

In early days a joint committee took enrolled bills to the President (IV, 3432); but in the later practice the chairman of the committee in each House that had responsibility for the enrollment of bills also had the responsibility of presenting the bills from that House, and submitted from his committee daily a report of the bills presented for entry in the Journal (IV, 3431). In the 107th Congress the responsibility in the House for enrolled bills was transferred from the Committee on House Administration to the Clerk (sec. 2(b), H. Res. 5, Jan. 3, 2001, p. —). Enrolled bills pending at the close of a session have, at the next session of the same Congress, been ordered to be treated as if no adjournment had taken place (IV, 3487–3488). Enrolled bills signed by the presiding officers at one session have been sent to the President and approved at the next session of the same Congress (IV, 3486). At the close of the 97th Congress, some enrollments were presented to the President, and were signed by him, after the convening of the 98th Congress.

## SEC. XLIX—JOURNALS

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If a question is interrupted by a vote to adjourn, or to proceed to the orders of the day, the original question is never printed in the journal, it never having been a vote, nor introductory to any vote; but when suppressed by the previous question, the first question must be stated, in order to introduce and make intelligible the second. *2 Hats.*, 83.

§ 578. Obsolete provisions as to entry of motions in the journal.

This provision of the parliamentary law is superseded by clause 1 of rule XVI, which requires every motion entertained by the Speaker to be entered on the Journal.

So also when a question is postponed, adjourned, or laid on the table, the original question, though not yet a vote, must be expressed in the journals, because it makes part of the vote of postponement, adjourning, or laying it on the table.

§ 579. Journal entries of questions postponed or laid on the table.

In the House a question is not adjourned, except in the sense that it may be left to go over as unfinished business by reason of a vote to adjourn.

Where amendments are made to a question, those amendments are not printed in the journals, separated from the question; but only the question as finally agreed to by the House. The rule of entering in the journals only what the House has agreed to, is founded in great prudence and good sense, as there may be many questions proposed which it may be improper to publish to the world in the form in which they are made. 2 *Hats.*, 85.

In the practice of the House a motion to amend is entered on the Journal as any other motion, under clause 1 of rule XVI.

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§ 581. Entry of votes in journal of the House of Commons. The first order for printing the votes of the House of Commons was October 30, 1685. 1 *Chandler*, 387.

Some judges have been of opinion that the journals of the House of Commons are no records, but only remembrances. But this is not law. *Hob.*, 110, 111; *Lex. Parl.*, 114, 115; *Jour. H. C.*, Mar. 17, 1592; *Hale, Parl.*, 105. For the Lords in their House have power of judicature, the Commons in their House have power of judicature, and both Houses together have power of judicature; and the book of the Clerk of the House of Commons is a record, as is affirmed by act of Parl., 6 *H.* 8, c. 16; 4 *Inst.*, 23, 24; and every member of the House of Commons hath a judicial place. 4 *Inst.*, 15. As records they are open to every person,

and a printed vote of either House is sufficient ground for the other to notice it. Either may appoint a committee to inspect the journals of the other, and report what has been done by the other in any particular case. *2 Hats.*, 261; *3 Hats.*, 27–30. Every member has a right to see the journals and to take and publish votes from them. Being a record, every one may see and publish them. *6 Grey*, 118, 119.

The Journal of the House is the official record of the proceedings of the House (IV, 2727), and certified copies are admitted as evidence in the courts of the United States (IV, 2810; 28 U.S.C. 1736). A Senate committee concluded that the Journal entries of a legislative body were conclusive as to all the proceedings had, and might not be contradicted by *ex parte* evidence (I, 563).

On information of a misentry or omission of an entry in the journal, a committee may be appointed to examine and rectify it, and report it to the House. *2 Hats.*, 194, 195.

§ 583. Correction of the Journal through a committee.

#### SEC. L—ADJOURNMENT

The two Houses of Parliament have the sole, separate, and independent power of adjourning each their respective Houses. The King has no authority to adjourn them; he can only signify his desire, and it is in the wisdom and prudence of either House to comply with his requisition, or not, as they see fitting. *2 Hats.*, 232; *1 Blackst.*, 186; *5 Grey*, 122.

§ 584. Parliamentary law as to adjournment of the Commons and Lords.

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