

ITEM 27 | REQUESTS GROWING OUT OF BUSINESS OF THE ASSEMBLY

During the meetings of a deliberative assembly there are occasions when members wish to obtain information, or to do or to have done things that necessitate their making a request. Among these are the following, which will be treated separately:

- (a) Parliamentary Inquiry;
- (b) Request for Information;
- (c) Leave to Withdraw a Motion;
- (d) Reading Papers;
- (e) To be Excused from a Duty;
- (f) For any other Privilege.
- (a) Parliamentary Inquiry.

A parliamentary inquiry, if it relates to a question that requires immediate attention, may be made while another has the floor, or may even interrupt a speech. It should not, however, be permitted to interrupt a speaker any more than is necessary to do justice to the inquirer. It yields to privileged motions, if they were in order when the inquiry was made, and it cannot be debated or amended or have any other subsidiary motion applied to it. The inquirer does not obtain the floor, but rises and says, "Mr. Chairman, I rise to a parliamentary inquiry." The chairman asks him to state his inquiry, and if he deems it pertinent, he answers it. Or, if the inquiry is made when another has the floor, and there is no necessity for answering it until the speech is finished, the chair may defer his answer until the speaker has closed his remarks. While it is not the duty of the chairman to answer questions of parliamentary law in general, it is his duty when requested by a member, to answer any questions on parliamentary law pertinent to the pending business that may be necessary to enable the member to make a suitable motion or to raise a point of order. The chairman is supposed to be familiar with parliamentary law, while many of the members are not. A member wishing to raise a point of order and yet in doubt, should rise to a parliamentary inquiry and ask for information. Or, for instance, he may wish to have the assembly act



immediately on a subject that is in the hands of a committee, and he does not know how to accomplish it; -
- his recourse is a parliamentary inquiry.

(b) Request for Information.

A request for information relating to the pending business is treated just as a parliamentary inquiry, and has the same privileges. The inquirer rises and says, "Mr. Chairman, I rise for information," or, "I rise to a point of information," whereupon the chair directs him to state the point upon which he desires information, and the procedure continues as in case of a parliamentary inquiry. If the information is desired of the speaker, instead of the chair, the inquirer upon rising says, "Mr. Chairman, I should like to ask the gentleman a question." The chairman inquires if the speaker is willing to be interrupted, and if he consents, he directs the inquirer to proceed. The inquirer then asks the question through the chair, thus, "Mr. Chairman, I should like to ask the gentleman," etc. The reply is made in the same way, as it is not in order for members to address one another in the assembly. While each speaker addresses the chair, the chair remains silent during the conversation. If the speaker consents to the interruption the time consumed is taken out of his time.

(c) Leave to Withdraw or Modify a Motion.¹

A request for leave to withdraw a motion, or a motion to grant such leave, may be made at any time before voting on the question has commenced, even though the motion has been amended. It requires no second. It may be made while incidental or subsidiary motions are pending, and these motions cease to be before the assembly when the question to which they are incidental or subsidiary is withdrawn. It yields to privileged motions, and cannot be amended or have any other subsidiary motion applied to it. It is undebatable. When it is too late to renew it, the motion to reconsider cannot be withdrawn without unanimous consent. When a motion is withdrawn, the effect is the same as if it had never been made. Until a motion is stated by the chairman, the mover may withdraw or modify it without asking consent of any one. If he modifies it the seconder may withdraw his second. After the question has been stated it is in possession



of the assembly, and he can neither withdraw nor modify it without the consent of the assembly. When the mover requests permission to modify or withdraw his motion, the chair asks if there is any objection, and if there is none he announces that the motion is withdrawn or modified in such and such a way, as the case may be. If any one objects the chair puts the question on granting the request, or a motion may be made to grant it. In case the mover of a main motion wishes to accept an amendment that has been offered, without obtaining the floor, he says, "Mr. Chairman, I accept the amendment." If no objection is made the chair announces the question as amended. If any one objects, the chair states the question on the amendment, as it can be accepted only by general consent. A request for leave to do anything is treated the same as a motion to grant the leave except that the request must be made by the maker of the motion it is proposed to modify, while the motion to grant the leave is made by some one else and therefore requires no second as it is favored by the one making the request.

(d) Reading Papers.

If any member objects, a member has no right to read, or have the clerk read, from any paper or book, as a part of his speech, without the permission of the assembly. The request or the motion to grant such permission yields to privileged motions. It cannot be debated, or amended, or have any other subsidiary motion applied to it. It is customary, however, to allow members to read printed extracts as parts of their speeches, as long as they do not abuse the privilege.

Where papers are laid before the assembly, every member has a right to have them read once, or if there is debate or amendment he has the right to have them read again, before he can be compelled to vote on them. Whenever a member asks for the reading of any such paper evidently for information, and not for delay, the chair should direct it to be read, if no one objects. But a member has not the right to have anything read (excepting as stated above) without permission of the assembly. If a member was absent from the hall when the paper under consideration was read, even though absent on duty, he cannot insist on its being again read, as the convenience



of the assembly is of more importance than that of a single member.

(e) To be Excused from a Duty.

If a member is elected to office, or appointed on a committee, or has any other duty placed on him, and he is unable or unwilling to perform the duty, if present he should decline it immediately, and if absent he should, upon learning of the fact, at once notify the secretary or president orally or in writing that he cannot accept the duty. In most organizations members cannot be compelled to accept office or perform any duties not required by the by-laws, and therefore they have the right to decline office. But if a member does not immediately decline, by his silence he accepts the office, and is under obligation to perform the duty until there has been a reasonable opportunity for his resignation to be accepted. The secretary, for instance, cannot relieve himself from the responsibility of his office by resigning. His responsibility as secretary does not cease until his resignation is accepted, or, at least, until there has been a reasonable time for its acceptance. It is seldom good policy to decline to accept a resignation. As a member has no right to continue to hold an office the duties of which he cannot or will not perform, so a society has no right to force an office on an unwilling member. When a member declines an office, no motion is necessary, unless the by-laws of the society make the performance of such duties obligatory upon members. If the member is present at the election, the vacancy is filled as if no one had been elected. If the member was not present at the election, when the chair announces his refusal to take the office, as it is a question of privilege relating to the organization of the society, the election to fill the vacancy may take place at once unless notice is required, or other provision for filling vacancies is provided by the by-laws. In the case of a resignation, the chair may at once state the question on accepting it, or a motion to that effect may be made. In either case it is debatable and may have any subsidiary motion applied to it. It yields to privileged and incidental motions.



(f) Request for Any Other Privilege.

When any request is to be made the member rises and addresses the chair, and as soon as he catches the eye of the chairman, states at once why he rises. He should rise as soon as a member yields the floor, and, though the floor is assigned to another, he still makes his request. He should never interrupt a member while speaking unless he is sure that the urgency of the case justifies it. As a rule all such questions are settled by general consent, or informally, but, if objection is made, a vote is taken. An explanation may be requested or given, but there is no debate. As these requests arise, they should be treated so as to interrupt the proceedings as little as is consistent with the demands of justice.

Footnotes

¹ In Congress a motion "may be withdrawn at any time before a decision or amendment." H.R. Rule 16, §2. The rule given above, which is in accordance with the common parliamentary law, is better adapted to ordinary assemblies.

