

business prescribed in rule 1 of the 1910 rules be adopted. Journal, p. 9.)

Oklahoma, extra session, fourth legislature, 1912-1913. Journal, p. 5. Rhode Island, regular session, 1914. Journal, v. 8, No. 1, p. 2. (Proposed amendments to "the rules of the senate" had been defeated just before.)

South Carolina, regular session, 1913. Journal, p. 18.

Virginia, extra session, 1915. Journal, p. 11.

Wisconsin, fiftieth session, 1911. Journal, pp. 62-63. (Some minor business not related to organization had been transacted before. At the fifty-first session, 1913, the resolution was introduced, but its passage appears only by implication.)

In three senates rules were duly adopted, but without being characterized (at any stage), either as temporary or as taken from a previous senate:

Alabama, regular session, 1911. Journal, p. 97. (Rules were adopted on the fourth day as then reported from a standing committee appointed on the first. The resolution for the appointment of this committee was passed under "Suspension of the rules." Journal, pp. 7, 13.)

Idaho, twelfth session, 1913. Journal, p. 4.

Illinois, forty-seventh general assembly, 1911. Journal, p. 7.

One senate adopted rules which it characterized as temporary but not as taken from a previous senate:

Kentucky, regular session, 1912. Journal, p. 13. (These were Robert's Rules of Order. At the session of 1914 the same resolution was introduced, and a week later a set of rules was adopted. Journal, pp. 17, 141.)

While the adoption of rules stands recorded in the journals of certain sessions only by implication, if at all, there is no State senate whose journals do not furnish valid evidence that such action forms part of the recognized program. In the case of every State senate, definitely recorded adoption of rules can be found without looking far.

APPENDIX B.

Chap. X. An act to fix the times for the regular meetings of Congress. *Be it enacted, etc.*, That in addition to the present regular times of meeting of Congress there shall be a meeting of the Fortieth Congress of the United States, and of each succeeding Congress thereafter, at 12 o'clock meridian on the 4th day of March, the day on which the term begins for which the Congress is elected, except that when the 4th of March occurs on Sunday, then the meeting shall take place at the same hour on the next succeeding day.

Sec. 2. *And be it further enacted*, That no person who was a Member of the previous Congress shall receive any compensation as mileage for going to or returning from the additional session provided for by the foregoing section.

Approved, January 22, 1867.

Mr. MARTIN. Mr. President, I move that the Senate adjourn. Mr. OVERMAN. Will the Senator from Virginia yield to me for a few moments?

Mr. MARTIN. I withdraw the motion for the present.

Mr. OVERMAN. I ask the Senator from Montana whether he put in the Record the New Jersey case?

Mr. WALSH. No; I did not.

Mr. OVERMAN. Would the Senator object to putting it in, and also the dissenting opinion?

Mr. WALSH. I will be very glad if that order will be made.

Mr. OVERMAN. I ask unanimous consent to put in the Record a little extract from a book entitled "Harrison, This Country of Ours." President Harrison was for a long time a Member of this body. He was one of the greatest lawyers who ever sat in the Senate. I ask leave to put in the extracts that I have marked here. He says that the rules of the Senate remain in force from one Congress to another; that the Senate is always a continuing body. I have marked the places.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. McCUMBER. Will not the Senator read it?

Mr. OVERMAN. I did not want to take the time to read it.

Mr. McCUMBER. It seems to me that it ought to be read.

Mr. OVERMAN. Very well; I will read it.

Mr. McCUMBER. Or let the Secretary read it. If it is to go into the Record we ought to know what it is.

