

ITEM 41 | CALL OF THE HOUSE

(This cannot be used in ordinary assemblies, as they have not the power to compel the attendance of members.)

The object of a call of the house is to compel the attendance of absent members, and is allowable only in assemblies that have the power to compel the attendance of absentees. It is usual to provide in such assemblies that when no quorum is present, a specified small number can order a call of the house. In Congress a call of the house may be ordered by a majority vote, provided one-fifth of the members elect are present. A rule like the following would answer for city councils and other similar bodies that have the power to enforce attendance.

Rule. When no quorum is present, if one-fifth of the members elect are present, they may by a majority vote order a call of the house and compel the attendance of absent members. After the call is ordered, a motion to adjourn, or to dispense with further proceedings in the call, cannot be entertained until a quorum is present, or until the sergeant-at-arms² reports that in his opinion no quorum can be obtained on that day.

If no quorum is present, a call of the house takes precedence of everything, even reading the minutes, except the motion to adjourn, and only requires in its favor the number specified in the rule. If a quorum is present a call should rank with questions of privilege [19], requiring a majority vote for its adoption, and if rejected it should not be renewed while a quorum is present at that meeting. After a call is ordered, until further proceedings in the call are dispensed with, no motion is in order except to adjourn and a motion relating to the call, so that a recess could not be taken by unanimous consent. An adjournment puts an end to all proceedings in the call, except that the assembly before adjournment, if a quorum is present, can order such members as are already arrested to make their excuse at an adjourned meeting.

Proceedings in a Call of the House. When the call is ordered the clerk calls the roll of members alphabetically, noting the absentees; he then calls over again the names of absentees, when excuses³ can be made; after this the doors are locked, no one being permitted to leave, and an order similar in form to the following is adopted: "Ordered, That the sergeant-at-arms take into custody, and bring to the bar of the House, such of its members as are absent without the leave of the House." A warrant signed by the presiding officer and attested by the clerk, with a list of

absentees attached, is then given to the sergeant-at-arms, who immediately proceeds to arrest the absentees. When he appears with members under arrest, he proceeds to the chairman's desk (being announced by the doorkeeper in large bodies), followed by the arrested members, and makes his return. The chairman arraigns each member separately, and asks what excuse he has to offer for being absent from the sittings of the assembly without its leave. The member states his excuse, and a motion is made that he be discharged from custody and admitted to his seat either without payment of fees or after paying his fees. Until a member has paid the fees assessed against him he cannot vote or be recognized by the chair for any purpose.

Footnotes

¹ In the early history of our Congress a call of the house required a day's notice and in the English parliament it is usual to order that the call shall be made on a certain day in the future, usually not over ten days afterwards, though it has been as long as six weeks afterwards. The object of this is to give notice so that all the members may be present on that day, when important business is to come before the house. In Congress a call of the house is only used now when no quorum is present, and as soon as a quorum appears it is usual to dispense with further proceedings in the call, and this is in order at any stage of the proceedings. In Congress it is customary afterwards to remit the fees that have been assessed. In some of our legislative bodies proceedings the call cannot be dispensed with except a majority of the members elect to vote in favor of so doing.

² The term sergeant-at-arms should be replaced by "chief of police," or the title of whatever officer serves the warrant.

³ It is usual in Congress to excuse those who have "paired off," that is, two members on opposite sides of the pending question who have agreed that while one is absent the other will not vote on the question. Pairing should not be allowed on questions requiring a two-thirds vote.

