

read and open for amendment at any point (Aug. 10, 1970, p. 28050), and a motion is in order in the House as in Committee of the Whole to close debate on the bill or on an amendment (June 26, 1973, pp. 21314–15). An amendment may be withdrawn at any time before action has been had on it (IV, 4935; June 26, 1973, p. 21305). An amendment in the nature of a substitute is in order after perfecting amendments have been considered (IV, 4933, 4934; V, 5788). The title also is amended after the bill has been considered (IV, 3416). A quorum of the House (and not of the Committee of the Whole) is required in the House as in the Committee of the Whole (VI, 639).

The procedures applicable in the House as in the Committee of the Whole generally apply to proceedings in committees of the House of Representatives, except that a measure considered in committee must be read (by section) for amendment (see § 412, *supra*). Therefore, in committee a motion to limit debate under the five-minute rule must be confined to the portion of the measure then pending. Moreover, although the previous question may be moved on any pending amendment, it may be moved on the measure, itself, only when the entire measure has been read for amendment (or considered as read by unanimous consent).

SEC. XXXI.—BILL, SECOND READING IN THE
HOUSE.

In Parliament, after the bill has been read a second time, if on the motion and question it be not committed, or if no proposition for commitment be made, the speaker reads it by paragraphs, pausing between each, but putting no question but on amendments proposed; but when through the whole, he puts the question whether it shall be read a third time, if it came from the other house, or, if originating with themselves, whether it shall be engrossed and read a third time. The speaker reads sitting, but rises to put questions. The clerk stands while he reads.

But the Senate of the United States is so much in the habit of making many and material amendments at the third reading that it has be-

come the practice not to engross a bill till it has passed—an irregular and dangerous practice, because in this way the paper which passes the Senate is not that which goes to the other House, and that which goes to the other House as the act of the Senate has never been seen in the Senate. In reducing numerous, difficult, and illegible amendments into the text the Secretary may, with the most innocent intentions, commit errors which can never again be corrected.

In the House of Representatives the Clerk and not the Speaker or Chairman of the Committee of the Whole reads bills on second reading. After the second reading, which is in full, the bill is open to amendment. Clause 1 of rule XXI, as explained in § 831, *infra*, governs first and second readings of bills in the House and in Committee of the Whole.

The bill being now as perfect as its friends can make it, this is the proper stage for those fundamentally opposed to make their first attack. All attempts at earlier periods are with disjointed efforts, because many who do not expect to be in favor of the bill ultimately, are willing to let it go on to its perfect state, to take time to examine it themselves and to hear what can be said for it, knowing that after all they will have sufficient opportunities of giving it their veto. Its two last stages, therefore, are reserved for this—that is to say, on the question whether it shall be engrossed and read a third time, and, lastly, whether it shall pass. The first of these is usually the most interesting contest, because then the whole subject is new and engaging, and the minds of the Members having not yet been declared by any trying vote the issue is the more

§ 429. Test of strength on engrossment after amendment.

doubtful. In this stage, therefore, is the main trial of strength between its friends and opponents, and it behooves everyone to make up his mind decisively for this question, or he loses the main battle; and accident and management may, and often do, prevent a successful rallying on the next and last question, whether it shall pass.

In the House of Representatives there are two other means of testing strength—one by raising the question of consideration when the bill first comes up (clause 3 of rule XVI), and the other by moving to strike out the enacting words when it is first open to amendment (clause 7 of rule XXIII). By these methods an adverse opinion may be expressed without permitting the bill to consume the time of the House.

§ 430. Test of strength on a bill before amending.

§ 431. Endorsement of the title on an engrossed bill.

When the bill is engrossed the title is to be indorsed on the back, and not within the bill. *Hakew, 250.*

In the practice of the House of Representatives and the Senate the title appears in its proper place in the engrossed bill, and also is endorsed, with the number, on the back.

SEC. XXXII.—READING PAPERS.

Where papers are laid before the House or referred to a committee every Member has a right to have them once read at the table before he can be compelled to vote on them; but it is a great though common error to suppose that he has a right, *toties quoties*, to have acts, journals, accounts, or papers on the table read independently of the will of the House. The delay and interruption which this might be made to produce evince the impossibility of the existence of such a right. There is, indeed, so manifest a propriety of permitting every Member to have as

§ 432. Parliamentary law as to the reading of papers.