#### STANDING RULES

OF THE

#### COUNCIL

AND

# HOUSE OF REPRESENTATIVES,

WITH THE

Joint Rules and Standing Committees.

Printed by order of the Council.

SAINT PAUL.

PRINTED BY BROWN AND OLMSTED.

1854.

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## STANDING RULES OF THE COUNCIL.

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I. The Council shall choose one of the members to occupy the Chair, who shall be styled "President of the Council," and who shall hold his office during one session thereof, unless he be removed therefrom by a vote of two-thirds of the members present.

II. The President shall take the Chair at the hour to which the Council shall have adjourned; shall immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read

and corrected.

III. He shall preserve order and decorum, may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the Council by any member.

IV. He shall rise to put a question, but may state it sitting.

V. Questions shall be distinctly put in this form, to wit: "As many as are of the opinion that—as the question may be—say Aye;" and after the affirmative voice is expressed, "As many as are of the contrary opinion, say No." If the President doubt, or a division be called, the Council shall decide. Those in the affirmative of the question shall first rise from their seats; and afterwards those in the negative.

VI. The President shall call some member to the Chair when the Council votes to go into Committee of the Whole, and may then debate the question be ore the Committee. He shall also have the right to name a member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment. In the absence of the President, except as above, the Council

shall appoint a President pro tem.

VII. He shall appoint all Committees, unless otherwise directed by the Council. He shall sign all acts, memorials, addresses, and resolutions; and all writs, warrants, and subpoenas, issued by the Council, shall be signed by him and attested by the Secretary.

VIII. In all cases the President shall have the right of voting; and on

all questions he shall vote last.

IX. In case of any disturbance or disorderly conduct in the lobby, the President, or Chairman of the Committee of the Whole, shall have power to order the same to be cleared.

X. Reporters wishing to take down the debates, may be admitted by the President, who shall assign such places to them on the floor or elsewhere, to effect their object, as shall not interfere with the convenience of the Council.

XI. After the Journal has been read and corrected, the order of business shall be as follows, viz:

1. Letters, petitions, remonstrances, and accompanying documents, may be presented and referred.

2. Resolutions may be offered and considered; notices of leave to introduce bills, memorials, or joint resolutions, may be given; and bills, memorials, and joint resolutions, may be introduced on leave granted.

3. Reports of Committees may be made and considered-

1st. From Standing Committees; 2d. From Select Committees.

Messages and other Executive Communications.

Messages from the House of Representatives, and Amendments proposed by the House of Representatives to Bills from the Council.

6. Bills, memorials, and joint resolutions, from the House of Representa-

tives, on their second reading.Bills, memorials, and joint resolutions, on their third reading.

8. Bills, memorials, and joint resolutions, ready for a third reading. 9. Bills, memorials, and joint resolutions, reported by a Committee of the Whole.

10. Bills, memorials, and joint resolutions, in which a Committee of the

Whole has made progress and has leave to sit again.

11. Bills, memorials, and joint resolutions, not yet considered in Commit-

tee of the Whole.

XII. Bills and joint resolutions, of a public nature, shall always have the

preference of private bills.

XIII. When any member is about to speak in debate, or deliver any matter to the Council, he shall rise from his seat and respectfully address himself to "Mr. President," and shall confine himself to the question under debate, and avoid personality.

XIV. Whenever any member is called to order, he shall sit down until it is determined whether he is in order or not; and if a member is called to order for words spoken in debate, the exceptionable words shall be taken down

in writing immediately.

XV. When two or more members happen to rise at once, the President

shall name the member who is to speak.

XVI. No member shall speak more than twice on the same question; nor more than once on a motion for commitment, without leave of the Council.

XVII. Whilst the President is putting any question, or addressing the Council, none shall walk out, or across the room, nor in such case, or when a member is speaking, shall entertain private discourse; nor whilst a member is speaking, shall pass between him and the Chair. Every member shall remain uncovered during the session of the Council. No member, or other person, shall visit or remain by the Secretary's table while the ayes and noes are calling, or ballots are counting.

