§ 459. Intervention of questions relating to reading of papers.

Reading papers relative to the question before the House. This question must be put before the principal one. *2 Hats., 88.*

This provision formerly applied in the House to the reading of papers other than those on which the House was to vote. That was under an earlier form of clause 6 of rule XVII, which now applies only to the use of exhibits in debate. For a history of the former rule on reading papers and an explanation of the earlier practice, see §§ 963–965, *infra*.

§ 460. Withdrawal of motions.

Leave asked to withdraw a motion. The rule of Parliament being that a motion made and seconded is in the possession of the House, and can not be withdrawn without leave, the very terms of the rule imply that leave may be given, and, consequently, may be asked and put to the question.

The House does not vote on the withdrawal of motions, but provides by clause 2 of rule XVI and clause 5 of rule XVIII the conditions under which a Member may of right withdraw a motion.

SEC. XXXIV—THE PREVIOUS QUESTION

§ 461. The previous question of Parliament.

When any question is before the House, any Member may move a previous question, "Whether that question (called the main question) shall now be put?" If it pass in the affirmative, then the main question is to be put immediately, and no man may speak anything further to it, either to add or alter. *Memor. in Hakew., 28; 4 Grey, 27.*

§ 462. Manner of putting the previous question.

The previous question being moved and seconded, the question from the Chair shall be, "Shall the main question be now put?" and if the nays prevail, the main question shall not then be put.

In the modern practice of the House the previous question is put as follows: "The gentleman from ____ moves the previous question. As many as are in favor of ordering the previous question will say aye; as many as are opposed will say no" (V, 5443).

§ 463. History, use, etc., of the previous question of Parliament.

This kind of question is understood by Mr. Hatsell to have been introduced in 1604. *2 Hats., 80.* Sir Henry Vane introduced it. *2 Grey, 113, 114; 3 Grey, 384.* When the question was put in this form, "Shall the main question be put?" a determination in the negative suppressed the main question during the session; but since the words "now put" are used, they exclude it for the present only; formerly, indeed, only till the present debate was over, *4 Grey, 43,* but now for that day and no longer. *2 Grey, 113, 114.*

Before the question "Whether the main question shall now be put?" any person might formerly have spoken to the main question, because otherwise he would be precluded from speaking to it at all. *Mem. in Hakew., 28.*

The proper occasion for the previous question is when a subject is brought forward of a delicate nature as to high personages, &c., or the discussion of which may call forth observations which might be of injurious consequences. Then the previous question is proposed, and in the modern usage the discussion of the main question is suspended and the debate confined to the previous question. The use of it has been extended abusively to other cases, but in these it has been an embarrassing procedure. Its uses would be as well answered by other more simple parliamentary forms, and therefore it should not

be favored, but restricted within as narrow limits as possible.

As explained in connection with clause 1 of rule XIX, the House has changed entirely the old use of the previous question (V, 5445).

SEC. XXXV—AMENDMENTS

§ 465. Right of the Member who has spoken to the main question to speak to an amendment.

On an amendment being moved, a Member who had spoken to the main question may speak again to the amendment. *Scob., 23.*

This parliamentary rule applies in the House, where the hour rule of debate (clause 2 of rule XVII) has been in force for many years. A Member who has spoken an hour to the main question, may speak another hour to an amendment (V, 4994; VIII, 2449).

§ 466. The Speaker not to decide as to consistency of a proposed amendment with one already agreed to.

If an amendment be proposed inconsistent with one already agreed to, it is a fit ground for its rejection by the House, but not within the competence of the Speaker to suppress as if it were against order. For were he permitted to draw questions of consistence within the vortex or order, he might usurp a negative on important modifications, and suppress, instead of subserving, the legislative will.

The practice of the House follows and extends the principle set forth by Jefferson. Thus it has been held that the fact that a proposed amendment is inconsistent with the text or embodies a proposition already voted (II, 1328–1336; VIII, 2834), or would in effect change a provision of text to which both Houses have agreed (II, 1335; V, 6183–6185), or is contained in substance in a later portion of the bill (II, 1327), is a matter to be passed on by the House rather than by the Speaker. It is for the House rather than the Speaker to decide on the legislative or legal effect of a proposition (II, 1323, 1324; VI, 254; VII, 2112; VIII, 2280, 2841), and the change of a single word in the text of a proposition may be sufficient to prevent the Speaker from ruling it out of order as one already disposed of by the House (II, 1274). The principle has been the subject of conflicting decisions, from which may be deduced the rule that the Chair may not rule out the