

# Key to Smith's Diagram and Parliamentary Rules

TOGETHER WITH  
*Concise hints and directions for conducting  
the business of deliberative  
assemblies*

"Let all things be done decently and in order."

BY  
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## SMITH'S DIAGRAM OF PARLIAMENTARY RULES

Showing the Relation of Any Motion to Every Other Motion, and Answering at  
a Glance Over Five Hundred Questions in Parliamentary Practice  
Illustration: Parliamentary Rules

## NEGATIVE RULES

- Can not be repeated without intervening business. (1)
- Final action upon need not be taken at once. (2)
- Can not be taken up if a majority wish the matter postponed. (3)
- Motion to take up part of orders is not privileged. (4)
- Special orders can not be taken up before time without two-thirds vote. (5)
- Can not be debated when it relates simply to decorum, transgression of rules,  
priority of business,  
or while previous question is pending. (6)

- When debatable, no person can speak but once. (7)
  - Not in order when another appeal is pending. (8)
  - Does not require a second. (9)
  - Can not be debated. (10)**
  - Can not be reconsidered. (11)
  - Motion to suspend for same purpose can not be renewed. (12)
  - Affirmative vote on, can not be reconsidered. (13)
  - Can not have subsidiary Motion applied to it. (14)**
  - Can not be debated except on propriety of postponement. (15)
  - Subject postponed can not be taken up before the time, except by two-thirds vote. (16)
  - Number of a committee does not require the formality of a motion. (17)
  - Amendment to amendment can not be amended. (18)
  - Can not be Amended. (19)**
  - Does not take precedence of anything, except another principal motion. (20)
  - Can not be made when another question is before the house. (21)
  - Can not be acted on when another question is before the house. (22)
  - No question can be twice reconsidered. (23)
  - Can not apply to vote on motion to adjourn, suspend rules, and affirmative vote to lie on table or take from the table. (24)
  - May be laid on table, which vote can not be reconsidered. (25)
  - Previous question partly executed can not be reconsidered. (26)
  - A vote which has caused action that can not be reversed, can not be reconsidered. (27)
  - Nominations often made without formality of motion. The second, and any number following, are not amendments, and should be put to vote in the order announced. (28)
  - Principal motion and amendments once decided, can not be acted on again at same session, except by motion to reconsider. (29)
  - Can not interfere with discussion of question before the assembly. (30)
- List of Motions in the Order of Their Precedence

### **PRIVILEGED MOTIONS**

- (1) To fix time to which to Adjourn. (1)(2)
- When another question (10) is before the house.      When no other question is before the house. (3)
- (10)(14) (Unqualified) To Adjourn (Qualified) (3)
- (2) Questions of Privilege (4)(5)(6)
- (3)(4)(5)(9)(10)(19) Orders of the Day (7)

### **INCIDENTAL MOTIONS**

- (6)(7)(8)(19) Appeal (Question of Order) (8)(9)(10)(19)
- (9)(10)(14)(19) Objection to Considering a Question (11)(20)

(10)(19) Reading of Papers (12)  
(10)(19) Withdrawal of a Motion (13)  
(10)(11)(12)(14)(19) Suspension of the Rules (20)

### **SUBSIDIARY MOTIONS**

(10)(13)(14)(19) To Lay on the Table. (14)(15)  
(10)(19) The Previous Question. (16)(17)(18)(19)(20)(21)  
(15)(16) To Postpone to a Certain Day. (31)  
(17) To Commit (22)(28)  
(18) To Amend (23)(24)  
(19) To Postpone Indefinitely (28)(31)

### **MAIN QUESTION**

(20)(21) Principal Motion (24)(25)

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### **MISCELLANEOUS**

(19)(22)(23)(24)(25)(26) To Reconsider (1)(26)(27)(29)(30)(31)  
(27)(30) (32)(33)(34)(35)(36)(41)  
(28) Filling Blanks (37)(38)  
(29) Renewing a Motion (39)(40)

### **AFFIRMATIVE RULES**

- (1) In order, even after vote to adjourn, if not stated by the Chair.
- (2) Can be amended by altering the time.
- (3) Becomes principal motion.
- (4) May interrupt member if requiring immediate action.
- (5) To be decided by Chair, subject to appeal.
- (6) Can have any subsidiary motion applied to them.
- (7) Special order requires two-thirds vote, and takes precedence of general order.
- (8) Can be laid on the table.
- (9) Previous question applies to, if debatable.
- (10) May be reconsidered.
- (11) Must be made when first introduced, before debate.
- (12) Every member has right to have paper read before voting.
- (13) Motion may be withdrawn, if no one objects.
- (14) Removes the subject till taken from the table.