XVIII. No member shall vote on any question in any case where he was not within the Bar of the Council when the question was put, unless by leave

of the Council.

XIX. Upon a division and count of the Council on any question, no mem-

ber without the Bar shall be counted.

XX. Every member who shall be in the Council when the question is put, shall give his vote, unless the Council, for special reasons, shall excuse him .-All motions to excuse a member from voting, shall be made before the Council divides, or before he gives his vote upon a call of the ayes and noes. And any member wishing to be excused from voting, may make a brief verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

XXI. When a motion is made and seconded, it shall be stated by the President; or being in writing, it shall be handed to the Secretary, and read

aloud before debated.

XXII. Every motion shall be reduced to writing, if the President or any member desire it.

XXIII. After a motion is stated by the President, or read by the Secretary, it shall be deemed to be in possession of the Council, but may be with-

drawn at any time before a decision or amendment.

XXIV. When a question is under debate, no motion shall be received, unless to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to commit, to amend, or to postpone indefinitely; and these several motions shall have precedence in the order in which they stand arranged. A motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall not be again allowed on the same day, and at the same stage of the bill or proposition. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and, if carried, shall be equivalent to the rejection of the bill.

XXV. A motion to adjourn shall always be in order; that and the motion

to lie on the table shall be decided without debate.

XXVI. The previous question shall be in this form: "Shall the main question be now put?" It shall be only admitted when demanded by a majority of the members present; and until it is decided, shall preclude amendment and further debate of the main question. On a motion for the previous question, and prior to the main question being put, a call of the Council shall be in order.

XXVII. On a previous question there shall be no debate. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on debate or otherwise, without

debate.

XXVIII. When a motion or question has been once put and carried in the affirmative or negative, it shall be in order for any member who voted in the majority, or when the Council is equally divided, for a member who voted in the negative, to move for a reconsideration thereof on the same or the succeeding day; and such motion shall take precedence of all other questions, except a motion to adjourn. A motion for reconsideration being put and lost shall not be renewed.

XXIX. Any member may call for a division of the question, when the same will admit of it. A motion to strike out and insert shall be deemed to be indivisible. A motion to strike out being lost, shall not preclude an amend-

ment, nor a motion to strike out and insert.

XXX. In presenting a petition, memorial, remonstrance, or other communication addressed to the Council, or Legislative Assembly, the member

shall only state the general purport of it.

XXXI. Every petition, memorial, remonstrance, resolution, bill and report of committee, shall be endorsed with its appropriate title; and immediately under the endorsement the name of the member presenting the same shall

be written.

XXXII. Any member may make a call of the Council, and require absent members to be sent for, but a call of the Council cannot be made after the voting has commenced; and the call of the Council being ordered, and the absentees noted, the doors shall be closed and no member permitted to leave the room until the report of the Sergeant at-Arms be received and acted upon, or further proceedings in the call be suspended.

XXXIII. The following Standing Committees, (each to consist of three members,) shall be appointed at the commencement of the session,

viz :

On Internal Improvements.
On Territorial Affairs
On the Judiciary.
On Agriculture and Manufactures.

On Territorial Expenditures.

On Territorial Expenditures.
On Legislative Expenditures.

On the Militia. On Schools.

On Schools.
On Incorporations.

On Territorial Roads.

On Engrossed Bills. On Enrolled Bills. A service of another of renters A

On Printing and he works attaged so the thede besides their

On Public Buildings.

XXXIV. The rules observed in Council shall govern, as far as practicable, the proceedings in Committee of the Whole; except that a member may speak oftener than twice on the same subject, and that a call for the yeas and nays, or for the previous question, cannot be made.

