

PARLIAMENTARY LAW III.I. REGULATIONS FOR DELIBERATIVE ASSEMBLIES.

1. Bodies which hold stated meetings, such as churches, boards, religious, literary, or scientific associations, and the like, proceed directly to business on assembling, by the chairman calling the meeting to order at the appointed time. The body is supposed to be then fully organized, and the usual course is taken.

2. In religious and ecclesiastical bodies which meet annually, the officers of the previous year serve until new ones are elected. The moderator calls the meeting to order, at the time designated, and the election of officers is usually the first business, unless other service be provided for, to precede.

3. When new bodies meet, such as councils, mass-meetings, conventions called for special purposes, or persons for the formation of associations, churches, or societies, any one may call the meeting to order, when the time named arrives. If there be a committee having the matter in charge, the chairman of such committee would properly do it.

The one so calling to order names some one to take the chair, or asks the meeting to nominate some one, and puts the nomination to vote. The chairman so elected takes his seat, and completes the organization by calling for the nomination of a clerk, and other officers, if necessary. When this is done, the chairman states the object of the meeting, indicates the course of business, and the deliberations proceed. But if the business be difficult to reach a committee may at once be appointed to prepare and present it in proper shape, for action before the body.

4. In some cases, where the body is large; and the business to be considered specially important or difficult, there is first a TEMPORARY ORGANIZATION, effected as above, and afterwards a PERMANENT ORGANIZATION.

This is done by organizing temporarily with a chairman and secretary, and then proceeding to ballot for permanent officers; or by appointing a committee on nomination, which committee shall recommend persons as permanent officers. The election is usually by ballot, especially in the case of the presiding officer.

5. In representative assemblies, composed of delegates from other bodies, immediately after the first organization, the moderator calls for the credentials of delegates present, of which the clerk makes an accurate list, so as to know who has the right to a seat, and a vote in the meeting.

Neither the moderator nor the assembly can add to the number of members appointed by the bodies from which they come. Nor can any delegates regularly appointed and accredited, be deprived of their right to a seat in, and the privileges of the assembly, except for improper conduct during the meeting.

PARLIAMENTARY LAW III.II THE CHAIRMAN.

It is the duty of the presiding officer to maintain order in the assembly, and so to direct the course of proceedings as best to secure the object contemplated. He states all motions made, puts them to vote, and announces the result. He decides points of order, and appoints committees, when so directed by the body.

If necessary for him to leave the chair, the vice-president, if there be one, takes his place; if not, and his absence be only temporary, he asks some member to occupy the chair till his return. If his absence is to be protracted, he requests the body to choose a chairman in his place.

Since much of the good order and efficiency of any deliberative body depend upon the fitness of the chairman for the place, no one should be chosen for that position out of mere personal esteem, nor unless he possesses the requisite qualifications. Nor should the position be accepted by one who is conscious that he is not competent properly to discharge its duties.

In church meetings the pastor is moderator EX OFFICIO. But he can request any member to take the chair, if he so desires. His official position, however, would not make him chairman of a "society" meeting, where a society for secular and legal purposes is connected with the church; because the society is a distinct and separate organization from the church, though associated with it.

III THE SECRETARY.

The duty of the secretary, or clerk, is, to make and keep a fair and accurate record of the proceedings of the meeting; have charge of all papers and documents belonging to it; read whatever is required; to be read from the desk, before the body; call the roll of member and furnish, when required, any information which the records contain.

1. In legislative bodies, a record of business actually passed and done constitutes the minutes. But in deliberative bodies not legislative, the records are expected to show a concise journal of all proceedings.

2. Propositions not carried, and motions lost, are not to be recorded, unless their record be ordered at the time.

3. Resolutions voted and proceedings actually had may be omitted from the records, by a vote of the body at the time, so directing.

4. Names and proceedings cannot be inserted in the minutes subsequent to their approval, unless it be apparent that the omission was a mistake, and the insertion be essential to make the minutes correct.

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## IV. THE MEMBERS.

All the members have equal rights and privileges in the assembly; have an equal interest in the successful issue of the deliberations; and an equal responsibility in maintaining order and furthering the business.

Discourteous remarks should not be indulged in or allowed. Members should rise to speak, and show that respect to the chairman which both his person and his position claim, and should receive.

Strict attention should be given to the proceedings. Conversation among members and all unnecessary noise should be avoided. Remarks while speaking should be confined to the subject under debate, and should be both temperate and courteous.