- (15) Takes with it everything adhering to the subject except in case of an appeal, to reconsider, and amend the minutes.
- (16) Takes precedence of all debatable questions.
- (17) Applies to questions of privilege and all debatable questions.
- (18) Member may offer resolution and move previous question on at same time.
- (19) Must be seconded.
- (20) Requires two-thirds vote.
- (21) May be confined to amendment or amendment to amendment, if so specified.
- (22) Can be amended by changing committee or giving instructions.
- (23) Can be amended.
- (24) Should be in writing, if requested by Chairman.
- (25) Yields to everything except another principal motion.
- (26) Must be made on same day as motion to be reconsidered.
- (27) Must be made by one who voted on the prevailing side.
- (28) Is debatable, and opens main question to debate.
- (29) A vote on a subsidiary motion takes precedence of main question, yields to incidental and privileged questions except orders of the day.
- (30) Is debatable, if question to be reconsidered is debatable; and then it opens main question to debate.
- (31) Previous question applies to, without affecting other pending motions.
- (32) Amended motion must be reconsidered before amendment.
- (33) Suspends all action required by original motion till acted on.
- (34) Incidental or subsidiary motion (except the vote to be reconsidered removes the whole subject) must be acted on at once.
- (35) Takes precedence of everything except to fix time to adjourn or to adjourn.
- (36) If adopted, places original question in same position as before voted on.
- (37) The largest sum and longest time should first be put to vote.
- (38) Suggestions to fill, made without formality of motion.
- (39) Motion to adjourn may be renewed after progress in business.
- (40) Any privileged motion, except orders of the day; incidental motion except suspension of the rules; and subsidiary motion except to amend; may be renewed after any motion altering the state of affairs.
- (41) Requires only a majority vote in any case.

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## INTRODUCTION

IF he who makes two blades of grass grow where only one grew before, has done so good a work as to entitle him to be called a benefactor of his race, why should we not seek for similar results in the world of letters? that is, why should we not seek to devise means whereby two ideas may be gained in the same time formerly required to secure only one?

To do this in reference to the subject of Parliamentary Practise is the object of this little work. It is confidently believed that by means of the Diagram, at least twice as much knowledge of Rules of Order may be gained as by any other method. To have before the eye at one view all the rules which apply to any motion, and at the same time all the motions that come under any given rule, is an advantage which will be appreciated by those who wish to gain a comprehensive view of parliamentary regulations in the shortest possible time.

This is believed to be the most condensed form in which the subject has yet been presented, and an arrangement by which the student can the most easily and permanently fix in his mind the various rules in relation

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to motions and their government. Every thoroughly good thing is sure to find unscrupulous imitators, and before the first edition of this work was exhausted, some bungling efforts in this direction were on the market.

In using the Diagram, the eye will follow the lines with the utmost rapidity and ease, and thus the person be directed instantly to the information he desires. It is this feature especially which makes it possible to condense so much instruction into so small a compass; and this feature will be found in this work alone, being thoroughly protected by copyright.

Any person of ordinary intelligence, after a little study, will be able, with the Diagram before him, to conduct the ordinary business proceedings of a deliberative assembly in a thoroughly parliamentary manner. A celebrated English writer on parliamentary law has said: "Whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by than what that rule is, that there may be a uniformity of proceeding in business, not subject to the caprice of the chairman or the captiousness of the members. It is very material that order, decency, and regularity be preserved in a dignified public body." Jefferson's Manual, Cushing's Manual, and Robert's Rules of Order, are the authorities followed in this work.

## KEY TO DIAGRAM

IN the foregoing Diagram, all the different motions are presented in their order; as, *Privileged, Incidental, Subsidiary, the Main Question, and Miscellaneous.*

PRIVILEGED MOTIONS are so called because, on account of their importance, they take precedence of all other questions whatever.

INCIDENTAL MOTIONS are such as grow out of other questions, and therefore take precedence of, and must be decided before, the questions which give rise to them.

SUBSIDIARY MOTIONS are such as are applied to other motions for the sake of disposing of them in some other way than by direct adoption or rejection.

PRINCIPAL MOTIONS. - By Main Question, or Principal Motion, is meant a motion introduced on any subject when no other business is before the house.

MISCELLANEOUS MOTIONS. - These are such as can not be included, on account of the rules which govern them, in any one of the classes above named.

ORDER OF PRECEDENCE. - These motions, excepting the miscellaneous, are arranged in the order of their precedence, both as respects the classes, and as individual motions

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in respect to one another. By order of precedence is meant that when any given motion is pending, any motion standing above it in the list may be made, and be in order; but any standing below it, except such as are indicated on the Diagram, would not be in order. For instance, the motion to Fix the Time to which to Adjourn, when no other question is before the house, and the motion to Adjourn when in any way qualified, become principal (not privileged) motions, subject to the laws of the principal motion; and Questions of Privilege can have any subsidiary motion applied to them. But if a principal motion is made, and in reference to it the subsidiary motion is made "that it lie on the table," it would not be in order to move the Previous Question, or to Postpone to a certain day, or to Commit, to Amend, or to Postpone indefinitely; because the motion to lay the subject on the table takes precedence of the other motions named, and must be decided before they can be made. And so of other motions in the order in which they stand. The general rule is that when a motion is made, any motion standing above it in the list would be in order, but any standing below it would not be in order; and by a glance at the list, this can be determined instantly.

