

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.

much information as possible on every question on which he is to vote, that when he desires the reading, if it be seen that it is really for information and not for delay, the Speaker directs it to be read without putting a question, if no one objects; but if objected to, a question must be put. *2 Hats., 117, 118.*

At one time, the House, by rule XXX, had a provision regarding the reading a paper other than that on which the House is called to give a final vote.

It is equally an error to suppose that any Member has a right, without a question put, to lay a book or paper on the table, and have it read, on suggesting that it contains matter infringing on the privileges of the House. *Ib.*

§ 433. Papers not necessarily to be read on plea of privilege.

For the same reason a Member has not a right to read a paper in his place, if it be objected to, without leave of the House. But this rigor is never exercised but where there is an intentional or gross abuse of the time and patience of the House.

§ 434. Member not always privileged to read a paper in his place.

A Member has not a right even to read his own speech, committed to writing, without leave. This also is to prevent an abuse of time, and therefore is not refused but where that is intended. *2 Grey, 227.*

A report of a committee of the Senate on a bill from the House of Representatives being under consideration: on motion that the report of the committee of the House of Representatives on the same

§ 435. Reports of committees not read except on order or in debate.

bill be read in the Senate, it passed in the negative. *Feb. 28, 1793.*

In the House of Representatives ordinary reports are read only in time of debate (V, 5292), and subject to the authority of the House (V, 5293). But in a few cases, where a report does not accompany a bill or other proposition of action, but presents facts and conclusions, it is read to the House if acted on (II, 1364; IV, 4663).

Formerly, when papers were referred to a committee, they used to be first read; but of late only the titles, unless a Member insists they shall be read, and then nobody can oppose it. *2 Hats., 117.*

§ 436. Reading of papers on reference.

Under the rules, petitions, memorials, and communications are referred through the Clerk's desk, so that there is no opportunity for reading before reference, though messages from the President are read (clauses 1 and 4 of rule XXII; clause 2 of rule XXIV).

SEC. XXXIII.—PRIVILEGED QUESTIONS.

It is no possession of a bill unless it be delivered to the Clerk to read, or the Speaker reads the title. *Lex. Parl., 274; Elysyngue Mem., 85; Ord. House of Commons, 64.*

§ 437. Possession of a bill by the House.

It is a general rule that the question first moved and seconded shall be first put. *Scob., 28, 22; 2 Hats., 81.* But this rule gives way to what may be called privileged questions; and the privileged questions are of different grades among themselves.

§ 438. Theory as to privileged questions.

In the House of Representatives, by rule and practice the system of privileged motions and privileged questions has been highly developed (rule IX, clause 4 of rule XI, clause 4 of rule XVI, and clause 1 of rule XXIV).

A motion to adjourn simply takes place of all others; for otherwise the House might be kept sitting against its

§ 439. Precedence of the motion to adjourn.