## V. ORDER OF BUSINESS.

1. If the meeting be a stated one, the order of business is usually this:
  - (1) Reading and approval of the minutes of the last meeting.
  - (2) Unfinished business, or that which appears on the minutes, including the reports of committees in their order.
  - (3) New business, which may be proposed by any member.
2. If the meeting be a special one, the object and order of business may be set forth in the call by which it is convened; in which case the moderator states it, and the deliberations proceed according to that order. Or the moderator may state the object of the meeting informally, from his own knowledge; or a committee may be appointed to prepare an order of business. Boards usually have their order of business prescribed, which order should be followed.
3. Associations and other bodies which meet annually, or at long intervals, councils and other bodies which dissolve or adjourn sine die, have their minutes read and corrected before adjournment.
4. The only change which can be made in the minutes, is to correct which is incorrect. If what is actually passed and done be accurately recorded, it cannot be changed to meet the wishes either of individuals or of the entire body. Entries of actual transactions cannot be obliterated. But statements of related facts, not essential to a truthful record of actual business, may be omitted in correcting the minutes, if so ordered by the body.
5. It is however expected that the minutes of churches, and other bodies not legislative, will show a concise history of their proceedings, and not be simply confined to a record of business done. This is made at the discretion of the clerk, or secretary, but is subject to revision by the body, when the minutes are passed upon.

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VI. A QUORUM.

1. In all deliberative assemblies, it is understood that the votes of a majority of members present shall decide a question, under debate.
2. In constitutional changes, and some other important matters, it is common to require a vote of two-thirds or three-fourths of those voting.
3. Boards, standing committees, and some other bodies, usually agree that no business shall be done unless there be present a certain number designated, and called a quorum.
4. While a majority vote strictly carries any question of ordinary character, yet in churches and religious assemblies, all important decisions should have the general concurrence of the body, and not be held by a mere majority.
5. Churches seldom fix the number of a quorum by rule, but consider any number present at a business meeting regularly called competent to act. It is however unwise to transact important business with only a small part of the church present.

VII. MOTIONS.

1. All business must be presented by a motion - made in writing, if so required. Properly the motion should be made by one member and seconded by another. But routine business may by general consent pass to a vote without a second.
2. No discussion can properly be had until a motion is made, seconded, and distinctly stated by the chairman.
3. A resolution cannot be withdrawn after it has been discussed, except by unanimous consent of the body.
4. A resolution, having been discussed, must be put to vote, unless withdrawn, laid on the table, referred, or postponed.
5. A motion lost should not be recorded, unless so ordered by the body at the time.
6. A motion lost cannot be renewed at the same meeting, except by unanimous consent of the body.
7. A resolution should contain but one distinct proposition or question. If it does contain more, it must at the request of any member be divided, and the questions acted on separately.
8. Only one question can properly be before an assembly at the same time. But there are certain subsidiary motions, which by common usage may interrupt one already under debate. These are motions to amend, to substitute, to commit; to postpone to lay on the table, for the previous question, and to adjourn. These motions in their form are not debatable, except those to amend, and to substitute.

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9. The subsidiary motions just named cannot be interrupted by any other motion; nor can any other be applied to them, except that to amend, which may be done by specifying some time, place, or purpose.
10. Nor can these motions interrupt or supersede each other; except that a motion to adjourn is always in order, except while a speaker has the floor, or a vote is being taken.
11. When these motions, which are not debatable by usage, are amended by an addition of time, place, or purpose, they become debatable like other motions; but debatable only as to the time, place, or purpose, which brings them within the range of discussion.
- 2(a) 12. No resolution or motion can be entertained, which has, at the same session been put to vote and lost. Nor can a resolution be entertained which directly contradicts, annuls, or abrogates one already passed. But one passed can be reconsidered and voted down, and then one of contrary import can be passed.  
 (b)  
 (c)

## VIII. AMENDMENTS.

- 3 a 1. Amendments can be made to resolutions or motions, in three ways: by omitting, by adding, or by substituting, words or sentences.
- b 2. An amendment to an amendment can be made; but not to the second degree. It would complicate and obstruct proceedings.
- 4 a 3. No amendment should be made which essentially changes the meaning or design of the original resolution.
- b 4. But a substitute may be offered, which may or may not change the meaning of the resolution under debate.
- 5 5. An amendment is first to be discussed and acted on, and then the original resolution as amended. *voting*

## IX. SPEAKING.

- 6 a 1. Any member desiring to speak on a question, should rise in his place and address the moderator, confine his remarks to the question under discussion, and avoid all unkind and disrespectful language.
- b 2. A speaker using improper language, introducing improper subjects, or otherwise out of order, should be called to order by the chairman, or by any member, and must either take his seat or conform to the regulations of the body.
- 7 a 3. A member while speaking can allow others to ask questions, or make explanations; but if he yield the floor to another, cannot claim it again as his right.
- b 4. If two members rise at the same time to speak, preference is usually given to the one farthest from the chair, or to the one opposing the question under discussion.