RULES. - All motions are governed by certain rules. These rules are, in the Diagram, connected by direct lines with the motions

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to which they apply; and each motion is in the same manner connected with all the rules belonging to it. By this arrangement, the reader is enabled to see at a glance what particular rules apply to any given motion, and, conversely, how many motions come under any particular rule. Thus he has spread out before him, as on a map, the whole field of parliamentary law. All that may *not* be done is placed at the left under the head of Negative Rules; and all that *may* be done is found at the right under Affirmative Rules. If any doubt arises in reference to any motion, run the eye along the lines leading from that motion to find the rules which govern it. By this arrangement no time is lost in examining irrelevant matter, and the eye is directed to just what applies to the case in question.

MOTIONS, AND FORMS IN WHICH THEY ARE SUBMITTED. - All business should be introduced by a motion made by some member of the assembly, society, or whatever the organization may be. No one can properly make or second a motion, without "obtaining the floor." To "obtain the floor" is to rise and address the presiding officer by whatever title he may be known in the body in session; as, Mr. President, Chairman, Moderator, etc., and be recognized by such officer. The officer recognizes the member by calling his name, or making such other remarks as will show that the person who

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has addressed him is the one he recognizes. Then the member has the floor.

Having obtained the floor, do not say, "Mr. Chairman, I *motion*" so and so; nor "Mr. Chairman, I move *you*" so and so. Simply say, "Mr. Chairman, I *move*" so and so.

## REMARKS ON THE DIFFERENT MOTIONS In the Order of Their Precedence

### PRIVILEGED MOTIONS

1. TO FIX THE TIME TO WHICH TO ADJOURN. This motion is not a motion to *adjourn*, but, as its name signifies, it is a motion simply to fix the time to *which* the adjournment will stand *when* the motion to adjourn is carried. It may be made at any time during a meeting. Its form is as follows: "I move that *when* we adjourn, we adjourn to" such a date, or "to meet again at" such a date, naming the date. The Diagram will show when it is a privileged motion, and what rules apply to it.

2. TO ADJOURN. - This motion, as shown in the Diagram, takes precedence of all motions except to fix the time to which to adjourn, unless it is in some way modified, when it loses its privileged character, and stands as a principal motion. If the meeting is such that the object for which it was

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called is accomplished at one gathering, so that there will probably be no occasion for meeting again on that business, it is proper to adjourn *sine die*; that is, "without day," or date. But if there are to be future meetings, as in case of regularly organized societies, the adjournment should be to some definite time, as, for instance, the time for the next regular meeting, if such time is fixed; if the time is not fixed, let the adjournment be to some time named in the motion itself, or to the call of the Chair, or of a committee, or of any one authorized to fix the time for the next regular meeting.

3. QUESTIONS OF PRIVILEGE. - These must not be confounded with privileged questions. The question whether disorder shall be restrained, whether an open window endangering the health or comfort of any may not be closed, whether charges against the official character of any member shall be allowed, etc., are examples of question of privilege. The form is, addressing the chairman, and obtaining the floor: "I rise to a question of privilege." The chairman requests the member to state his question, then he decides whether it is a question of privilege or not. It is then disposed of according to rules in Diagram.

4. ORDERS OF THE DAY. - By this expression is meant those subjects the consideration of which is assigned to some particular time. When it is desirable to consider a

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subject at some future time, the motion is made that such a subject be made the "order of the day" for such a time, fixing the precise time; or if regular business has been made the general order for such time, that the subject be made the special order. It requires a two-thirds vote to make a subject a special order, and then it takes precedence of the general orders. When the time arrives, the

chairman announces the fact, or some member calls for the orders of the day. The chairman then says, "Shall the orders of the day be taken up?" If no one objects, the current business is suspended as if by an adjournment, and the orders of the day are at once taken up. If any one objects, the question, "Shall the orders be taken up?" must at once be put to vote by the chairman. If decided in the affirmative, the current business is suspended as above; if in the negative, the orders of the day are postponed only till the question then before the assembly is disposed of.

## **INCIDENTAL MOTIONS**

In this class there are five motions, as shown in the Diagram. These are: 1. Appeal (from the decision of the Chair on questions of order); 2. Objection to the Consideration of a Question; 3. Reading of Papers; 4. Withdrawal of a Motion; and 5. Suspension of the Rules.

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1. APPEAL (QUESTIONS OF ORDER). - A member detecting any disorder in the proceedings of the assembly or in the deportment or decorum of members, which he wishes to correct, obtains the floor, and says, "I rise to a point of order." The chairman responds, "Please state your point of order." The chairman then decides whether the point is well taken or not. If any member thinks the Chair has not decided the question correctly, or in accordance with justice, he may bring the matter before the assembly for action, by saying, "I appeal from the decision of the Chair." If any one seconds this appeal, the chairman at once states the question, "Shall the decision of the Chair be sustained?" and immediately puts it to vote, unless it is disposed of in some other way, as indicated in the Diagram. The motions to "lay the question on the table," and for the "previous question," when applicable, affect the appeal only.