XXXV. Amendments made in Committee of the Whole shall be entitled on a separate piece of paper, and so reported to the Council by the Chairman standing in his place; which amendment shall not be read by the President, unless required by one or more of the members. The report having been first acted upon, the bill shall then be subject to debate and amendment before the question to engross it is taken.

XXXVI. All bills and resolutions shall be introduced by motion for leave, or upon the reports of Committees. Members, introducing a bill, shall always give one day's notice of a motion to bring it in, and when brought in, it shall be endorsed with the name of the member or Committee.

XXXVII. Every bill, memorial or joint resolution, requiring the approval of the Governor, shall receive three several readings previous to its passage; the first reading shall be at length, and no bill shall re-

ceive a second and third reading on the same day,

XXXVIII. No bill or joint resolution shall be committed or amended until it has been twice read. If objections are made to a bill on its first reading, the question shall be, "Shall the bill be rejected?" If no objection be made, or the question to reject be lost, the bill shall go to its second reading.

XXXIX. All bills, memorials and joint resolutions requiring the approval of the Governor, shall, on a second reading, be considered in committee of the whole before they shall be acted upon by the Council.

XL. Fifty copies of every bill, joint resolution or memorial, shall be printed after the second reading by the Secretary, unless otherwise ordered. And bills, memorials, resolutions and amendments, after being printed, shall remain at least one day on the files before being considered.

XLI. No more than three bills originating in the Council shall be committed to the same committee of the whole; and such bills shall be analagous in their nature, which analogy shall be determined by the

President.

XLII. The final question after the consideration in committee of the whole of a bill or other paper originating in the Council, and requiring three readings previous to its being passed shall be, "Shall it be engrossed and read a third time?" and upon every such bill or paper originating in the House of Representatives, "Shall it be read a third time?"

XLIII. No amendments shall be received on third reading, except

to fill blanks, without the unanimous consent of the Council. In filling blanks, the largest sum, longest time, and greatest distance, shall be

first taken.

XLIV. A bill or resolution may be committed at any time previous to its passage; and if any amendment be reported upon such commtment, by any other than a committee of the whole, it shall be again read a second time, considered in committee of the whole, and the question for third reading and passage again put.

XLV. Every bill, joint resolution or memorial, originating in the Council, shall be carefully engrossed before being transmitted to the the

House of Representatives for concurrence.

XLVI. Immediately after the passage of any bill or other paper, to which the concurrence of the House of Representatives is to be asked, it shall be the duty of the Secretary to transmit the same to the House, unless some member of the Council shall make a motion to reconsider the vote by which the Council passed said bill or other paper, in which case, the Secretary shall not transmit said bill or other paper until the motion to reconsider has been put; and on the concurrence in any bill or other paper of the House of Representatives by the Council, or on the concurrence or disagreement in any vote of the House, it shall also be the duty of the Secretary to notify the House thereof.

XLVII. Memorials to Congress, to the President of the United States, or the head of either of the departments, shall be considered in

committee of the whole before being adopted.

XLVIII. It shall be competent for any member when a question is being taken, to call for the ayes and noes, which shall be inserted on the Journal. A call for the ayes and noes cannot be interrupted in any manner whatever.

XLIX. Committees shall not absent themselves from the Council by reason of their appointment, without special leave for that purpose be first obtained.

L. It shall be in order for the committee on enrollment to report at

any time.

LI. A Secretary, Assistant Secretary, Enrolling Clerk, Sergeant at-Arms, Messenger and Fireman shall be elected, to hold their offices during the pleasure of the Council. The Secretary shall keep a correct Journal of the proceedings of the Council, and shall perform such other duties as shall be assigned to him as such Secretary. He shall permit no journal, records, accounts, or papers to be taken from the table or out of his custody, other than in the regular mode of business; and if any papers in his charge shall be missing, he shall report the fact to the President that inquiry may be made. He shall superintend the recording of the journal of proceedings, the engrossing, enrolling, transcribing and copying of bills and resolutions, and generally perform the duties of Secretary, under the direction of the President. These officers shall severally take an oath truly and faithfully to discharge their respective duties of office.