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5. The fact that a member has several times risen to speak, gives him no preference to be heard on that account. Nor can the moderator give the floor to one because he has made several attempts to obtain it.

6. Calls for the question cannot deprive a member of his right to speak, either when he has the floor or when rising to speak. Nor is it courteous to call for the question while a member is on the floor. *It is just a sarcastic way of asking the speaker to be seated and is not to be allowed unless he takes more than the allotted time.*

7. Should a member use offensive language in debate, his words should be taken by the clerk, verified by his own acknowledgment, or by a vote of the body, and he be required to apologize, or be visited by such censure as the body may see fit to inflict.

*usually they are asked to leave the room to return no more during that session. Sometimes the right to vote is denied him.*

X. VOTING.

- 8a. 1. The question is put to vote by the chairman, having first distinctly restated it that all may clearly understand how and on what they vote. First, the affirmative, then the negative is called; each so deliberately as to give all an opportunity of voting. He then distinctly announces whether the motion is carried or lost.
2. Voting is done usually by aye and no, or by raising the hand. When the decision is doubted, by standing to be counted. Sometimes by ballot, sometimes by a division of the house, the affirmative taking one side and the negative the other, until counted. Sometimes by calling the yeas and nays, the clerk calling the roll, and each member answering with his vote. The last two methods are in use chiefly in legislative assemblies.
3. Taking the yeas and nays is resorted to usually for the purpose of holding members accountable to the constituents whom they represent. In churches and other voluntary associations it cannot be required, since they are not representative bodies, and have no constituencies to whom they are amenable.
4. If the yeas and nays be ordered, each member has the right to explain his vote at length; and in doing so, can discuss the merits of the entire question, should he choose, in order to justify his vote.
5. If the vote as announced by the moderator be doubted, it is usual to call it the second time, generally by counting.
6. All members should vote, unless for reasons excused; or those under discipline, during which disability they should take no active part in the business of the body.
7. The moderator usually votes when the question is taken by ballot; otherwise it is customary for him to waive the right. But when the assembly is equally divided, he may, if so disposed, give the casting vote. *(Chairman) He should not vote for himself. He is not permitted to do this if he has already voted.*
8. When the vote is taken by ballot, as is usual on important questions, especially in the election of officers tellers are appointed by the chair to distribute, collect, and count the

*In case of a tie - the is permitted to vote otherwise not so.*

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ballots.

9. The tellers do not themselves announce the result of the ballot, but report it to the chairman, who makes the announcement.
10. In announcing the result, it is usual to state the whole number of votes cast, the number necessary to a choice (in the case of an election), and the number cast for the successful candidate, and then to declare his election. If there be no election, the number of votes for several of the highest candidates is announced, and a new ballot is ordered.

## XI. COMMITTEES.

1. Committees are nominated by the chairman, at the direction of the body; and their nomination confirmed by a vote. More commonly, the meeting directs that all committees shall be appointed by the chair; in which case no vote is needed to confirm.
2. Any matter of business, or subject under debate, may be referred to a committee, with or without instructions. The committee make their report, which is the result of their deliberations. The body then takes action on the report, and on any recommendations it may contain.
3. The report of a committee is received by a vote, which acknowledges their service and takes their report before the body for consideration. Afterwards, any distinct recommendation contained in the report is acted on, and may be adopted or rejected.
4. Frequently, however, when the recommendations of the committee are of trifling moment, or likely to be generally acceptable, the report is received and adopted by a single vote.
5. A report may be recommitted to the committee, or that committee may be discharged and another appointed for the same purpose, with or without instructions, for a further consideration of the subject, so as to present it in a form more likely to secure the concurrence of the body.
6. The meeting has no power to change the form of a committee's report; for then, so far, it would be a document of the body, and not of the committee. But the report may be recommitted with instructions to change it. Any distinct recommendation in the report may, however, be modified, since that, if adopted, becomes the action of the body, rather than of the committee.
7. A committee may be appointed with power for a specific purpose. In that case it has full discretion to dispose conclusively of the business intrusted to it, without further reference to the body.
8. The first one named in the appointment of a committee, is by courtesy considered the chairman. But a committee, when called together, has the right to elect its own chairman.