The effect of this motion may be illustrated by a case like this: Suppose a member rises to speak upon a question, and some other member thinks he is not in order in so doing. The latter rises to a point of order, and states the reason why he thinks the one who had risen is not entitled to the privilege of discussing the question. The Chair perhaps decides that the point is well taken, and that the member should not

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speak. Some one thinks otherwise, and says, "I appeal from the decision of the Chair." This being seconded, the question is immediately put, "Shall the decision of the Chair be sustained?" The vote being taken, if a majority vote to sustain the Chair, the member must desist from speaking; but if a majority vote in the negative, that is, that the decision of the Chair be not sustained, the member has the right to go on with his remarks as if the Chair had not decided otherwise, and no objection had been made to his speaking.

2. OBJECTION TO CONSIDERING A QUESTION. Some question may be introduced which a majority of the assembly may think is not a proper or profitable question for public consideration. If so, some member rises and says, "I object to the consideration of this question." The chairman then immediately (no

second being required) ascertains the minds of the members, by submitting the question in this form: "Shall the question be discussed?" If decided in the negative, the whole matter is dismissed for that session. The object of this motion is to avoid altogether any question which may be deemed irrelevant or improper.

3. **READING OF PAPERS.** - When matters are brought before an assembly by written communications, it is often desirable that such communications have more than one reading. When any one calls for the reading

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of a paper, the chairman orders it read, if no one objects. If objection is made, the question must be put to vote without debate or amendment.

4. **WITHDRAWAL OF A MOTION.** - The person who makes a motion can withdraw it if no objection is made. If objection is made, he can withdraw it only by obtaining leave so to do by means of a motion to that effect. This motion can not be debated or amended. When a motion is withdrawn, it is the same as if it had never been made.

5. **SUSPENSION OF THE RULES.** - When, as is often the case, the regular rules of a society would interfere with the accomplishment of certain business which it is desirable to bring at once to completion, provision is made for a suspension of the rules in order to accomplish this object. The form of the motion is, "to suspend the rules which interfere with," etc., specifying the object of the suspension.

## **SUBSIDIARY MOTIONS**

Under this head there are six motions, as follows: 1. To Lay on the Table; 2. The Previous Question; 3. To Postpone to a Certain Day; 4. To Commit; 5. To Amend; and 6. To Postpone Indefinitely. This is as important a class of motions as any in the whole list, and they should be thoroughly understood, as they are more frequently

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brought into requisition than any others in the transaction of the business of deliberative bodies.

1. **TO LAY ON THE TABLE** is the first of the subsidiary motions. The form of this motion is, "I move that the question lie on the table," or, "I move that the question be laid on the table," or, "I move to lay the question on the table." When this motion is carried, the subject is removed till formally taken up.

To take up the matter again, the motion is, "to take the question from the table," or, "to now consider the question," naming the one which was tabled. This motion is undebatable, and can not have any subsidiary motion applied to it. The object of the motion to lay on the table, is to postpone the subject in such a way that it can be taken up at any time, which would not be the case with either a definite or an indefinite postponement. It is also a convenient way of suppressing the question altogether. Even after ordering the previous question, up to the moment of taking the last vote under it, it is in order to lay upon the table the question still before the assembly.

2. THE PREVIOUS QUESTION. - The perplexity which exists in many minds in reference to this motion is owing to a misapprehension of its nature and object. A little explanation will, we think, make all plain. This motion does not refer to any preceding

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question, but to the pending question lying back of the debate supposed to be in progress. It may be made when there is only one motion before the house awaiting decision; and in any case it always has reference only to the pending question. It is "previous" only in reference to debate before mentioned.

The object of this motion is to bring the assembly to a vote on the pending question without any further discussion. The form of the motion is, "I move the previous question." This being seconded, the chairman immediately (for the motion admits of no debate) submits the question in this form: "Shall the main question be now put? All in favor of this motion, manifest it," etc. If the motion fails, the discussion goes on as if the motion had not been made. If adopted, all debate ceases, and the chairman immediately puts to vote the pending question or questions, as the case may be. It can have no subsidiary motion applied to it, except "to lay on the table." If the previous question is moved when the motion to amend is pending, its effect is to bring an immediate vote on the amendment, and then on the question to be amended; or if the motion to commit is pending, it brings a vote on that motion, and if that is lost, then on the question to be committed. If any one of these questions is reconsidered before the previous question is exhausted, it can not be debated;

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if afterward, the effect of the previous question having ceased, debate is again in order. If when several motions are before the house, the motion to postpone is made, the previous question is exhausted on this motion, and if the postponement is not carried, debate is resumed on the pending motions. This rule was established by the practise of Congress in 1860. The previous question is also exhausted on a question of privilege, and this being decided, the consideration of the subject interrupted by it is resumed.

