

ITEM 28 | LAY ON THE TABLE

This motion takes precedence of all other subsidiary [12] motions and of such incidental [13] questions as are pending at the time it is made. It yields to privileged [14] motions and such motions as are incidental to itself. It is undebatable and cannot have any subsidiary motion applied to it. It may be applied to any main [11] motion; to any question of privilege or order of the day, after it is before the assembly for consideration; to an appeal that does not adhere to the main question, so that the action on the latter would not be affected by the reversal of the chair's decision; or to the motion to reconsider when immediately pending, in which case the question to be reconsidered goes to the table also. No motion that has another motion adhering to it can be laid on the table by itself; if laid on the table it carries with it everything that adheres to it. When a motion is taken from the table [35] everything is in the same condition, as far as practicable, as when the motion was laid on the table, except that if not taken up until the next session the effect of the previous question is exhausted. If debate has been closed by ordering the previous question, or otherwise, up to the moment of taking the last vote under the order, the questions still before the assembly may be laid on the table. Thus, if, while a resolution and an amendment and a motion to commit are pending, the previous question is ordered on the series of questions, and the vote has been taken and lost on the motion to commit, it is in order to lay on the table the resolution, which carries with it the adhering amendment.

This motion cannot be applied to anything except a question actually pending, therefore it is not in order to lay on the table a class of questions, as the orders of the day, or unfinished business, or reports of committees, because they are not pending questions, as only one main motion can be pending at a time.

To accomplish the desired object, which is evidently to reach a special subject or class of business, the proper course is to suspend the rules by a two-thirds vote and take up the desired question or class of business. Sometimes when it is desired to pass over the next order or class of business, that business is "passed," as it is called, by general consent. In such case, as soon as the business for which it was "passed" is disposed of, it is then taken up. By general consent, the business to come before the assembly may be considered in any order the assembly desires.

If a motion to lay on the table has been made and lost, or if a question laid on the table has been taken from the table, it shows



that the assembly wishes to consider the question now, and therefore a motion made the same day to lay that question on the table is out of order until there has been material progress in business or debate, or unless an unforeseen urgent matter requires immediate attention. The assembly cannot be required to vote again the same day on laying the question on the table unless there is such a change in the state of affairs as to make it a new question. Motions relating to adjournment or recess, made and lost, are not business justifying the renewal of the motion to lay on the table, but the renewal of the motion might be justified after a vote on an important amendment, or on the motion to commit. A vote on laying on the table cannot be reconsidered, because, if lost the motion may be renewed as soon as there has been material progress in debate or business, or even before if anything unforeseen occurs of such an urgent nature as to require immediate attention; and if adopted the question may be taken from the table as soon as the interrupting business has been disposed of and while no question is pending, and business of this class, or new or unfinished business, is in order.

The Form of this motion is, "I move to lay the question on the table," or, "That the question be laid on the table," or, "That the question lie on the table." It cannot be qualified in any way; if it is qualified, thus, "To lay the question on the table until 2 P.M.," the chair should state it properly as a motion to postpone until 2 P.M., which is a debatable question, and not the motion to lay on the table.

The Object¹ of this motion is to enable the assembly, in order to attend to more urgent business, to lay aside the pending question in such a way that its consideration may be resumed at the will of the assembly as easily as if it were a new question, and in preference to new questions competing with it for consideration. It is to the interest of the assembly that this object should be attained instantly by a majority vote, and therefore this motion must either apply to, or take precedence of, every debatable motion whatever its rank. It is undebatable, and requires only a majority vote, notwithstanding the fact that if not taken from the table the question is suppressed. These are dangerous privileges which are given to no other motion whose adoption would result in final action on a main motion. There is a great temptation to make an improper use of them, and lay questions on the table for the purpose of instantly suppressing them by a majority vote, instead of using the previous question, the legitimate motion to bring the assembly to an immediate vote. The fundamental principles of

parliamentary law require a two-thirds vote for every motion that suppresses a main question for the session without free debate. The motion to lay on the table being undebatable, and requiring only a majority vote, and having the highest rank of all subsidiary motions, is in direct conflict with these principles, if used to suppress a question. If habitually used in this way, it should, like the other motions to suppress without debate, require a two-thirds vote.

