

Arrangement, however, can only take hold of matters in possession of the House. New matter may be moved at any time when no question is before the House. Such are original motions and reports on bills. Such are bills from the other House, which are received at all times, and receive their first reading as soon as the question then before the House is disposed of; and bills brought in on leave, which are read first whenever presented. So messages from the other House respecting amendments to bills are taken up as soon as the House is clear of a question, unless they require to be printed, for better consideration. Orders of the day may be called for, even when another question is before the House.

§ 350. Conditions of the old and the modern orders of business.

In Jefferson's time the principles of this comment would have applied to both House and Senate; but in the House the pressure of business has become so great that the order of business may be interrupted at the will of the majority only by certain specified matters (see annotations following rule XXIV). For matters not thus specified, interruption of the order takes place only by unanimous consent.

SEC. XV.—ORDER.

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In Parliament, "instances make order," per Speaker Onslow. *2 Hats.*, 141. But what is done only by one Parliament, cannot be called custom of Parliament, by Prynne. *1 Grey*, 52.

§ 351. Precedent in Parliament and the House.

In the House of Representatives the Clerk is required to note all questions of order and the decisions thereon and print the record thereof as an appendix to the Journal (clause 3 of rule III). The Parliamentarian has the responsibility for compiling and updating the precedents (secs. 341-342, Legislative Reorganization Act of 1970; 84 Stat. 1140). The Committee Reform Amendments of 1974 gave the Speaker the responsibility

to prepare an updated compilation of such precedents every two years (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). The Speaker feels constrained in his rulings to give precedent its proper influence (II, 1317), since the advantage of such a course are undeniable (IV, 4045). But decisions of the Speakers on questions of order are not like judgments of courts which conclude the rights of parties, but may be reexamined and reversed (IV, 4637), except on discretionary matters of recognition (II, 1425). It is rare, however, that such a reversal occurs.

SEC. XVI.—ORDER RESPECTING PAPERS.

The Clerk is to let no journals, records, accounts, or papers be taken from the table or out of his custody. *2 Hats., 193, 194.*

§ 352. Safekeeping of papers and integrity of bills.

Mr. Prynne, having at a Committee of the Whole amended a mistake in a bill without order or knowledge of the committee, was reprimanded. *1 Chand., 77.*

A bill being missing, the House resolved that a protestation should be made and subscribed by the members “before Almighty God, and this honorable House, that neither myself, nor any other to my knowledge, have taken away, or do at this present conceal a bill entitled,” &c. *5 Grey, 202.*

After a bill is engrossed, it is put into the Speaker's hands, and he is not to let any one have it to look into. *Town, col. 209.*

In the House of Representatives an alleged improper alteration of a bill was presented as a question of privilege and examined by a select committee. It being ascertained that the alteration was made to correct a clerical error, the committee reported that it was “highly censurable in any Member or officer of the House to make any change, even the most unimportant, in any bill or resolution which has received the sanction of this body” (III, 2598). Engrossed bills do not go into the Speaker's hands. Enrolled bills go to him for signature.