

RULES OF PROCEEDING.

XIII. *When the Speaker may take the Chair.*

1. **O**N the 5th of January, 1640, it was declared as a constant rule, that Mr. Speaker is not to go to his Chair, till there be at least forty in the House.*

2. On the 26th of April, 1729, forty Members not being present, the Speaker adjourned the House.—See the 12th of May, 1729; the 7th of April, 1731; the 21st of April, the 3d of May, the 16th of March, 1731; the 28th of March, 1732; the 10th of May, and 22d of March, 1733; the 8th of April, 1736; the 15th of February, and 16th of March, 1742; and the 24th of April, 1745, et passim.

3. On the 2d of April, 1740, it is said ‘by mistake,’ that the question was decided by a division of less than forty Members;—for see the 6th of April 1741; the 4th of June 1746; the 26th of March, 1751; and the 10th of June, 1758.

4. On the 16th of March, 1742, forty Members not being present, Mr. Speaker ‘waited till four o’clock,’† and then told the House again, and forty Members not being then present, adjourned the House.—See the 23d of February, 1746; 25th of

* So upon the meeting of a new Parliament; after the Speaker is chosen, and days are allowed for swearing in Members, although no other business can be done upon those days, until the King has declared the cause for calling the Parliament, yet it seems that the Speaker cannot take the Chair without forty Members being present, and such was the case 26th, 27th November, 1812.

† On the 6th August, 1746, only 38 Members being present, the Speaker began the words for adjourning the House; then two more came in. The Speaker stopped adjourning, and the House proceeded. See Clerk’s Minute Book; also 15th May, 1756, and 27th May, 1758.