When several motions are before the house, the previous question may be confined to one, if so specified. For instance, it may be limited to an amendment, or to an amendment of an amendment. But when no limitation is expressed, it takes the course mentioned above. A member may offer a resolution, and if he wishes to avoid all debate upon it, may move the previous question at the same time. When the previous question is carried, the member who introduced the motion to be voted on is entitled to the floor for a closing speech, which the chairman should assign to him accordingly. Mark well the rules in the Diagram which apply to this motion.

3. TO POSTPONE TO A CERTAIN DAY. - A subject postponed to a certain day, takes precedence, when the time arrives, of everything except Privileged Questions. Different questions postponed to different times,

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and not reached at the times specified, shall be taken up, when they are considered, in the order of the times to which they were postponed. A subject

postponed to a time beyond the close of the session, should be postponed to the day of the next session, and then come up with unfinished business. If an adjourned meeting is desired to consider a special subject, the time to which to adjourn should first be fixed before postponing the subject to that day.

4. TO COMMIT. - The form of this motion is, "I move to refer the subject [naming the subject] to a committee." It is usually a saving of time to include in the motion the number of which the committee shall consist, and how they shall be appointed; as, "a committee of three [more or less, as desired], to be appointed by the Chair." If several committees are proposed; as, (1) a committee of the whole, (2) a standing committee, or (3) a select committee, they should be voted on in the order here given. Committees for action should consist of those only who are favorable to the proposed action; if for deliberation, it should represent all sides of the question.

5. TO AMEND. - An amendment may be inconsistent with one already adopted, or may conflict with the spirit of the original motion; but it must have a bearing upon the subject. Its form may be to "add" or "insert," to "strike out," to "strike out certain

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words and insert others," to "substitute," or to "divide the question." To amend a Constitution or By-Laws usually requires a two-thirds vote and previous notice. If it is moved to amend a motion, and then it is moved to amend the amendment, the vote is first taken on the amendment of the amendment, then on the amendment as amended (if it was amended), then on the original motion as amended if the amendment of the motion was carried. In stating the question on amendments, the chairman should read, (1) the passage to be amended, (2) the words to be struck out or inserted, etc., and (3) the passage as it will read when amended. And when the vote is taken, he should immediately state the question still pending; as, "The question now recurs on the amendment as amended," or on the motion as amended, as the case may be. In the table, the lines running from the rule "can not be amended," show what motions can not be amended.

It sometimes *seems* to be the case that the adoption of an amendment is really the adoption of the original motion; hence some do not understand why, in such cases, the original motion should still be put after the amendment is adopted. The point may be made plain by an illustration: Suppose it is moved to appoint Mr. Mory a member of a committee. It is then moved to amend this motion by substituting the name of Mr.

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Maxwell for that of Mr. Mory. The amendment is adopted. Now is not that really electing Mr. Maxwell as a member of the committee? By no means. It is simply saying that if either of these men were to serve on the committee, the preference would be for Mr. Maxwell. But the assembly has not yet said that they wish Mr. Maxwell to serve on the committee. Hence the motion as amended, with the name of Maxwell for Mory, must be submitted, to ascertain if it is the will of the house that he should serve.

6. TO POSTPONE INDEFINITELY. - The relation of this motion to others, and the rules governing it, are sufficiently shown in the table. Its effect is to remove the question from before the assembly for that session.

PRINCIPAL MOTION, OR MAIN QUESTION. - This is the motion, as already stated, by which any subject is brought before the house for consideration. It should be in writing, if so requested by the chairman. It takes precedence of nothing except another principal motion; as another motion of this kind can not be made when any other question is before the house.

## MISCELLANEOUS MOTIONS

In this class are three motions; namely, 1. To Reconsider; 2. To Fill Blanks; 3. To Renew a Motion.

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1. TO RECONSIDER. - When a motion has been passed, it is sometimes found advisable, afterward, to modify, reverse, or otherwise change the action taken. To provide for such a contingency is the object of the motion to reconsider, - a motion which, if carried, brings the subject back before the house just as it stood before the vote was taken upon it. There are given in the Diagram twenty rules governing this motion, - eight negative, and twelve affirmative. As the reader will see, it is a motion subject to many peculiarities. It can be made when any other business is before the house, even if it interrupts a member in his speech; but action on such motion can not be taken to interfere with current business. In this case the motion is made, seconded, and entered upon the minutes; then the business before the house proceeds, and the motion to reconsider is held over to be called up at any time before the close of the session when nothing else is pending. The motion to reconsider must be made on the same day on which the motion to be reconsidered was made; but it need not be acted upon on that day, as stated above. This motion must be made by one who voted on the prevailing side, as otherwise it might be used by a faction to greatly embarrass and delay proceedings. But the prevailing side is not always the side on which there is a majority of the numbers. For instance, on a motion which requires a

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two-thirds vote, a majority might vote for it, but if less than the requisite two-thirds, the motion is lost. The prevailing side is then the minority, - the little more than one-third who voted against it. A motion to reconsider must in this case come from one who voted against the measure. When a motion to reconsider is passed, a person who had exhausted his privilege of debate when the question was first before the house can not discuss it further. If he wishes to speak again on the subject, his only recourse is to get in his speech while the motion to reconsider is pending.