LII. The proceedings of the Council on executive business shall be kept in a separate book of record, to be provided by the Secretary of the

Council, and published with the proceedings of the Council.

LIII, The rules of parliamentary practice, comprised in Jefferson's Manual shall govern the Council in all cases to which they are applica-

ble, and in which they are not inconsistent with these rules and the orders of the Council, and the Joint Rules and Orders of the Council and House of Representatives.

LIV. The President is authorized to administer all oaths prescribed

by the foregoing rules.

LV. The standing hour for the daily meeting of the Council, shall

be ten o'clock in the morning, until the Council direct otherwise.

LVI. The Governor, Secretary of the Territory, Judges of the Supreme Court, Delegate in Congress, members of Congress, of State Legislatures, and of the House of Representatives, and ex-members of the Territorial Legislature, may be admitted to seats within the bar of the Council.

LVII. No standing rule or order of the Council, shall be rescinded or changed without one day's notice being given of the motion therefor, nor shall any rule be rescinded, changed, or suspended, except by a vote of at least two-thirds of the members present.

LVIII. Every resolution debated or giving rise thereto, shall lie over

for one day without debate or other action.

LIX. When in executive session, the Council shall in all cases, sit with closed doors. All persons except the officers of the Council shall be remeved from without the bar of the Council.

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## HOUSE OF REPRESENTATIVES.

I. The Speaker shall take the Chair every day precisely at the hour to which the House shall have adjourned on the preceding day; shall immediately call the members to order, and on the appearance of a quorum, shall cause the Journal of the preceding day to be read.

II. He shall preserve order and decorum, speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any two members.

III. He shall rise to put a question; but may state it sitting.

IV. Questions shall be distinctly put in this form, to wit. "As many as are of opinion that, (as the question may be,) say Aye;" and after the affirmative voice is expressed, "As many as are of the contrary opinion say No." If the Speaker doubt, or a division be called for, the House shall divide. Those in the affirmative of the question, shall first rise in their seats; and afterwards those in the negative.

V. The Speaker shall call some member to the chair when the House votes to go into committee of the whole, and may then debate the question before the committee. He shall also have the right to name a member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment. In case the Speaker shall be absent at the hour to which the House was adjourned, the Clerk shall preside until a Speaker pro tem. shall be chosen.

VI. He shall appoint all committees unless otherwise directed by the House. He shall sign all acts, memorials, addresses and resolutions; and all writs, warrants and subpœnas (issued by the House) shall be signed by him and attested by the Chief Clerk.

VII: In all cases the Speaker shall have the right of voting; and on all questions he shall vote last.

VIII. In case of any disturbance or disorderly conduct in the lobby, the Speaker, (or Chairman of the Committee of the Whole) shall have power to order the same to be cleared.

IX. After the Journal has been read and corrected, the order of business shall be as follows, viz:

- 1. Letters, petitions, memorials, remonstrances and accompanying documents, may be presented and referred.
- 2. Resolutions may be offered and considered; notices of leave to introduce bills may be given; and bills may be introduced on leave granted.
  - 3. Reports of committees may be made and considered:
  - 1st, from standing committees; 2d, from select committees.
- 4. Messages from the Counil, and amendments proposed by the Council to bills from the House of Representatives.
  - 5. Bills and Resolutions from the Council on their second reading.
  - 6. Bills on their third reading.
  - 7. Bills ready for third reading.
  - 8. Bills reported by a committee of the whole.
- 9. Bills in which a committee of the whole has made progress and has leave to sit again.
  - 10. Bills not yet considered in committee of the whole.
- X. Bills of a public nature shall always have the preference of private bills.
- XI. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to "Mr. Speaker," and shall confine himself to the question under debate, and avoid personality.
- XII. Whenever any member is called to order, he shall sit down until it is determined whether he is in order or not; and if a member be called to order for words spoken in debate, the exceptionable words shall be taken down in writing immediately.
- XIII. When two or more members happen to rise at once, the Speaker shall name the member who is first to speak.
- XIV. No member shall speak more than twice on the same question; nor more than once on a motion for commitment, without leave of the House.
- XV. No member shall vote on any question in any case where he was not within the bar of the House when the question was put, unless by leave of the House.

