harding (rising): I second the motion.

The Chairman: It is moved and seconded to amend the amendment by striking out the words "to bad government and." So that the question on the amendment, if amended, will be on striking out the words "to an overtaxed peasantry." Are you ready for the question? As many as are in favor

of the amendment to the amendment say aye. . . . Those opposed no. . . . The ayes have it. The amendment is amended. The question now recurs on the amended amendment, striking out the words "to an overtaxed peasantry." Are you ready for the question? As many as favor the amendment say aye. . . . Those opposed no. . . . The ayes have it. The resolution is amended. The question now recurs on the amended resolution, Resolved, That the French revolution was due to bad government and to the revolutionary spirit of the times. Are you ready for the question?

Mr. Mercer: I rise to a parliamentary inquiry.

The Chairman: The member will state his inquiry.

Mr. Mercer: I do not fully understand the amended resolution, as stated by the chair. Will the chair kindly explain the effect of the votes on the amendment to the amendment, and on the amendment?

The Chairman: When the original resolution was before the assembly it was moved to amend the resolution by striking out certain words from the resolution. It was then moved to amend the amendment by striking out certain words from the proposed amendment. The amendment to the amendment was adopted. In other words, the assembly, by adopting the amendment to the amendment, has decided these words shall not be struck out of the resolution; they, therefore, remain a part of the original resolution.

By adopting the amended amendment the assembly has decided what words shall be struck out of the resolution. Therefore the resolution, as amended, is "Resolved, That the French Revolution was due to bad government and to the revolutionary spirit of the times. As many as favor the amended resolution say aye. . . . Those opposed no. . . . The ayes have it. The amended resolution is adopted.

Mr. Dolton (obtaining the floor): I move we adjourn.

Mr. Mercer (rising) : I second the motion.

The Chairman: It is moved and seconded that we adjourn. Are you ready for the question? (Undebatable). As many as favor adjournment say aye. . . . Those opposed no. . . . The ayes have it. We are adjourned.

PRACTICAL SUGGESTIONS.

166. In closing it may be said that a work of this kind would hardly be complete unless it offered a few suggestions for those who desire to take an active part in the proceedings or to preside over a deliberative assembly.

Each member of an assembly should bear in mind that the rights of the individual members are based on the fact of the equality of the members, and by reason of said right each and every member is entitled to the same courteous attention while participating in debate or other proceedings of the assembly. Therefore, as every member has the right, it is the duty of the pre-

siding officer to insist that every other member so conduct himself that this right may be effectual, and while enforcing the rules in preserving order or ruling on such questions as may necessarily arise in the course of proceedings, he should be careful not to wound the sensibilities of any member, and to so perform the duties of his office as to abstain from even the appearance of partisanship. Such action on the part of the chairman shows proper courtesy to the members and will do much to inspire confidence in the timid members, and to make them more free to exercise their right to express their views in debate, or to offer such suggestions or amendments as they may think proper.

167. While it is the first duty of a presiding officer to observe the will of the assembly it is important that he hold the members as nearly as possible to the business before them by confining debate to its proper channel, and by not allowing members to filibuster by making unnecessary motions for the purpose of wasting time, causing delay, or preventing action. It has come

to be a common practice among members of deliberative as well as legislative assemblies to hinder the transaction of business by making use of even proper parliamentary motions for the sole purpose of delaying action of the assembly, and when such action is leading to confusion the chair would be justified in interfering.

By unanimous consent many things may be done that will save time—for example, in matters of trifling import or in the ordinary routine of business the chair often assumes a motion to be seconded and puts it without waiting for a formal second, and since, by unanimous consent, an assembly may do anything which is competent for the assembly to do, he may announce that “if there is no objection such will be considered the action of the assembly,” but this is understood to be only by unanimous consent, since such proceeding may be stopped by some member objecting. Therefore, where there are members who are continually objecting, or raising points of order, the safest course is to proceed strictly according to the forms of parliamentary law.

Members who are not well informed in the rules of procedure frequently make motions to effect purposes for which other motions would be more suitable, and when such motions are made the chairman may, with propriety, suggest how the desired object may be accomplished—for example, “if it be moved that a certain question be laid on the table until a certain time,” the chair might suggest that the proper motion is “to postpone to that time,” or if it be moved to “reconsider the vote by which some question had been laid on the table,” he might suggest that it be taken from the table.

168. A judicious presiding officer will remember there are many things, such as inconsistency, incompatibility, or unconstitutionality of proposed action, which are for the assembly to decide, and while he may offer suggestions in reference to the subject, he should not attempt to dictate or to usurp the rights of the assembly by suppressing such action as being out of order, for in all such cases the will of the majority is the supreme power and the de-

cision of the chair may be promptly overruled by the assembly. In short, it may be said that while it is easy to state these rules in words, it is often difficult either to enforce them or to rule upon them in practice; therefore the chairman should have a good temper, much firmness, great tact, and, above all, common sense as well as ability to make good use of these gifts, because the larger the assembly the more complicated the business before it, the more imperative it is that the presiding officer be equal to the occasion.



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