2. FILLING BLANKS. - Resolutions are frequently introduced, or reports of committees made, involving the appointing of a certain number of persons to serve on the committee or otherwise, a certain sum of money to be raised, or something to be done after a certain length of time, these points being left blank

in the resolution or report, as it is desired that they should be left wholly to the action of the members in open meeting. In these cases suggestions to fill these blanks can be made without the formality of a motion, by naming the number of persons, the sum of money, or the length of time; and in case a number of suggestions are made, the only way the mind of the assembly can be ascertained is to try the vote on the highest number, the largest sum, or the longest time. For if a majority are in favor of the

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highest figure in each case, they would be in favor of all that was called for in the lowest; and if the motion were made on the latter, they could not vote against it; and so the question would be decided contrary to their will.

3. RENEWING A MOTION. - As a general rule, the introduction of any motion that alters the state of affairs makes it admissible to renew any privileged or incidental motion (except a motion for the orders of the day, or for suspension of the rules) or any subsidiary motion (except an amendment), as in such case the real question before the assembly is a different one.

## **OTHER MATTERS**

COMMITTEES. - A committee is a miniature assembly. The first person named on a committee is the chairman; in his absence the next named, and so on, unless the committee, by a majority vote, elect another member as chairman, as they have power to do. The clerk of the assembly should furnish him, or some other member, a notice of the appointment, names of the members, and the matter referred to them, with instructions, if any. The chairman calls the committee together, and when a majority (which constitutes a quorum) are present, reads, or has read, the entire matter referred to them. He then reads each paragraph,

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pausing for amendments, and putting them to vote, if any. In this case they vote on their own amendments only, not on the matter committed to them. This they report back to the assembly, recommending such changes as they have made by their amendments. If, however, the committee originate the resolutions, they having been drafted by one of their number, they adopt the whole report in committee before reporting and recommending it to the assembly. Only what the majority agree to can be the report of the committee. The minority can also present their report, collectively or individually, with the permission of the assembly; but the assembly can act upon it only by substituting it for the regular report. In committee, a motion to reconsider can be made regardless of time elapsed, provided every member who voted with the majority is present. A committee (except committee of the whole) may appoint a sub-committee.

When through with their business, the motion is made "that the committee rise" (equivalent to "adjourn" in the assembly, and like that undebatable), and that the chairman, or some other member specified, make a report of the action of the committee to the assembly. As soon as the assembly receives the report, the committee ceases to exist.

The assembly "receive" the report when they permit the chairman or any member to

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present it. They can then amend, reject, or adopt it. To "accept" the report is the same as to "adopt," which makes the recommendations of the committee the action of the assembly.

FORM OF COMMITTEE REPORTS. - If a standing committee, say, "The committee on [giving the name of committee] respectfully report," or "beg leave to report," or "beg leave to submit the following report," letting the report follow. If a select or special committee, say, "The committee to which was referred [stating the subject referred], having had the same under consideration, respectfully report," etc. A minority report should be, "The undersigned, a minority of the committee to which was referred," etc. All reports properly conclude with the words, "All of which is respectfully submitted." If the matter is of much importance, the report should be signed by all concurring; if otherwise, the signature of the chairman is considered sufficient.

The report should generally close with formal resolutions embracing all that the committee recommend, so that adopting their report would adopt all that is necessary to carry their recommendations into effect. Should any one object to receiving the report, a formal motion to receive it becomes necessary. If received, the committee is dissolved, unless revived by a motion to recommit the subject to them. In this

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case all that has not been agreed to by the assembly, is ignored, as if the report had not been made.

The report is considered on a motion to "adopt," "accept," or "agree to," as may be most appropriate to the case in hand. The report then stands before the house like a common motion, subject to debate, amendment, etc. The member who introduced it is first entitled to the floor to discuss it, and after all have spoken who wish to, he is also entitled to a final speech to close the debate.

If the report contains several propositions or paragraphs; as, for instance, the articles of a Constitution or a code of By-Laws, the paper is first read entirely through by the clerk, then the chairman reads, or causes to be read, each paragraph, pausing at the end of each for amendments. If none are offered to the first, he says, "No amendments being offered to this paragraph, the next will be read." In this way he proceeds through to the last paragraph, when he states that the whole report having been read, it is now open in any part to amendments; and if none are offered, he puts the question on the adoption of the whole paper, as amended if any amendments have been adopted. If there is a preamble, it should be read after the last paragraph. If the resolutions are rejected, the preamble goes with them, and need not then be read at all.