XVI. Upon a division and count of the House on any question, no member without the bar shall be counted.

XVII. Every member who shall be in the House when the question is put, shall give his vote, unless the House for special reasons, shall excuse him. All motions to excuse a member from voting, shall be made before the House divides, or belore the call of the ayes and noes is commenced. And any member wishing to be excused from voting, may make a brief verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

XVIII. When a motion is made and seconded, it shall be stated by the Speaker; or being in writing, it shall be handed to the Chief Clerk, and read before debated.

XIX. Every motion shall be reduced to writing, if the Speaker or any member desire it.

XX. After a motion is stated by the Speaker, or read by the Chief Clerk, it shall be deemed to be in the possession of the House, but may be withdrawn at any time before a decision or amendment.

XXI. When a question is under debate no motion shall be received, unless to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to commit, to amend or to postpone indeffinitely; and these several motions shall have precedence in the order in which they stand arranged. A motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall not be again allowed on the same day, and at the same stage of the bill or proposition. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend and if carried, shall be equivalent to the rejection of the bill.

XXII. A motion to adjourn shall always be in order; that and the motion to lie on the table shall be decided without debate.

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XXIV. On a previous question there shall be no debate. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

XXV. When a motion or question has been once put and carried in the affirmative or negative, it shall be in order for any member whe

voted in the majority, or when the Honse is equally divided, for a member who voted in the negative, to move for a reconsideration thereof on the same or the succeeding day; and such motion shall take precedence of all other questions, except a motion to adjourn. A motion for reconsideration being put and lost shall not be renewed.

XXVI. Any member may call for a division of the question, when the same will admit of it. A motion to strike out and insert shall be deemed to be indivisible. A motion to strike out being lost, shall not preclude an amendment, nor a motion to strike out and insert.

XXVII. In presenting a petition, memorial, remonstrance, or other communication addressed to the House, or Legislative Assembly, the member shall only state the general purport of it.

XXVIII. Every petition, memorial, remonstrance, resolution, bill and roport of committee, shall be endorsed with its appropriate title; and immediately under the endorsement the name of the member presenting the same shall be written.

XXIX. Any member may make a call of the House, and require absent members to be sent for, but a call of the House cannot be made after the voting has commenc,d; and the call of the House being ordered, and the absentees noted, the door shall be closed, and no member permitted to leave the room until the report of the Sergeant-at-Arms be received and acted upon, or further proceedings in the call be suspended.

XXX. The following Standing Committees, (each to consist of three members,) shall be appointed at the commencement of the session, viz;

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On the Judiciary.

On Agriculture and Manufactures.

On the Militia. And and the selection of an articles

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On Incorporations.

On Territorial Roads.

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On Engrossed Bills.

on Enrolled Bills.

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On Estates and Escheats.

XXXI. The rules observed in the House shall govern as far as practicable, the proceedings in committee of the whole; except that a member

may speak oftener than twice on the same subject, and that a call for the yeas and nays, or for the previous question, cannot be made.

XXXII. Amendments made in committee of the whole shall be entered on a separate piece of paper, and so reported to the House by the chairman, standing in his place, which amendment shall not be read by the Speaker unless required by one or more of the members. The report having been first acted upon, the bill shall then be subject to debate and amendment before the question to engress it be taken.

XXXIII. All bills, memorials and joint resolutions shall be introduced by motion for leave, or upon the reports of committees. Mambers introducing a bill, shall always give one day's notice of a motion to bring it in, and when brought in, it shall be endorsed with the name of the member or committee, introducing it.