Mr. OVERMAN (reading):

When a Senator is elected and receives his certificate of election from the governor he usually causes it to be presented to the Senate by his colleague before his own term begins. The certificate is received and filed, if regular in form; but if objection is made to the certificate, or the election is in any way challenged, the questions arising are referred to the Committee on Privileges and Elections for examination. The Senate is always an organized body. Its presiding officer—the Vice President—calls the Senate to order at the assembling of a new Congress and the Secretary, Sergeant at Arms, and other officers and clerks who hold office during the pleasure of the Senate resume their duties. If the Vice President is not present when the Senate assembles the Secretary of the Senate, or, in his absence, the Chief Clerk, performs the duties of the Chair, pending the election of a President pro tempore. The President pro tempore is entitled to call any Senator to the chair, but such a designation can not extend beyond an adjournment unless unanimous consent is given. If the session is a regular one the presiding officer raps for order and announces that the Senate is in session pursuant to law. If the session is a called or special one the proclamation of the President convening the Congress, or the Senate, as the case may be, is read and entered upon the Journal. The Senators-elect are escorted in groups of four (each usually by his own colleague) to the desk, and the oath of office is administered by the President of the Senate.

The rules of the Senate remain in force from one Congress to another, save as they may from time to time be modified. There is, however, a body of joint rules of the Senate and House of Representatives, and as the concurrence of the House is necessary, these must be reenacted at the beginning of every Congress.

In the House the process of organization is quite different from that of the Senate. There are no hold-over members or officers, save that certain temporary duties are devolved by law upon the Clerk of the next preceding House. The law provides that he shall make a roll of the Representatives-elect, placing thereon the names of those persons whose credentials show that they were regularly elected. The practice is that when the hour of assembling arrives the Clerk of the preceding House calls the roll made up from the credentials filed with him, and, if a quorum is present, announces that fact, and that the first business in order is the election of a Speaker. Nominations for that office are then made, and, under the supervision of tellers, named by the Clerk from among the Members, the roll is called by him and the result announced. The oath of office is administered to the Speaker by a Member of the House, the habit being to devolve that duty upon the Member who has had the longest continuous service—the "father of the House," as he is called. The Members from each State are then called and the oath of office is administered to them by the Speaker. The adoption of a body of rules for the House has not always been an easy matter, and sometimes great delay and much excitement have attended the work. Often, by resolution, the rules of the last House are adopted to govern the proceedings until a new code is prepared and receives the concurrence of the House. If some such expedient is not adopted the House proceeds without any rules, except so far as the general rules of parliamentary law may be applicable.

Mr. LEWIS. Mr. President—

Mr. MARTIN. I yield to the Senator from Illinois.

Mr. LEWIS. Thanking the Senator from Virginia, I desire to make a parliamentary inquiry. Under the present status of the Senate may resolutions be introduced?

The PRESIDENT pro tempore. The Chair has observed that the proceedings up to this time have permitted the introduction of resolutions by unanimous consent, those resolutions going to the table.

Mr. LEWIS. I thank the Chair. I desire to present one to-morrow; not to-day.

Mr. WILLIAMS. Resolutions on legislative matters are not in order.

The PRESIDENT pro tempore. The Chair did not so state, except that some resolutions have been presented.

Mr. THOMAS. Anything is in order by unanimous consent.

Mr. WILLIAMS. It must be a matter relating to executive business.

Mr. MARTIN. I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Thursday, March 8, 1917, at 12 o'clock meridian.

SENATE.

THURSDAY, March 8, 1917.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, the author of our liberty, defender of our rights, we turn our hearts to Thee this morning hour for that inward illumination by which alone we can know the things that make for our eternal peace. We thank Thee that Thou hast not permitted our spark of human knowledge to hide from us the vision of Thy glory and the reality of Thy thought and care and purpose for human life. We seek in Thy light to see light and turn our hearts to Thee that our path may be illumined by the Divine purpose and wisdom. So do Thou guide us this day in the discharge of our duties. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

LIMITATION OF DEBATE.

Mr. MARTIN. Mr. President, I send to the desk a resolution and ask that it be read, and when it has been read I will ask for its immediate consideration.

The Secretary read the resolution, as follows:

Resolved, That the Senate shall, from and after its adoption, enforce the following rule, which is hereby adopted:

"If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present the Presiding Officer shall, without debate, submit to the Senate by an aye-and-may vote the question:

"Is it the sense of the Senate that the debate shall be brought to a close?"

"And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure shall be the unfinished business to the exclusion of all other business until disposed of.

"Hereafter no Senator shall be entitled to speak in all more than one hour on the pending measure, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.