A list of officers nominated by a committee

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is to be treated in the same way. Each name is treated as a separate paragraph in the report. If a name is presented to which the assembly object, or upon which they do not wish to act, they can amend the report by postponing the

consideration of such a name, or striking it out, or substituting for it some other name.

COMMITTEE OF THE WHOLE. - When an assembly desires to consider a subject with all the freedom of an ordinary committee, the subject not being sufficiently matured for definite action, nor one which it wishes to refer to a committee, a very desirable way is to refer the matter to a "committee of the whole." This name is given because, under this move, the whole assembly is transformed into a committee. The form of the motion is, "I move that the assembly do now resolve itself into a committee of the whole to consider," etc., specifying the subject. This is a motion "to commit," and takes the same order of precedence. If the motion prevails, the chairman immediately calls upon some member to take the chair as chairman of the committee, while he takes his place as a member of the committee. The only motions in order in a committee of the whole, are "to amend," "to adopt," and "to rise and report." The committee can not refer the subject to another committee. When the subject is sufficiently considered, and the motion "that the committee

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rise and report" is carried, the chairman of the assembly resumes the chair, and the chairman of the committee, taking his place again in the assembly, rises and informs him that, the committee having finished the consideration of the subject referred to them, he is ready to make the report when the assembly is ready to receive it. The clerk of the assembly does not record the proceedings of the committee on the minutes, but keeps a memorandum for the use of the committee. When there is an assistant clerk, he acts as clerk of the committee. Should the committee become disorderly, the chairman of the assembly can take his place, and declare the committee dissolved.

INFORMAL ACTION. - It is customary in some assemblies to consider a question "informally," instead of going into a committee of the whole. During informal action, the only motions that can be made are "to amend" and "to adopt." This action having been taken, the chairman, without further motion, announces that the assembly, acting informally, has had the subject under consideration, and has made certain amendments, which he will report. The subject then comes before the assembly as if reported by a committee. While acting informally, any motion except to amend or adopt puts an end to the informal action. The clerk keeps a memorandum for temporary

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use, and enters the chairman's report on the minutes.

DEBATE. - The member upon whose motion a subject is brought before the assembly is first entitled to the floor, though another member may have arisen first and addressed the Chair; and the member who presents the report of a committee is entitled to close the debate, and if the previous question is ordered, he is immediately assigned the floor for this purpose. It is a general rule that no member can speak the second time to a question until every other member who wishes to speak has spoken. The maker of a motion may vote against his own motion, but is not allowed to speak against it.

UNDEBATABLE. - In addition to the motions marked undebatable in the Diagram, we here add that all motions relating to priority of business, limiting or closing debate, or granting leave to continue his speech to one guilty of indecorum in debate, are undebatable. The main question can not be debated while amendment is pending, only as involved therein.

TO CLOSE DEBATE any one of the following ways may be taken: To object to considering question; to lay it on the table; to move the previous question; to adopt an order limiting debate, or fixing time when it shall close. Debate is not closed by the chairman rising to put the question; for until

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both the affirmative and negative votes are taken, a member can claim the floor, and re-open debate.

PUTTING QUESTION. - The chairman shall distinctly submit every motion to the decision of the house by some such formula as the following: "As many as are in favor of this motion [or of the adoption of this resolution], will manifest it by raising the hand. Those opposed will show the same sign." Or, "Those in favor," etc., "will say Aye. Those opposed, say No." Do not in this case say, "Those opposed will show the same *sign*." The chairman should always announce the result of the vote by saying, if decided in the affirmative, "It is a vote;" or "The motion is carried;" or "The resolution is adopted;" or, "The ayes have it." If decided in the negative, "The motion [or resolution] is lost;" or "The noes have it." If it is found, even after the chairman has announced the vote, that a member had arisen and addressed the Chair before the negative had been put, he is entitled to be heard, and then the question is in the same condition as if it had never been put. In case of a tie vote, the motion fails, unless the chairman, who then has power to vote, decides it in the affirmative. If his vote will make a tie, he can cast it, and thus defeat the measure. In voting by ballot, the chairman writes his vote with the rest. The votes having been collected and counted by

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the tellers, at least two in number, who have been appointed to distribute the blanks and collect the votes, the result is announced by the chairman in this manner: "The whole number of votes cast is ---; necessary for a choice, ---; Mr. A received ---; Mr. B, ---; Mr. C, ---, and is consequently elected" (provided he received the requisite number of votes).

TWO-THIRDS VOTE. - In addition to the motions named in Diagram, it requires a two-thirds vote to amend the rules, to take up a question out of its proper order, and to close or limit debate.