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9. The member who moves the appointment of a committee, is usually out of courtesy, though not necessarily, appointed, first named on it, and acts as chairman.
10. Committees of arrangement, or for other business protracted in its nature, report progress from time to time, and are continued until their final report is made, or their appointment expires by limitation.
11. A committee is discharged by a vote when its business is done, and its reports received. But usually a committee is considered as discharged by the acceptance of its report.
12. In constituting a committee, it is usual to appoint a majority of those favorable to the proposition submitted to their consideration, if it be a matter in controversy.
13. In making up its report, if unanimity cannot be secured, a majority prepares and presents the report. But the minority may also present a separate report. The body can hear and act on both, at its discretion; or it may refuse to give any consideration to the minority report, if so disposed.

## XII. STANDING COMMITTEES.

A committee appointed to act for a given time, or during the recess of the body is called a standing committee. It has charge of a given department of business assigned by the body; acts either with power in the final disposition of that business, or under instructions, in preparing it for the action of the body. A standing committee is substantially a minor board, and has its own chairman, secretary, records, times of meetings, and order of business. *Ministration Committee - give forth Credentials -*

## XIII. COMMITTEE OF THE WHOLE.

When an assembly desires to consider any subject in a manner less formal and restricted than can be done under ordinary rules of business, it may resolve itself into a committee of the whole for that purpose.

This is done by a vote to go into a committee of the whole, at a given time, and for a given purpose. When the specified time arrives, the presiding officer names some member to take the chair, the business is stated, and the body, as committee, proceeds to its consideration.

The proceedings are governed by the ordinary rules of debate, except -

1. The *Moderator* chairman has the same privileges in debate as other members.
2. Speakers are not restricted as to time.
3. The previous question cannot be called.
4. No committees can be appointed.

*Informal body  
where everyone  
has chance  
to speak.*

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5. No other business than that assigned can be considered by them.
6. The committee cannot adjourn, but rise, when its time has expired; and if its business be not completed, it will, when its report is made, ask permission of the assembly to sit again.
7. When the committee rises, the moderator of the body resumes his seat, and the chairman of the committee reports the results of the deliberations. This form of committee is seldom resorted to except in legislative bodies.

## XIV. APPEAL.

The moderator announces all votes, and decides all questions as to rules of proceeding, and order in debate. But any member who is dissatisfied with his decisions may appeal from it, to the decision of the body. The moderator then puts the question, "Shall the decision of the chair be sustained?" The vote on this question is final. The question on appeal is not debatable. The right of appeal is undeniable, but should not be too freely used.

## XV. PROTEST.

It is the right of any member, who may regard the action of the body in a given case, to be wrong, unauthorized, or in any way oppressive, to protest against it. This protest may be made verbally and informally; in which case it is heard, but is not entered on the minutes except by request of the protestant, and by permission of the body. But if it be presented formally in writing, the body is bound to receive the document, and record its reception. The entire document can be entered on the records by a vote of the body.

The right of protest, as well as that of petition and appeal, can never be denied to free men without an abridgment of their liberties. Questions pertaining to the rights and privileges of members, even though they be liable to abuse, should be treated by deliberative assemblies, in the most liberal manner, consistent with good order and a proper discharge of their obligations.

## XVI. THE PREVIOUS QUESTION.

Debate may be cut short by a vote to take the previous question. By this is meant that the previous, original or main question under discussion be immediately voted on, regardless of pending amendments and secondary questions, and without further debate.

In some bodies, a motion for the previous question cannot be entertained, unless such motion be seconded by one quarter, one third, or one half - as the rule may be - of the voters present. But in bodies where no rule exists, a motion made and seconded like any other, is sufficient if it be voted by a majority. A motion for the previous question is not debatable.

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1. If a motion for the previous question be carried, then the main question must be immediately taken, without further debate.
2. If the motion for the previous question be lost, the debate proceeds as though no such motion had been made.
3. The previous question cannot be ordered while a motion to postpone, or to commit, is under consideration. It cannot itself be postponed, nor amended; but it can be interrupted by a motion to lay on the table the original resolution, which if voted, carries with it the whole subject under debate, including the motion for the previous question.
4. If a motion for the previous question be lost, it cannot be renewed on the same question during that session, unless the question has undergone some change by amendment, or otherwise, in the mean time.