XXXIV. Every bill, memorial or joint resolution requiring the approva of the Governor, shall receive three several readings previous to its passage; the first reading shall be at length, and no bill shall receive a second and third reading on the same day.

XXXV. No bill, memorial or joint resolution shall be committed or amended until it has been twice read. If objections are made to a bill on its first reading, the question shall be, "Shall the bill be rejected?" If no objection be made, or the question to reject be lost, the bill shall go to its second reading.

XXXVI. All bills, memorials and joint resalutions requiring the epproval of the Governor, shall, on a second reading, be considered in committee of the whole before they shall be acted upon by the House, and those originating in the House, except resolutions not requiring the approval of the Governor, before being considered in committee of the whole, shall be printed, unless otherwise ordered by the House.

XXXVII. Fifty copies of every bill, joint resolution, or memorial, shal be printed after the second reading by the Clerk, unless otherwise ordered. And all bills, resolutions and amendments, after being printed. shall remain at leat one day on the files before being considered.

XXXVIII. No more than three bills originating in the House shall be committed to the same committee of the whole; and such bills shall be anlalogous in their nature, which analogy shall be determined by the Speaker.

XXXIX. The final question upon the second reading of every bill, or other paper originating in the House, and requiring three readings previous to being passed, shall be, "Shall it be engrossed and read a third time?" and upon every such bill or paper originating in the Council, "Shall it be read a third time?"

XL. No amendments shall be received on third readings, except to fill blanks, without the unanimous consent of the House. In filling blanks, the largest sum, longest time, and greatest distance, shall be first taken.

XLI. A bill, memorial, or resolution may be committed at any time previous to its passage; and if any amendment be reported upon such commitment by any other than a committee of the whole, it shall be again read a second time, considered in the committee of the whole, and the question for third reading and passage again put.

XLI1. Every bill, joint resolution or memorial, originating in the House, shall be carefully engrossed before being transmitted to the Council for concurrence.

XLIII. Immediately after the passage of any bill or other paper, to which the concurrence of the Council is to be asked, it shall be the duty of the Chief Clerk to transmit the same to the Council, unless some member of the House shall make a motion to re-consider the vote by which the House passed said bill or other paper, in which case the Chief Clerk shall not transmit said bill or other paper until the motion to reconsider has been put; and on the concurrence in any bill or other paper of the Council by the House, or on the concurrence or disagreement in any vote of the Council, it shall also be the duty of the Chief Clerk to notify the Council thereof.

XLIV. It shall be competent for any member when a question is being taken, to call for the ayes and noes, which shall be inserted on the Journal. A call for the ayes and noes cannot be interrupted in an any manner whatever.

XLV. It shall be in order for the committee on enrollment to report at any time.

XLVI. The Chief Clerk shall keep a correct Journal of the daily proceedings of the House, and shall perform such other duties as shall be assigned to him as Chief Clerk. He shall permit no journal, records, accounts, or papers to be taken from the table or out of his custody, other than in the regular mode of business; and if any papers in his charge shall be missing, he shall report the fact to the Speaker, that inquiry may be made. He shall superintend the recording of the journal of proceedings, engrossing, enrolling, transcribing and copying of bills and resolutions, and generally perform the duties of Chief Clerk, under the direction of the Speaker.

XLVII. The rules of parliamentary practice, comprised in Jefferson's Manual, shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with these rules and the orders of the House, and the Joint Rules and Orders of the Council and House of Representatives.

XLVIII. The standing hour for the daily meeting of the House shall be ten o'clock in the morning, until the House direct otherwise.

XLIX. No standing rule or order of the House, shall be rescinded or chauged without one day's notice being given of the motion therefor. Nor shall any rule be rescinded, changed, or suspended, except by a vote of at least two-thirds of the members present.

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