OFFICERS AND DUTIES. CHAIRMAN. - The chairman should rise to put a question to vote, but may state it sitting. Referring to himself, he should always use his official title; as, "The Chair decides so and so;" not, "Your humble servant decides;" or, "I decide." A motion referring especially to the chairman should be put to vote by the one who made it. The chairman, if he wishes to vacate the chair for a time, can appoint a chairman *pro tem.*; but the first adjournment thereafter ends such appointment. If the society has vice-presidents, the first on the list takes the chair in the absence of the president, and so on to the last. If

there are no vice-presidents, the clerk calls the assembly to order, when the first business is to choose a chairman *pro tem*.

SECRETARY. - The recording officer is called

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the "clerk" or "secretary," and his records are called the "minutes." The secretary should occupy a seat near the chairman, and should keep such a record as will enable any one to understand fully the nature and doings of the meeting. He should name the kind of meeting; that is, whether regular or special, or adjourned regular or special, and should give the date and place of meeting; if the chairman is absent, he should call the meeting to order, and preside while the assembly is electing a chairman *pro tem*.; and if the regular chairman or clerk is absent, he should name the substitute. He should record all the "doings" of the meeting, - that is, all the action taken by the assembly in a deliberative capacity, - and should enter upon the records every "principal motion," whether carried or lost, unless otherwise instructed, as it is often as important to know what measures were introduced and lost as what ones were carried. He should hand to the chairman of every committee appointed, or to some member thereof, a list of the names composing said committee, and a statement of the matter committed to them. He should, previous to each meeting, make out for the use of the chairman, an order of business, showing in its order what is necessary to come before the meeting; should have a list of all committees in existence, standing or special, and should attach his signature to the minutes.

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MEETING AND SESSION. - These terms should not be confounded. A meeting is any particular assembling of the members of a society or other body, and covers only the time during which there is no separation of the members by adjournment. A session covers all the time necessary for a deliberative body to finish its business, and may include many meetings. If bodies which meet at regular and stated intervals, as weekly, monthly, or yearly, complete their business upon once assembling, that one meeting is the session; and in that case, meeting and session would mean the same thing. But if they find it necessary, in order to finish their business, to adjourn to meet again the same day, the next day, or at some point of time in the near future, the adjournment would end that meeting, but would not end the session; and when they meet again, according to adjournment, it would be another meeting, but not another session. This is illustrated in the action of those religious bodies which hold a yearly conference, covering, perhaps, many days. It is only one session, but that session includes many meetings.

QUORUM. - A quorum is that portion of an assembly necessary to transact business, and in the absence of any rule, consists of a majority of the members. The assembly can, however, adopt a much smaller number, even to less than one-twentieth. When

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a quorum is not present, the only action that can be taken is to adjourn.

ORDER OF BUSINESS. - In the absence of any rule passed by an assembly fixing a special order of business, the regular order is as follows: -

1. Reading the minutes of the previous meeting, and the correction or approval of the same.
2. Reports from standing committees.
3. Reports from select committees.
4. Unfinished business.
5. New business.

A subject which has been made a "special order" takes precedence of all business except reading the minutes. The "orders of the day" come in with unfinished business. Business out of its order can be taken up only by a suspension of the rules, which requires a two-thirds vote, but a majority can lay it on the table, and so pass on to any question which they desire first to consider.

## **APPENDIX**

**RIGHT OF AN ASSEMBLY TO EJECT ANY ONE FROM ITS PLACE OF MEETING.** - Every deliberative assembly has the right to decide who may be present during its sessions; and when the assembly, either by a rule or by a vote, decides that a certain person shall not remain in the room, it is the duty of the chairman to enforce the rule, or order, using whatever force is necessary to eject the party.

The chairman can detail members to remove the person, without calling upon the police. If, however, in enforcing the order, any one uses harsher treatment than is necessary to remove the person, the courts have held that he, and he alone, is liable to prosecution, just the same as a policeman would be under similar circumstances. However badly the man may be abused while being removed from the room, neither the chairman nor the society are liable for damages, as in ordering his removal they did not exceed their legal rights.

**RIGHTS OF ECCLESIASTICAL TRIBUNALS.** - Many of our deliberative assemblies are ecclesiastical bodies, and it is important to know how much respect will be paid to their decisions by the civil courts.

A church became divided, and each party claimed to be the church, and therefore entitled

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to the church property. The case was taken into the civil courts, and finally, on appeal, to the U. S. Supreme Court, which held the case under advisement for one year, and then reversed the decision of the State Court, because it conflicted with the decision of the highest ecclesiastical court that had acted upon the case. The Supreme Court, in rendering its decision, laid down the broad principle that when a local church is but a part of a larger and more general organization or denomination, the court will accept the decision of the highest ecclesiastical tribunal to which the case has been carried within that general church organization as final, and will not inquire into the justice or injustice of its decree as between the parties before it. The officers, the ministers, the members, or the church body, which the highest judiciary of the denomination recognizes, the courts will recognize. Whom that body expels or cuts off, the court will hold to be no longer members of that church. - *Robert's Rules of Order*, pp. 176, 177.