The minority has no remedy for the unfair use of this motion, but the evil can be slightly diminished as follows: The person who introduces a resolution is sometimes cut off from speaking by the motion to lay the question on the table being made as soon as the chair states the question, or even before. In such cases the introducer of the resolution should always claim the floor, to which he is entitled, and make his speech. Persons are commonly in such a hurry to make this motion that they neglect to address the chair and thus obtain the floor. In such case one of the minority should address the chair quickly, and if not given the floor, make the point of order that he is the first one to address the chair, and that the other member, not having the floor, was not entitled to make a motion [3].

As motions laid on the table are merely temporarily laid aside, the majority should remember that the minority may all stay to the moment of final adjournment and then be in the majority, and take up and pass the resolutions laid on the table. They may also take the question from the table at the next meeting in societies having regular meetings as frequently as quarterly. The safer and fairer method is to object to the consideration of the question if it is so objectionable that it is not desired to allow even its introducer to speak on it; or, if there has been debate so it cannot be objected to, then to move the previous question, which, if adopted, immediately brings the assembly to a vote. These are legitimate motions for getting at the sense of the members at once as to whether they wish the subject discussed, and, as they require a two-thirds vote, no one has a right to object to their being adopted.

The Effect of the adoption of this motion is to place on the table, that is, in charge of the secretary, the pending question and everything adhering to it; so, if an amendment is pending to a motion to refer a resolution to a committee, and the question is laid on the table, all these questions go together to the table, and when taken from the table they all come up together. An



amendment proposed to anything already adopted is a main motion, and therefore when laid on the table, does not carry with it the thing proposed to be amended. A question of privilege may be laid on the table without carrying with it the question it interrupted. In legislative bodies, and all others that do not have regular sessions as often as quarterly, questions laid on the table remain there for that entire session, unless taken up before the session closes. In deliberative bodies with regular sessions as frequent as quarterly, the sessions usually are very short and questions laid on the table remain there until the close of the next regular session, if not taken up earlier; just as in the same assemblies a question can be postponed to the next session, and the effect of the motion to reconsider, if not called up, does not terminate until the close of the next session. The reasons for any one of these rules apply with nearly equal force to the others. While a question is on the table no motion on the same subject is in order that would in any way affect the question that is on the table; it is necessary first to take the question from the table and move the new one as a substitute, or to make such other motion as is adapted to the case.

Footnotes

¹ The common parliamentary law in regard to this motion is thus laid down in Section 33 of Jefferson's Manual, the authority in both Houses of Congress: "4. When the House has something else which claims its present attention, but would be willing to reserve in their power to take up a proposition whenever it shall suit them, they order it to lie on their table. It may then be called for at any time." But, on account of the enormous number of bills introduced each session and the possibility of considering only a small fraction of them, Congress has been obliged to find some way by which the majority can quickly kill a bill. The high rank and undebatability of this motion enabled it to be used for this purpose by simply allowing its mover the right of recognition in preference to the member reporting the bill, and then not allowing a question to be taken from the table except under a suspension of the rules (unless it is a privileged matter), which requires a two-thirds vote. This complete revolution in the use of the motion to lay on the table renders all the practice of Congress in regard to this motion useless for any ordinary deliberative assembly. It is the extreme of a "gag law," and is only justifiable in an assembly where it is impossible to attend to one-tenth of the bills and resolutions introduced. In Congress, to lay on the table and the previous question require the same vote (a majority), and in all ordinary societies where to lay on the table is habitually used to kill questions, it should require the same vote as the previous question, namely, two-thirds.