## XVII. LAY ON THE TABLE.

Immediate and decisive action on any question under debate, may be deferred, by a vote to lay on the table the resolution pending. This disposes of the whole question for the present, and ordinarily, is in effect a final dismissal of it. But any member has the right subsequently to call it up by a motion. The body decides by vote, whether it will, or will not take it up. A motion to lay on the table is not debatable.

1. Sometimes, however, a resolution is laid on the table for the present, or until a specified time, to give place for other business necessary to be done. It is then called up, when the time specified arrives.
2. A motion to lay on the table, must apply to a resolution or other documentary matters. There must be something to lay on the table. An abstract subject cannot be disposed of in this way.

## XVIII. POSTPONEMENT.

A simple postponement is for a specified time or purpose, the business to be resumed when this time or purpose is reached. But a question indefinitely postponed, is considered as fully dismissed.

## XIV. NOT DEBATABLE.

Certain motions, by established usage, are not debatable, but when once before the body, must be put to vote without discussion.

These are: the previous question; for indefinite postponement; to commit; to lay on the table; on appeal; to adjourn. But when these motions are modified by some condition of time, place, or purpose, they become debatable, and subject to the rules of other motions; but are debatable so far only as concerns the time, place or purpose by which they are modified.

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A body is however competent, by a vote, to allow debate on all motions.

## XV. TO RECONSIDER.

1. A motion to reconsider a motion already passed, according to established usage, must be made by one who voted for that motion when it passed.
2. If the body decides to reconsider, then the motion or resolution so reconsidered, is placed before them, as it was previous to its passage, and may be discussed, adopted, or rejected.
3. A vote to reconsider, should be taken at the same session, at which the vote reconsidered was passed; and also, when there are as many members present as voted on it then.

## XVI. BE DISCUSSED.

If when a motion is introduced, a member objects to its discussion as foreign, profitless, or contentious, the moderator should at once put the question, "Shall this motion be discussed?" If it be decided in the negative, the motion cannot be entertained.

## XVII. ORDER OF THE DAY.

The body may decide to take up some particular business at a specified time. That business thereby becomes the order of the day, for the time specified. When the hour arrives, it must be taken up by the call of the chairman, or of any member, with or without a vote, all pending business being postponed in consequence.

## XVIII. POINT OF ORDER.

Any member who supposes a speaker to be out of order, or that a discussion is proceeding improperly, may at any time rise to a point of order. He must distinctly state his question or objection, and the chairman must decide whether his objection be well taken.

But one rising to a point of order cannot discuss the question, nor enter into any debate; he must simply state his objection, and wait for a decision.

## XIV. PRIVILEGED QUESTIONS.

Questions relating to the rights and privileges of members are of primary importance, and until disposed of take precedence of all other business, and supersede all other questions, except that of adjournment.

## XX. RULE SUSPENDED.

A rule of order may be suspended by a vote of the body to allow the transaction of business, which could not otherwise be done without a violation of such rule. But if rules be thought necessary to exist they should not frequently be suspended.

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## XXI. FILLING BLANKS.

Where different numbers are suggested for filling blanks, the highest number, greatest distance, and longest time are usually voted on first.

## XXII. ADJOURNMENT.

1. A simple motion to adjourn is always in order, except while one is speaking, or a vote is being taken. It takes precedence of all other questions, and is not debatable.
2. In some deliberative bodies a motion to adjourn, is in order while speaking or voting is going on, the business to stand on re-assembling precisely as it was when adjournment took place.
3. A body may adjourn to a specified time. But if no time be mentioned, the fixed or usual time is understood. If there be no fixed or usual time, then an adjournment without date is equivalent to a dissolution.
4. A body may, at any stage of its proceedings, vote that it will adjourn at a given time. When that time arrives, the chairman will call for a vote of adjournment, or declare the meeting adjourned without further action.
5. A body may, at any stage of its proceedings, vote that when it does adjourn, it will adjourn to a given time. That vote will therefore fix the time of its re-assembling, without any further action.

PARLIAMENTARY LAW

Test No. 4

1. Define the committee as a whole.
2. Give seven rules governing the committee of a whole.
3. Define appeal in relation to Parliamentary Law.
4. A. Define protest.  
B. How should it be presented.  
C. Under what circumstances should it be recorded in the Minutes.
5. What is meant by the previous question?
6. What is meant by TO LAY ON THE TABLE?
7. What is meant by POSTPONEMENT?
8. A. Who is permitted to make the motion to reconsider?  
B. When should a vote to reconsider be taken?
9. What is meant by a POINT OF ORDER?
10. Give at least three rules governing adjournment.